

No. 10090, abolishing ticket brokerage—to the Committee on Interstate and Foreign Commerce.

By Mr. VAN HORN: Petition of W. V. Clark and 914 citizens, firms, and corporations of Kansas City, St. Louis, and other cities in the State of Missouri; New York, Philadelphia, Chicago, Boston, Cincinnati, Omaha, Milwaukee, Toledo, Columbus, Salt Lake City; Wichita, Leavenworth, and Wyandotte, Kans.; Los Angeles, Cal.; Bridgeport, Conn.; Tampa, Fla.; Leadville, and Trinidad, Colo., and other cities, protesting against the passage of House bill No. 10090, prohibiting ticket brokerage—to the Committee on Interstate and Foreign Commerce.

By Mr. WASHINGTON: Petition of C. M. Whittemore and 13 other citizens of Antioch, Tenn., asking for the passage of House bill No. 10090, relating to ticket brokerage—to the Committee on Interstate and Foreign Commerce.

By Mr. WOOMEY: Resolutions of S. G. Simmons Post, No. 116, Grand Army of the Republic, of Harrisburg, Pa., in favor of per diem service-pension bill, which has been reported favorably by the House Committee on Invalid Pensions and now upon the Calendar—to the Committee on Invalid Pensions.

SENATE.

TUESDAY, February 16, 1897.

Prayer by Rev. W. J. B. BROWN, D. D., of London, England.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. JONES of Arkansas, and by unanimous consent, the further reading was dispensed with.

THE MISSISSIPPI CHOCTAWS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, in response to a resolution of the 11th instant, a letter from the Commissioner of Indian Affairs relative to the treaty with the Choctaw Indians in Mississippi; which, with the accompanying papers, was referred to the Committee on Indian Affairs, and ordered to be printed.

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. 1169) authorizing the Secretary of War to issue Springfield rifles to each State and Territory for the National Guards thereof, in exchange for other rifles now held;

A bill (S. 2101) to provide for the relief of certain officers and enlisted men of the volunteer forces;

A bill (S. 3603) to extend the time for the completion of the St. Paul, Minneapolis and Manitoba Railway Company through the White Earth, Leech Lake, Chippewa, and Fond du Lac Indian reservations in the State of Minnesota;

A bill (S. 3666) to remove doubts as to the power of the supreme court of the District of Columbia to provide for a vacancy in the office of attorney of the United States for the District of Columbia;

A joint resolution (S. R. 121) to amend an act granting to the Duluth and Winnipeg Railroad Company a right of way through the Chippewa and White Earth Indian reservations, in the State of Minnesota; and

A joint resolution (S. R. 204) authorizing the Secretary of the Navy to transport contributions for the relief of the suffering poor of India.

The message also announced that the House had passed the bill (S. 3614) to aid in the improvement of the navigable channel of the South Pass by closing the existing crevasse in Pass a Loutre in the Mississippi River with an amendment in which it requested the concurrence of the Senate.

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

A bill (H. R. 9494) concerning certain homestead lands in Florida;

A bill (H. R. 9708) to provide for light-houses and other aids to navigation;

A bill (H. R. 10278) to reorganize the judicial districts of Arkansas, and for other purposes;

A bill (H. R. 10292) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1898, and for other purposes;

A joint resolution (H. Res. 239) admitting free of duty needlework and similar articles imported by the New York Association of Sewing Schools for exhibition purposes; and

A joint resolution (H. Res. 252) authorizing the Secretary of War to deliver to the mayor of Buffalo tents, in loan, for the convenience of the Grand Army of the Republic at its annual encampment, to be held this year at that city.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented resolutions adopted at the twenty-seventh annual meeting of the National Board of Trade held in Washington, D. C., January 26, 27, and 28, 1897, in favor of the ratification of the pending arbitration treaty with Great Britain; which were ordered to lie on the table.

Mr. TURPIE presented the memorial of J. E. Sherrill, of Danville, Ind., remonstrating against the passage of the so-called Loud bill, relating to second-class mail matter; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented petitions of the Furniture Manufacturers' Association, of the E. Q. Smith Chair Company, of the Karges Furniture Company, of the Evansville Mattress and Lounge Factory, of J. Shelosky & Co., of Price Bros. & Co., of the Evansville Furniture Company, and of the Buehner Chair Company, all of Evansville, Ind., praying for the passage of the so-called Loud bill, relating to second-class mail matter; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the W. B. Barry Saw and Supply Company, of Indianapolis, Ind., praying for the adoption of certain amendments to the tariff bill, relative to saw plates and band-saw steel; which was referred to the Committee on Finance.

He also presented 40 petitions, signed by sundry citizens of Indiana, praying for the passage of Senate bill 3545, prohibiting the sale of railroad tickets by unauthorized persons; which were ordered to lie on the table.

Mr. ALLEN presented a petition of the Woman's Christian Temperance Union of Lincoln, Nebr., praying for the passage of Senate bill No. 1552, to provide for the further prevention of cruelty to animals in the District of Columbia; which was ordered to lie on the table.

Mr. VEST presented a petition of members of the Christian Church, of Lancaster, Ohio, praying for the enactment of legislation to raise the age of consent to 18 years in the District of Columbia and the Territories; which was referred to the Committee on the District of Columbia.

He also presented petitions of citizens of Marshall, Excelsior Springs, Hermann, Kansas City, Laplata, Lexington, Mexico, Norborne, Pacific, St. Charles, St. Louis, Sedalia, and Warrington, all in the State of Missouri, praying for the passage of the antiscaling railroad ticket bill; which were ordered to lie on the table.

Mr. MITCHELL of Wisconsin presented sundry petitions of citizens of Milwaukee, Appleton, La Crosse, Menasha, and Darlington, all in the State of Wisconsin, praying for the passage of the antiscaling railroad ticket bill; which were ordered to lie on the table.

Mr. BATE presented petitions of citizens of Benton County, Memphis, Humphreys County, Shelbyville, Nashville, Belfast, Dresden, Haley, Murfreesboro, Huntland, Rock Island, Doyle, Smartt, Parsons, Fayetteville, Franklin County, Hickman County, Fayette County, Paris, Moscow, Huntington, Winchester, Antioch, Lebanon, Wartrace, Dexter, Woodland Mills, Gardner, Ralston, Union City, South Pittsburg, Darden, Jasper, and Estills Springs, all in the State of Tennessee, praying for the passage of the antiscaling railroad ticket bill; which were ordered to lie on the table.

Mr. McBRIDE presented a petition of the Woman's Christian Temperance Union of Newberg, Oreg., praying for the enactment of legislation raising the age of consent to 18 years in the District of Columbia and the Territories; which was referred to the Committee on the District of Columbia.

He also presented a petition of the Woman's Christian Temperance Union of Newberg, Oreg., praying for the enactment of legislation to protect the first day of the week as a day of rest in the District of Columbia; which was referred to the Committee on the District of Columbia.

He also presented a petition of the Woman's Christian Temperance Union of Newberg, Oreg., praying for the enactment of legislation prohibiting interstate gambling by telegraph, telephone, or otherwise; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Woman's Christian Temperance Union of Newberg, Oreg., praying for the appointment of an impartial, nonpartisan agricultural commission; which was ordered to lie on the table.

He also presented the petition of F. D. Wagner, publisher of the Tidings, of Ashland, Oreg., and the petition of E. C. Putland, editor of the West Side, of Independence, Oreg., praying for the passage of the so-called Loud bill, relating to second-class mail matter; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. BURROWS. I am in receipt of resolutions wired me last evening adopted by the house of representatives of the legislature of Michigan, remonstrating against the passage of House bill No. 10090, for the purpose of abolishing ticket brokerage. I ask that the resolutions be read.

The resolutions were read, and referred to the Committee on Interstate Commerce, as follows:

STATE HOUSE, Lansing, Mich., February 15, 1897.

Hon. J. C. BURROWS, Washington, D. C.:

Resolutions offered by Representative Gillam, February 2:
Whereas a bill has been introduced into the National House of Representatives, known as H. R. 10090, for the purpose of abolishing ticket brokers, and entitled "A bill to amend the act entitled 'An act to regulate commerce,'" and Whereas the provisions of this proposed act, if carried into effect, would not only wipe out ticket brokerage but deny to every citizen the right to dispose of his own property in the open market respecting railroad transportation, and in case of such disposal would be branded a felon punishable by fine and imprisonment; and

Whereas the passage of such a bill or act would in effect be a violation of the recognized rights of the people and is in effect a grab at the public purse for the benefit of railroad corporations and to the injury of the traveling public: Therefore

Be it resolved by the house of representatives of the State of Michigan, That we denounce the measure as unjust and one that tends rather to protect corporate interests than to benefit or in any manner favor the rights and privileges of the mass of American citizens; and

Be it further resolved, That we recommend to our representatives in Congress that they use all honorable means in their power to defeat the passage of any such measure; and

Be it further resolved, That a copy of these resolutions be forwarded to our representatives in Washington, to the Speaker of the House, President of the Senate, to the President of the United States, and to the chairman of the Interstate Commerce Commission.

Which was adopted.

LEWIS M. MILLER, Clerk.

Mr. PROCTOR presented the petition of J. H. Livingston, publisher of the Reformer, of Bennington, Vt., praying for the passage of House bill No. 4566, to amend the postal laws relating to second-class mail matter; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. MORRILL. I present a petition of the pastor and members of the congregation of the Church of the Covenant, of this city, praying for the prohibition of the sale of alcoholic liquors in the Capitol building and grounds. As the bill on this subject has been reported, I move that the petition lie on the table.

The motion was agreed to.

Mr. SHERMAN presented the petition of George W. Barron, publisher of the News-Herald, of Hillsboro, Ohio, praying for the passage of House bill No. 4566, to amend the postal laws relating to second-class mail matter; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented the memorial of Rev. Wilbur F. Crafts, superintendent of the Reform Bureau, of Washington, D. C., calling attention to petitions presented in the Fiftieth Congress from the international conventions of the Brotherhood of Locomotive Engineers and the Knights of Labor and other labor organizations; from the Presbyterian General Assembly and many other church conventions, and from Cardinal Gibbons, in behalf of a Sunday-rest law in the District of Columbia, and also introducing new petitions from Archbishop Keane and Rev. Dr. Stafford in favor of the so-called McMillan bill, to further protect the first day of the week as a day of rest in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. CHILTON presented the petition of W. A. Leonard, publisher of the Angleton Times, of Angleton, Tex., and the petition of Aaron Smith, publisher of the Times-Review, of Mount Pleasant, Tex., praying for the passage of House bill No. 4566, to amend the postal laws relating to second-class mail matter; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. CAMERON presented the petitions of F. Weber & Co., of Philadelphia; of J. F. Hazard & Co., of Philadelphia; of T. J. McCleary, publisher of the Democrat, of Newcastle; of Henry J. Rife, of Philadelphia, and of Ellis L. Mumma, publisher of the Morning Call, of Harrisburg, all in the State of Pennsylvania, praying for the passage of House bill No. 4566, to amend the postal laws relating to second-class mail matter; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented a memorial of sundry citizens of Mechanicsburg, Pa., remonstrating against the passage of House bill No. 4566, to amend the postal laws relating to second-class mail matter; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented the petition of the Whatsoever Circle of the King's Daughters of the State Normal School, of Westchester, Pa., praying for the enactment of legislation prohibiting the sale of intoxicating liquors in the Capitol building; which was ordered to lie on the table.

He also presented the petition of the John O. Mahoney Club, of Pennsylvania, and a petition of the Stock Exchange of Pittsburg, Pa., praying for the ratification of the pending arbitration treaty with Great Britain; which were ordered to lie on the table.

He also presented sundry petitions of citizens of Northeast, Pa., and the petition of C. J. Kephart, of Annville, Pa., praying for the passage of the antiscaling railroad ticket bill; which were ordered to lie on the table.

Mr. PEPPER presented sundry petitions of citizens of Atchison, Wichita, Salina, and Coffeyville, all in the State of Kansas, pray-

ing for the passage of the antiscaling railroad ticket bill; which were ordered to lie on the table.

Mr. SEWELL presented sundry petitions of citizens of New Jersey, praying for the passage of the antiscaling railroad ticket bill; which were ordered to lie on the table.

Mr. NELSON presented the petition of T. B. Sheldon and sundry other citizens of Minnesota, praying for the passage of the antiscaling railroad ticket bill; which was ordered to lie on the table.

Mr. FRYE presented the petition of John Lowell and sundry other citizens of Boston, Mass., praying for the adoption of certain amendments to the bill (H. R. 2063) to amend the laws relating to navigation; which was referred to the Committee on Commerce.

Mr. DAVIS presented the petition of A. W. McKinstry, publisher of the Republican, of Faribault, Minn., and the petition of Ransom Metcalfe, publisher of the Mesaba Range, of Biwabik, Minn., praying for the passage of House bill No. 4566, to amend the postal laws relating to second-class mail matter; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented sundry petitions of citizens of Minnesota, praying for the passage of the antiscaling railroad ticket bill; which were ordered to lie on the table.

Mr. HOAR presented petitions of Sarah E. Hunt, vice-president, and 12 other members of the General Society of the Daughters of the Revolution, and of members of the Massachusetts Charitable Mechanic Association, and of the New England Historic and Genealogical Society, praying for the permanent preservation of the U. S. frigate *Constitution*; which were referred to the Committee on Naval Affairs.

He also presented a petition of Good Fellows Assembly, No. 187, Royal Society of Good Fellows, of Vineyard Haven, Mass., and a petition of 30 citizens of New Bedford, Mass., praying for the enactment of legislation regulating fraternal beneficiary societies, orders, and associations; which were ordered to lie on the table.

Mr. CULLOM presented a petition of the legislature of Illinois, praying for the establishment of a national military park to commemorate the campaign, siege, and defense of Vicksburg; which was referred to the Committee on Military Affairs.

He also presented the petitions of L. M. Kelley, of Elgin, Ill., and a petition of Branch No. 171, International Association of Letter Carriers, of Elgin, Ill., praying for the enactment of legislation providing for the reclassification of postal railway clerks; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the Woman's Christian Temperance Union of Harvey, Ill., and a petition of the Woman's Christian Temperance Union of New York, praying for the enactment of legislation prohibiting the sale of intoxicating liquors in the Capitol building; which were ordered to lie on the table.

He also presented a petition of the Woman's Christian Temperance Union of New York, praying for the ratification of the pending arbitration treaty with Great Britain; which was ordered to lie on the table.

He also presented sundry petitions of citizens of Illinois, praying for the passage of the antiscaling railroad ticket bill; which were ordered to lie on the table.

He also presented the petition of Rev. Watson Thatcher, of Chicago, Ill., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in the Capitol building, to raise the age of consent to 18 years in the District of Columbia and the Territories, and to prohibit interstate gambling by telegraph, telephone, or otherwise; which was referred to the Committee on the District of Columbia.

He also presented the petition of E. L. Kletzury, principal of the Norwood Park School, of Chicago, Ill., praying for the enactment of legislation prohibiting the sale of intoxicating liquors in the Capitol building; which was ordered to lie on the table.

He also presented the petition of Benjamin Burton, of Geneva, Ill., praying for the enactment of legislation to raise the age of consent to 18 years in the District of Columbia and the Territories, and also to prohibit interstate gambling by telegraph, telephone, or otherwise; which was referred to the Committee on the District of Columbia.

Mr. CULLOM. I present a memorial of the Cherokee delegates, remonstrating against the adoption of the proposed amendment of the Senate to the bill (H. R. 10002) 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, 1898, and for other purposes, the amendment providing that the claims asserted against the fund withheld for the distribution to the Old Settlers or Western Cherokee Indians, as provided in the acts of Congress approved August 23, 1894 (28 Statutes at Large, page 451), and June 10, 1896, (29 Statutes at Large, page 344), be referred to the Court of Claims for adjudication and settlement. I move that the memorial be printed as a document and referred to the Committee on Indian Affairs.

The motion was agreed to. Mr. WALTHALL presented a petition of sundry citizens of Wesson, Miss., praying for the enactment of legislation prohibiting the sale of intoxicating liquors in the Capitol building; which was ordered to lie on the table.

Mr. VOORHEES presented petitions of Clem Studebaker, of South Bend; of the New Albany Ministerial Association, of New Albany; of members of the Third Christian Church, of Indianapolis; and of the Deer Creek Preparative Meeting of Friends, of Marion, all in the State of Indiana; and the petition of Ellen M. Henrotin and sundry other women of New York City, praying for the ratification of the pending arbitration treaty with Great Britain; which were ordered to lie on the table.

He also presented petitions of the Travelers' Protective Association of Terre Haute, Frankfort, and Lafayette, all in the State of Indiana, praying for the passage of the so-called Torrey bankruptcy bill; which were ordered to lie on the table.

He also presented a petition of the legislature of Indiana, praying for the enactment of legislation increasing the pay of letter carriers; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the legislature of Indiana, praying for the adoption of an amendment to the civil-service law, restoring all soldiers discharged without charges and exempting them from civil-service examinations to positions in the Government service; which was referred to the Committee on Civil Service and Retrenchment.

He also presented a petition of the legislature of Indiana, praying for the enactment of legislation placing post-office clerks and carriers in the classified service; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the legislature of Indiana, praying for the passage of House bill No. 4339, to establish a national military park to commemorate the campaign, siege, and defense of Vicksburg; which was referred to the Committee on Military Affairs.

He also presented the petitions of S. B. Boyd, publisher of the Democrat, of Washington; of Hale Clark, publisher of the Advertiser, of Washington, and of Walter B. Campbell, publisher of the Daily and Weekly Herald, of Anderson, all in the State of Indiana, praying for the passage of the so-called Loud bill, relating to second-class mail matter; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented the memorial of O. E. Fulghum, of Richmond, Ind., and a memorial of sundry citizens of Wayne County, Ind., remonstrating against the passage of the so-called Loud bill, relating to second-class mail matter; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented fourteen petitions signed by sundry citizens of Indiana, praying for the passage of the antiscaling railroad ticket bill; which were ordered to lie on the table.

Mr. LODGE presented a petition of 32 citizens of Amherst, Mass., praying for the enactment of legislation prohibiting the sale of intoxicating liquors in any Government building; which was referred to the Committee on Public Buildings and Grounds.

He also presented petitions of 10 citizens of North Easton, 19 citizens of Middleboro, 28 citizens of Canton, 11 citizens of Hingham, 11 citizens of Braintree, 10 citizens of North Attleboro, 10 citizens of Milton, 7 citizens of Hyde Park, 18 citizens of Plymouth, 30 citizens of Haverhill, and 18 citizens of Boston, all in the State of Massachusetts, praying for the passage of the antiscaling railroad ticket bill; which were ordered to lie on the table.

Mr. GEAR presented the petition of Mrs. B. L. Ogden, of Council Bluffs, Iowa, praying for the enactment of legislation to raise the age of consent to 18 years in the District of Columbia and the Territories; to prohibit interstate gambling by telegraph, telephone, or otherwise, and to prohibit the sale of intoxicating liquors in the Capitol building; which was referred to the Committee on Interstate Commerce.

He also presented the petition of Sam G. Sloane, publisher of the Citizen, of Charles City, Iowa, and the petition of R. H. Moore, publisher of the Democrat, of Ottumwa, Iowa, praying for the passage of the so-called Loud bill, to amend the postal laws relating to second-class mail matter; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented petitions of 46 citizens of Grundy Center, of 38 citizens of Traer, 20 citizens of Reinbeck, 44 citizens of Dows, and 46 citizens of Ottumwa, all in the State of Iowa, praying for the passage of the antiscaling railroad ticket bill; which were ordered to lie on the table.

Mr. THURSTON presented sundry petitions of citizens of Omaha, Nebraska City, and Weeping Water, all in the State of Nebraska, praying for the passage of the antiscaling railroad ticket bill; which were ordered to lie on the table.

He also presented the petition of N. H. Parks, publisher of the Telegram, of Columbus, Nebr., and the petition of L. A. Williams,

publisher of the Pilot, of Blair, Nebr., praying for the passage of House bill No. 4566, to amend the postal laws relating to second-class mail matter; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. TELLER presented a petition of the Grand Army of the Republic Memorial and Benevolent Association, of Denver, Colo., praying for the enactment of a service-pension law; which was ordered to lie on the table.

He also presented a petition of the Woman's Christian Temperance Union of East Pueblo, Colo., and a petition of the Patterson Woman's Christian Temperance Union, of Pueblo, Colo., praying for the appointment of an impartial, nonpartisan industrial commission; which were ordered to lie on the table.

He also presented a memorial of sundry citizens of Cripple Creek, Colo., and a memorial of sundry citizens of Newcastle, Colo., remonstrating against the passage of House bill No. 4566, to amend the postal laws relating to second-class mail matter; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented the petitions of E. H. Snyder, publisher of the Chief, of Highlands; of the Enterprise Publishing Company, of Rocky Ford; of C. T. Rawl, publisher of the Gunnison News, of Gunnison, and of W. H. Hirst, publisher of the Independent-Journal, of Alamosa, all in the State of Colorado, praying for the passage of House bill No. 4566, to amend the postal laws relating to second-class mail matter; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented petitions of sundry citizens of Montrose; of the Woman's Christian Temperance Union of Mesa; of the Woman's Christian Temperance Union of Pueblo, and of the Woman's Christian Temperance Union of East Pueblo, all in the State of Colorado, praying for the passage of a Sunday-rest law in the District of Columbia; which were referred to the Committee on the District of Columbia.

Mr. VILAS presented sundry petitions of citizens of Madison, Centralia, Fond du Lac, Green Bay, Merrill, Oconto, Ripon, Fort Atkinson, Chippewa Falls, Delavan, Milton Junction, Hurley, Neenah, Richland Center, Whitewater, and Wausau, all in the State of Wisconsin, praying for the passage of the antiscaling railroad ticket bill; which were ordered to lie on the table.

He also presented a petition of the Wisconsin Convention of Congregational Churches, of Antigo, Wis., praying for the enactment of a Sunday-rest law for the District of Columbia; which was referred to the Committee on the District of Columbia.

LOWER BRULE SIOUX INDIANS.

Mr. PETTIGREW. I present testimony taken before the Senate Committee on Indian Affairs in relation to the removal of the Lower Brule Sioux Indians from their lands south of the White River, South Dakota, and their return to them. I move that the testimony be printed as a document for the use of the committee. The motion was agreed to.

REPORTS OF COMMITTEES.

Mr. MORRILL, from the Committee on Finance, to whom was referred the bill (H. R. 10203) to amend section 40 of "An act to reduce the revenue and equalize duties on imports, and for other purposes," approved October 1, 1890, so as to authorize the sale of forfeited domestic smoking opium to the highest bidder, reported it with an amendment.

Mr. MITCHELL of Wisconsin, from the Committee on Pensions, to whom was referred the bill (H. R. 9689) for the relief of Danie, E. De Clute, reported it without amendment, and submitted a report thereon.

Mr. BAKER, from the Committee on Pensions, to whom was referred the bill (H. R. 5898) granting a pension to Amanda M. Way, as army nurse, reported it without amendment, and submitted a report thereon.

Mr. CANNON, from the Committee on Pensions, to whom was referred the bill (H. R. 9319) granting a pension to Malachi Salters, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 3237) granting a pension to Annie Fowler, reported it with amendments, and submitted a report thereon.

Mr. SHOUP, from the Committee on Pensions, to whom was referred the bill (H. R. 2689) granting a pension to Charlotte Weirer, reported it with an amendment, and submitted a report thereon.

Mr. PERKINS, from the Committee on Naval Affairs, to whom was referred the amendment submitted by Mr. WHITE on the 4th instant, intended to be proposed to the naval appropriation bill, reported favorably thereon, and moved that it be referred to the Committee on Appropriations, and printed; which was agreed to.

Mr. GALLINGER, from the Committee on Pensions, to whom was referred the bill (H. R. 7205) granting a pension to Alphonzo O. Drake, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 6757) granting a pension to Andrew J. Molder, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 7055) increasing the pension of Anna G. Valk, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 4903) for the relief of Hattie A. Beach, child of Erastus D. Beach, late a private in Company H, One hundred and forty-third New York Volunteers, reported it without amendment, and submitted a report thereon.

Mr. PEPPER, from the Committee on Pensions, to whom was referred the bill (S. 2450) granting a pension to John C. Fitnam, submitted an adverse report thereon, which was agreed to; and the bill was postponed indefinitely.

Mr. VEST, from the Committee on Finance, to whom was referred the bill (S. 3680) to provide for the removal of the Interstate National Bank of Kansas City, Kans., to Kansas City, Mo., reported it with an amendment.

He also, from the Committee on Public Health and National Quarantine, to whom was referred the joint resolution (S. R. 200) for the prevention of the introduction and spread of contagious and infectious diseases into the United States, reported it with amendments.

Mr. CULLOM, from the Committee on Interstate Commerce, to whom was referred the bill (S. 3545) amendatory to an act entitled "An act to regulate commerce," approved February 4, 1887, and the several acts amendatory thereof, reported it with amendments.

Mr. PLATT, from the Committee on Finance, to whom was referred the bill (S. 2164) for the relief of Ellen A. Dunn, reported it with an amendment.

Mr. PALMER, from the Committee on Pensions, to whom was referred the bill (S. 583) to grant a pension to Eli D. Walker, reported it with an amendment, and submitted a report thereon.

Mr. PRITCHARD, from the Committee on Pensions, to whom was referred the bill (H. R. 5128) to increase the pension of Jere Smith, reported it without amendment, and submitted a report thereon.

Mr. JONES of Arkansas, from the Committee on Finance, to whom was referred the amendment submitted by Mr. CHANDLER on the 14th ultimo, intended to be proposed to the general deficiency appropriation bill, reported favorably thereon, and moved that it be referred to the Committee on Appropriations, and printed; which was agreed to.

Mr. GALLINGER. I am directed by the Committee on the District of Columbia, to whom was referred the bill (H. R. 10108) regulating fraternal beneficiary societies, orders, and associations in the District of Columbia, to report it with amendments. I ask that the bill take the place on the Calendar of the bill (S. 3589) regulating fraternal beneficiary societies, orders, and associations in the District of Columbia, and that the Senate bill be postponed indefinitely.

The PRESIDING OFFICER (Mr. PERKINS in the chair). In the absence of objection, it will be so ordered.

Mr. SHOUP, from the Committee on Public Lands, to whom was referred the bill (H. R. 9709) to better define and regulate the rights of aliens to hold and own real estate in the Territories, reported it without amendment, and submitted a report thereon.

Mr. HANSBROUGH, from the Committee on the Library, to whom was referred the bill (S. 2571) to purchase the portraits of Chief Justices Marshall, Taney, Chase, and Waite, reported it with amendments, and submitted a report thereon.

REPORT ON PRICES OF ARMOR.

Mr. HANSBROUGH, from the Committee on Printing, to whom was referred the resolution submitted by Mr. CHANDLER on the 13th instant, reported it without amendment; and it was considered by unanimous consent, and agreed to, as follows:

Resolved, That there be printed for the use of the Committee on Naval Affairs 1,000 additional copies of the report on the prices of armor without the testimony, and 300 copies with the testimony.

BILLS INTRODUCED.

Mr. BLACKBURN introduced a bill (S. 3699) to pension the widow of Gen. William J. Landram; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PLATT introduced a bill (S. 3700) to provide for aids to navigation; which was read twice by its title, and referred to the Committee on Commerce.

Mr. CAFFERY introduced a bill (S. 3701) providing for a survey and examination of the Passes at the mouth of the Mississippi River, and for other purposes; which was read twice by its title, and referred to the Committee on Commerce.

Mr. LINDSAY introduced a bill (S. 3702) granting an increase of pension to Anna E. Pennebaker; which was read twice by its title, and referred to the Committee on Pensions.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. WILSON submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Claims, and ordered to be printed.

He also submitted an amendment intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. GALLINGER. I desire to offer a proposed amendment to the sundry civil appropriation bill. It relates to the officers of the Revenue-Cutter Service. I am undecided as to what committee it ought to be referred. I notice that in the other House they refer bills relating to the Revenue-Cutter Service to the Interstate Commerce Committee.

Mr. CULLOM. It ought to go to the Committee on Commerce, I think.

Mr. GALLINGER. I therefore submit the proposed amendment, and move that it be referred to the Committee on Commerce, and printed.

The motion was agreed to.

Mr. DAVIS submitted an amendment intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. FRYE submitted three amendments intended to be proposed by him to the sundry civil appropriation bill; which were referred to the Committee on Commerce, and ordered to be printed.

He also submitted an amendment intended to be proposed by him to the District of Columbia appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. BAKER submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. LODGE submitted two amendments intended to be proposed by him to the sundry civil appropriation bill; which were referred to the Committee on Appropriations, and ordered to be printed.

Mr. GEAR submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

He also submitted an amendment intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Pacific Railroads, and ordered to be printed.

Mr. QUAY submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was ordered to be printed, and, with the accompanying papers, referred to the Committee on Commerce.

Mr. HILL submitted an amendment intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

He also submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Printing, and ordered to be printed.

Mr. TILLMAN submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

Mr. STEWART submitted two amendments intended to be proposed by him to the fortifications appropriation bill; which were referred to the Committee on Appropriations, and ordered to be printed.

Mr. HAWLEY submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. ELKINS submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. VILAS submitted an amendment intended to be proposed by him to the Indian appropriation bill; which was ordered to be printed, and, with the accompanying papers, referred to the Committee on Appropriations.

Mr. TURPIE submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was ordered to be printed, and, with the accompanying papers, referred to the Committee on Appropriations.

Mr. PRITCHARD submitted an amendment intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. PERKINS submitted an amendment intended to be proposed by him to the District of Columbia appropriation bill; which was referred to the Committee on the District of Columbia, and ordered to be printed.

Mr. GALLINGER submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Naval Affairs, and ordered to be printed.

THE REVENUE-CUTTER SERVICE.

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

Resolved, That the Secretary of the Treasury be, and he is hereby, directed to transmit to the Senate the following information:

First. All provisions of law touching the Revenue Cutter Service, including acts relating to the Revenue Marine.

Second. Copies of all recommendations made by the several Secretaries of the Treasury in their annual or special reports made to Congress from December 6, 1869, the commencement of the second session of the Forty-first Congress, down to the present time, relating to the Revenue Marine and Cutter Service.

Third. A statement showing the present condition of the Revenue Cutter Service, including vessels under construction and repair, and the force, including commissioned officers and enlisted men.

Resolved further, That the Secretary of the Treasury be, and he is hereby, requested to make such further recommendation as he may deem proper in respect to the necessity of immediate legislation to promote the efficiency of the Revenue-Cutter Service.

MISSISSIPPI RIVER IMPROVEMENT.

The VICE-PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 3614) to aid in the improvement of the navigable channel of the South Pass by closing the existing crevasse in Pass a Loutre in the Mississippi River.

Mr. FRYE. I move that the Senate disagree to the amendment, and request a conference on 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. CAFFERY, Mr. NELSON, and Mr. VEST were appointed.

COURTS IN ARKANSAS.

Mr. BERRY. I ask the Chair to lay before the Senate House bill 10278, just received from the House of Representatives.

The bill (H. R. 10278) to reorganize the judicial districts of Arkansas, and for other purposes, was read twice by its title.

Mr. BERRY. I wish to state that it is important that the bill should pass at once. I have seen all the members of the Judiciary Committee except, I think, the Senator from Nebraska [Mr. THURSTON]. It is a bill that is unanimously agreed to by the entire delegation. It was reported unanimously by the Judiciary Committee of the House, and under a suspension of the rules it passed the House yesterday. It is a measure of absolute necessity in regard to arranging our courts in Arkansas.

The VICE-PRESIDENT. The Senator from Arkansas asks unanimous consent for the present consideration of the bill which will be read for information.

The Secretary read the bill.

The PRESIDING OFFICER (Mr. BLACKBURN in the chair). Is there objection to the present consideration of the bill?

Mr. CHANDLER. It is so unusual to pass bills of such length upon coming from the House, without reference to a committee, that unless some member of the Judiciary Committee of this body will vouch for the bill, I shall be compelled to object to it.

Mr. HILL. In the absence of the chairman of the committee, I will state that the bill has been presented to various members of the Judiciary Committee and examined by them, and that there is no possible objection to it.

Mr. PLATT. The Senator from Massachusetts, the chairman of the committee, asked me yesterday, in conjunction with the Senator from Wisconsin [Mr. VILAS], to examine this bill and see if there was any reason why it should not pass, or if there were reasons why it should pass. Of course, in a matter of the revision geographically of the jurisdiction of the courts, where there are two districts, we have to depend quite a good deal upon the Senators from the State. Both the Senators from Arkansas assured us that the bill is right, and for the convenience of the people of the State of Arkansas, and the bill appears to be right in form.

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

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

HOUSE BILLS REFERRED.

The bill (H. R. 9494) concerning certain homestead lands in Florida was read twice by its title, and referred to the Committee on Public Lands.

The bill (H. R. 9703) to provide for light-houses and other aids to navigation was read twice by its title, and referred to the Committee on Commerce.

The bill (H. R. 10292) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1898, and for other purposes, was read twice by its title, and referred to the Committee on Appropriations.

The joint resolution (H. Res. 239) admitting free of duty needle-work and similar articles imported by the New York Association of Sewing Schools for exhibition purposes was read twice by its title, and referred to the Committee on Finance.

PACIFIC RAILROADS.

Mr. THURSTON. Certain resolutions presented by my colleague, the Senator from Nebraska [Mr. ALLEN], are pending, upon which I had nearly completed my remarks. I ask that the resolutions lie over informally until to-morrow morning. I desire to conclude my remarks at the first available opportunity.

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

Mr. SHERMAN. I hope that no arrangement will be made that will prevent the consideration of the treaty to-morrow. I trust that we may then reach final action upon it.

Mr. THURSTON. I will not stand in the way of the treaty.

The PRESIDING OFFICER. Does the Chair understand that the Senator from Ohio objects to the request of the Senator from Nebraska?

Mr. SHERMAN. I do not object, the Senator from Nebraska stating to me that he will not stand in the way of the treaty.

Mr. PLATT. I desire to state that notice was given yesterday by the Senator from Massachusetts [Mr. LODGE] that he would ask to have the immigration conference report considered immediately after the routine business to-morrow.

Mr. THURSTON. I shall not insist to-morrow morning or any other morning on getting in the way of anything that is more important. I only desire that the resolutions may not lose their place, and that upon the first available opportunity I shall have the right of way to conclude my remarks.

Mr. ALLEN. The resolution to which my colleague refers was introduced by me something like two weeks or more ago. It was discussed during the morning hour on three different days, I think, by my colleague; and while I do not intend to press it with undue haste, it occurs to me that the resolution ought to be disposed of before a great while. I will ask my colleague to fix a time when he can conclude his remarks and when the resolution may be submitted to a vote.

Mr. THURSTON. I should be glad to conclude my remarks the first morning when there is an opportunity. I shall not desire to occupy more than an hour of additional time under any circumstances.

Mr. ALLEN. I do not desire to press the matter at this time more than to say that I want to have the resolutions disposed of before Congress expires. I will be amply satisfied with any hour.

LOAN OF TENTS.

Mr. HAWLEY. There is on the table a joint resolution from the House concerning tents. It is the usual measure which has been passed for fifteen years, loaning tents to annual encampments of the Grand Army. I ask unanimous consent that it be taken up and put on its passage.

The PRESIDING OFFICER. The Chair lays before the Senate a joint resolution passed by the House of Representatives, and the Senator from Connecticut asks for the present consideration of the House joint resolution. It will be read for information.

The joint resolution (H. Res. 252) authorizing the Secretary of War to deliver to the mayor of Buffalo tents, in loan, for the convenience of the Grand Army of the Republic at its annual encampment, to be held this year at that city 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 joint resolution was considered as in Committee of the Whole.

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

TIMBER CULTURE.

Mr. PETTIGREW. I move that the Committee on the Judiciary be discharged from the further consideration of the bill (S. 3328) to amend an act entitled "An act to repeal the timber-culture laws, and for other purposes," and that the same be immediately considered.

The PRESIDING OFFICER. Will the Senator from South Dakota furnish to the desk a copy of the bill indicated?

Mr. PETTIGREW. I have it here, but I suppose the clerks have it.

The PRESIDING OFFICER. The Chair is informed at the desk that the bill is not to be had at this time.

Mr. PETTIGREW. It is the bill that was recalled from the President.

Mr. PLATT. I think the bill is in the hands of the Judiciary Committee. Is it not?

Mr. PETTIGREW. It is in the hands of the Judiciary Committee.

The PRESIDING OFFICER. The Chair is informed that the

bill is in the hands of the Judiciary Committee, and it is not at the desk of the clerks.

Mr. PLATT. I suppose a copy of the bill could be substituted for it.

Mr. PETTIGREW. I have a copy of the bill.

Mr. BATE. Let us hear the copy read, so as to know what it is.

Mr. PETTIGREW. I move that the Committee on the Judiciary be discharged from the further consideration of the bill.

The PRESIDING OFFICER. The Senator from South Dakota moves that the Committee on the Judiciary be discharged from the further consideration of the bill that he has indicated, and he asks for the immediate consideration of the bill. Is there objection? The Chair hears none, and the bill will be read.

The Secretary read the bill.

Mr. PETTIGREW. This bill was recalled from the President by a concurrent resolution of the House and Senate. I move to reconsider the vote by which the House amendments were agreed to.

The PRESIDING OFFICER. The Chair would say to the Senator from South Dakota that the bill itself is not before the Senate.

Mr. PETTIGREW. I will ask, then, to have the copy which is before the Senate substituted for the bill.

The PRESIDING OFFICER. The Chair would further state to the Senator from South Dakota that the bill has been sent for. It is in the possession of the Committee on the Judiciary. As the Senator moves to reconsider the vote had upon House amendments, which have not been printed, the Chair thinks that the bill itself should be before the Senate, so that the amendments may be read.

Mr. PETTIGREW. The amendments are printed in the bill which the clerks have.

The PRESIDING OFFICER. The Chair is informed that the amendments are printed in the copy of the bill. The Senator from South Dakota moves to reconsider the vote by which the House amendments were agreed to.

Mr. ALDRICH. I suppose the first thing in order would be to reconsider the vote by which the bill was passed to a third reading.

Mr. PETTIGREW. I simply wish to disagree to the House amendments.

The PRESIDING OFFICER. The Chair would state that the original bill is now before the Senate. The Senator from South Dakota moves to reconsider the vote by which the Senate agreed to the House amendments to the bill indicated, which amendments the Secretary will now read.

The Secretary read as follows:

Page 2, line 19, after the word "apply" insert the word "only."

Page 2, line 21, after the word "in" insert the words "North Dakota."

Page 2, line 21, after the words "South Dakota" insert "and Nebraska."

The PRESIDING OFFICER. The Senator from South Dakota moves to reconsider the vote by which the Senate agreed to the amendments of the House.

The motion to reconsider was agreed to.

Mr. PETTIGREW. I now move that the Senate disagree to the amendments of the House and ask for a conference on the disagreeing votes of the two Houses.

The motion was agreed to.

By unanimous consent, the Presiding Officer was authorized to appoint the conferees on the part of the Senate; and Mr. PETTIGREW, Mr. BERRY, and Mr. CARTER 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 bill (S. 719) to restore the pension of Harriet M. Knowlton.

The message also announced that the House had agreed to the concurrent resolution of the Senate to print 2,000 additional copies of an extract from the Seventeenth Annual Report of the United States Geological Survey, entitled "Preliminary report on artesian waters of a portion of the Dakotas."

The message further announced that the House had agreed to the amendments of the Senate to the following bills:

A bill (H. R. 1104) granting a pension to Isaac N. Williams;

A bill (H. R. 1311) granting an increase of pension to Charles W. Sentman;

A bill (H. R. 5764) granting an increase of pension to Elizabeth D. Marthon;

A bill (H. R. 5981) granting a pension to Elihu Jones;

A bill (H. R. 6789) granting a pension and for the relief of Dr. Harrison Wagoner;

A bill (H. R. 5880) granting an increase of pension to Greenville Puckett;

A bill (H. R. 8388) for the relief of William G. Buck; and

A bill (H. R. 8898) to increase the pension of Elizabeth Wellons.

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. 1862) to amend the act creating the circuit court of appeals in regard to fees and costs, and for other purposes;

A bill (S. 3666) to remove doubts as to the power of the supreme court of the District of Columbia to provide for a vacancy in the office of attorney of the United States for the District of Columbia;

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

A bill (H. R. 10134) making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1898.

SYSTEM OF BIMETALLISM.

Mr. CHANDLER. I ask the Senate to proceed to the consideration of the resolution submitted by me on the 2d instant, which is now on the table, and I ask that it may be read.

Mr. ALLEN. I hope the Senator from New Hampshire will yield to the regular order for a few moments at least.

Mr. CHANDLER. I have been yielding now for half an hour. If the Senator will state what he desires to do and that it will take no time to do it, I will yield again.

Mr. ALLEN. Mr. President, I am in order and the Senator from New Hampshire is out of order. There is unfinished morning business on the Secretary's desk which ought to be laid before the Senate.

Mr. CHANDLER. I understood the Chair had announced that morning business had closed. If so, I am strictly in order.

The PRESIDING OFFICER (Mr. BLACKBURN in the chair). The Chair has not announced the close of morning business. The Senator from New Hampshire asks to have read for information, subject to objection, the resolution which he has indicated.

Mr. ALLEN. However, Mr. President, if not inconvenient—

Mr. CULLOM. The Senator from New Hampshire has given notice two or three times that he desired to submit some remarks this morning.

Mr. ALLEN. I had anticipated the Senator from Illinois. I was simply going to suggest that if it was inconvenient to the Senator from New Hampshire to have the resolution submitted by me considered now, I would gladly consent to have it go over without prejudice until to-morrow morning.

Mr. CHANDLER. The Senator from Nebraska called the subject to my attention before asking that the resolution be taken up, and I was prepared to go on, if he had no objection.

Mr. ALLEN. Very well; let the resolution submitted by me go over without prejudice.

The PRESIDING OFFICER. That order will be made, in the absence of objection.

The resolution indicated by the Senator from New Hampshire will be read for information, subject to objection.

The Secretary read the resolution submitted by Mr. CHANDLER on the 2d instant, as follows:

Resolved, That it is the sense of the Senate that the United States should not permanently acquiesce in the single gold standard, and that the efforts of the Government in all its branches should be steadily directed to secure and maintain the use of silver as well as gold as standard money, with the free coinage of both, under a system of bimetallicism to be established through international agreement or with such safeguards of legislation as will ensure the parity in value of the two metals at a fixed ratio, furnish a sufficient volume of metallic money, and give immunity to the world of trade from violent fluctuations in exchange.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution? The Chair hears none, and the resolution is before the Senate.

Mr. CHANDLER. Mr. President, this resolution I earnestly favor because I am an advocate of bimetallicism and an opponent of monometallicism, either a single standard of silver or a single standard of gold. It is the common habit of gold monometallicists to say that there is no such thing as bimetallicism, that it is impossible to conceive of two money measures of value, any more than of two yardsticks of different lengths.

Honest doubters of this kind should realize that few important subjects in this world are absolutely simple and comprehensible without inquiry and study. The most valuable things of life are complex and to be understood only through careful research and persistent reflection. Persons unwilling thus to labor and to think are unfit to deal usefully or satisfactorily with the complicated subject of monetary science, which is of the highest possible importance to the material welfare of the human race. Prof. Francis Bowen says:

As a measure of value, then, money is an indispensable agent of commerce, and without it civilization itself would be impossible. (Am. Pol. Econ., 239.)

Chief Justice Chase says in the Legal-Tender Cases (12 Wallace, 533) that the necessity of a standard of value established by government "is indeed universally acknowledged. Without it the transactions of society would become impossible."

WHAT IS BIMETALLISM?

To avoid confusing tender minds, however, bimetallicism should not be called the use of the double standard, but should be designated as the system of the bimetallic standard, the use as money of all the gold and silver which may be presented at the mints, to be coined at a fixed ratio and made a legal tender, with the privilege to every debtor to pay his debt in coin of either metal.

It is claimed by the bimetalists that under this system, if adopted by the principal commercial nations of the world, there will be few fluctuations in the value of money, and therefore that neither the prices of property nor the burden of debts will be materially affected by such fluctuations, while it is also asserted by the bimetalists that the contrary system—that of gold monometallism—will, if finally adhered to, furnish an insufficient supply of money, always liable to many and sudden fluctuations, injuriously affecting prices and debts, and will, during the process of its adoption, so lower prices and increase the burden of debts as to paralyze trade and unjustly ruin innumerable debtors. The progress and the final result will be alike harmful and oppressive to mankind.

That gold monometallism is subject to this condemnation seems reasonably clear. Both gold and silver from the beginning of commerce among men have been used as the means of making all exchanges of commodities where trade has advanced beyond the mere barter practiced by savages; and their use as money has given to them their principal value, not their use in the arts or in any other way; and the peculiar and indispensable quality which makes them available as money is their scarcity, the continuing certainty that they will only be found in limited quantities. Professor Bowen says (page 248):

Money is a mere convenience, and in performing its function as a medium of exchange need not, and generally does not, possess any intrinsic value whatever.

THE QUANTITY OF MONEY DETERMINES VALUES.

Upon the quantity of money existing in the world depend the prices of the world's property, real and personal. There are other forms of money besides gold and silver, namely, paper currency, including checks and bills of exchange; but all money not metallic must at all times be redeemable on demand in the metal money, or it is admitted to be unsound money. If the relation between money and property remains unchanged, that is to say, if the total quantity of money in the world increases only slowly and in exact proportion to the growth of business and population, the prices of the world's property will remain unchanged except by natural causes—changes in the quantities demanded or changes in the supplies which can be provided. But if the quantity of money be largely diminished, all prices will go down; if it be largely increased, they will go up.

These propositions are almost axioms in monetary science.

That an increase of the quantity of money raises prices and a diminution lowers them is the most elementary proposition in the theory of currency, and without it we should have no key to any of the others. (2 Mill's Pol. Econ., chapter 8, section 4.)

Other things being the same, an increase of the money in circulation raises prices and diminution lowers them. (2 Mill's Pol. Econ., chapter 12, paragraph 1; Ibid, chapter 8, section 2.)

If the whole money in circulation was doubled, prices would be doubled. If it was only increased one-fourth, prices would rise one-fourth.

I apprehend that bank notes, bills, or checks as such do not act on prices at all. What does act on prices is credit in whatever shape given, and whether it gives rise to any transferable instruments capable of passing into circulation or not. (2 Mill's Pol. Econ., chapter 12, paragraph 1.)

But as all credit is based upon obligations to pay money, the quantity of money in existence with which to make final payments still has the controlling influence upon the general range of prices.

The quantitative theory of the relation of money to prices is admitted by all writers and students whose opinions are worthy of respect. In the late political canvass even those editors and orators who vehemently denied that the general fall in prices throughout the world during the last twenty years was owing to the appreciation of gold, caused by the demonetization of silver, one and all stoutly asserted that an unnatural and injurious rise in all prices would follow from the remonetization of silver; from an influx into circulation of cheap or debased money, as they termed it. But if an increase in the quantity of money by opening the mints to the silver bullion of the world would raise the prices of property, necessarily the diminution of the quantity of available money by excluding all the silver bullion of the world would reduce the prices of property.

This argument is confirmed by historical facts. For seventy, even for two hundred and twenty, years before 1873 there had been such a conjoined use of both gold and silver as money by the nations as to amount to practical bimetalism. Estimates differ as to the amount of coined gold and silver in existence in 1873, and doubtless no estimates are wholly reliable, but approximately merely. United States Treasury Circular 123, July 1, 1896:

Gold	\$4,068,800,000
Silver	4,070,500,000

Let it be assumed that there was four thousand millions of dollars' worth of coined gold and four thousand millions of dollars' worth of coined silver. All sound paper money was redeemable in gold or silver coins, and gold and silver were the real money which finally paid debts and which there was no obligation to redeem in any other money. These amounts were subject to be increased by presentation at the mints of any gold and silver bullion in existence, whether from old stocks or newly mined from year to year.

HISTORY OF SILVER'S DEMONETIZATION.

In 1873 the demonetization of silver, which had been started by England in 1816, but with no perceptible effect upon the relative value of the two metals, was continued by Germany, enriched by the French war indemnity of one thousand millions of dollars; and in February of that year the United States omitted the silver dollars from coinage. France, in her enfeebled condition, and the Latin Union gradually gave way to the movement for demonetization. After its injurious effects had begun to be apparent, the United States endeavored to check it, and by our purchases and coinage of silver the movement was hindered; but at last, in 1893, our purchases were stopped, and, most fatal blow of all, England closed the India mints which had all this time remained open for silver coinage.

The effect of this progressive demonetization of silver, sometimes halted, sometimes accelerated, was soon seen in the downward tendency of the prices of property. But the effects were slow in developing themselves. It is the custom to say that we have virtually had gold monometallism since 1873, and therefore by this time have experienced all the evil effects thereof, if there have been any. There can be no greater mistake than to say this. Great economic changes are a long time in taking effect. Economic shocks distribute themselves slowly, and so has the shock of demonetization, especially by reason of the resistance made through the relief measures of the United States. Even when the worst seemed to be at hand, owing to the closing of the India mints, there was yet another blow to be struck. Although the mints of the world were closed to new silver bullion, the four thousand millions of the world's coined silver still remained money as surely as gold was money. It was reserved for Secretary Carlisle, on the 12th of September, 1896, to announce that our silver dollars were no longer real money, like gold money, but that they, like the paper dollars of the country, must be redeemed in gold money. By that act, so far as he could do so, Secretary Carlisle struck out of existence as real money not only our six hundred but also the world's four thousand millions of coined silver, transferred the whole burden of sustaining all the paper money of the world to the world's stock of coined gold, increased the appreciation of that gold, and gave his final blow at silver as a money metal, the effects of which are now making themselves felt throughout the business universe. From this low depth into which it has been thrown bimetalism will soon, at the demand of the grievously burdened masses of mankind, begin its toilsome movement to restoration.

THE FALL OF PRICES SINCE 1873.

The regularity and extent of the fall in the prices of property since 1873 have been demonstrated with reasonable certainty by those results of inquiries and painstaking research known as index numbers. The prices during the successive years have been ascertained of certain necessities of life in appropriate quantities as they enter into ordinary consumption, and the aggregate prices for each year compared with the aggregate prices for each of the other years.

There have been constructed many tables of index numbers made by acute, careful, and painstaking students and writers on the subject of the changes in the prices of commodities whose calculations have varied in details, but have singularly corresponded in the general result.

The principal European series have been those of the London Economist, Dr. Soetbeer's, the Hamburg tables, and Mr. Sauerbeck's, prepared for the Royal Statistical Society. For the purposes of these remarks these last tables will be adopted.

The result of the Royal Statistical Society's numbers, prepared by Mr. Sauerbeck, is as follows:

Year.	Index number.	Year.	Index number.
1875	96	1886	69
1876	95	1887	68
1877	94	1888	70
1878	87	1889	72
1879	83	1890	72
1880	88	1891	72
1881	85	1892	68
1882	84	1893	68
1883	82	1894	63
1884	76	1895	62
1885	72		

If these figures are correct and prove a general fall in prices equal to that shown as to the special commodities included in the calculations, then the property of the world has diminished in money value one-third in the last twenty years, since demonetization began.

I have in my hand, taken from Mr. Wharton Barker's American, of Philadelphia, issued Saturday, January 23, 1897, a table of index numbers, which has been carefully prepared by Mr. Barker, and which I shall insert in my remarks. The tables include prices from January 1, 1891, to January 1, 1897. There are 100

articles—6 articles of breadstuffs, 4 of live stock, 24 of provisions, 4 of hides and leather, etc., and 7 miscellaneous articles. The summary is given of the whole 100 articles for the six years. The index number, which is an average, Senators will understand, of the whole 100 articles beginning with 100 on January 1, 1891, pro-

ceeds quarterly during the six years, sometimes rising and sometimes falling, until on January 1, 1897, it was 79.95; and therefore, according to these tables, as Mr. Barker states, within six years prices have in general fallen over 20 per cent. The table referred to is as follows:

Summary of index numbers.

	Silver.	Breadstuffs, 6 articles.	Live stock, 4.	Provisions, 24 articles.	Hides and leather, 4 articles.	Raw and manufactured textiles, 11 articles.	Metals, 12 articles.	Coal and coke, 4 articles.	Mineral and vegetable oils, 7 articles.	Naval stores, 3 articles.	Building materials, 7 articles.	Chemicals, 11 articles.	Miscellaneous, 7 articles.	General index number, 100 articles.
1891.														
Jan. 1...	100	100	100	100	100	100	100	100	100	100	100	100	100	100
Apr. 1...	94.25	118.31	116.98	105.34	100.52	98.57	92.84	98.05	99.34	110.60	97.37	98.70	100.38	101.96
July 1...	98.21	103.00	110.38	100.40	98.26	95.60	95.23	99.89	94.76	111.61	95.24	90.69	100.56	98.28
Oct. 1...	93.42	97.94	112.49	98.09	96.62	96.25	90.10	102.10	87.18	104.41	87.88	89.35	89.03	94.71
1892.														
Jan. 1...	91.02	97.17	104.35	95.08	94.13	96.15	89.01	98.19	83.82	94.19	90.86	88.31	93.93	93.13
Apr. 1...	83.83	89.45	110.13	97.96	91.60	96.20	84.02	99.77	83.17	104.42	92.81	85.64	91.31	92.87
July 1...	84.51	92.58	113.53	97.56	95.28	97.50	81.99	100.02	81.42	88.57	89.53	87.03	99.53	92.55
Oct. 1...	79.76	82.77	104.88	104.24	94.32	95.89	81.93	103.46	84.38	84.17	90.02	88.04	95.82	93.60
1893.														
Jan. 1...	79.52	80.59	119.68	113.45	93.47	105.41	80.24	103.94	92.10	81.24	90.57	90.05	104.70	98.42
Apr. 1...	80	79.99	125.28	115.84	95.28	102.92	81.26	97.72	98.23	81.99	87.91	92.74	109.29	99.75
July 1...	69.94	73.62	110.01	109.32	92.76	90.62	77.00	94.43	90.81	79.63	85.34	89.69	100.69	93.39
Oct. 1...	71.62	74.82	108.34	107.34	90.44	84.41	74.16	92.41	90.19	77.11	83.71	89.52	100.42	91.43
1894.														
Jan. 1...	65.87	68.46	101.33	97.45	89.28	86.89	67.93	89.77	90.89	75.87	86.33	88.18	97.03	87.59
Apr. 1...	58.21	70.38	97.78	92.97	89.90	79.49	66.11	85.98	92.09	77.34	80.05	89.25	90.76	84.70
July 1...	60.59	74.32	92.42	93.70	83.57	78.31	66.13	83.11	92.86	89.39	78.71	85.96	91.45	84.40
Oct. 1...	60.84	69.08	101.57	97.68	86.38	74.33	64.25	79.82	90.46	81.64	75.12	79.89	82.89	82.81
1895.														
Jan. 1...	57.51	70.53	84.88	91.79	90.19	69.18	59.99	78.33	91.23	78.32	81.84	77.76	79.62	79.74
Apr. 1...	64.67	72.45	104.41	97.31	96.48	69.68	60.26	79.34	100.26	85.65	79.05	76.77	74.51	82.59
July 1...	63.95	75.83	100.54	93.59	131.99	74.53	69.10	81.53	108.18	87.85	80.68	70.38	81.87	86.05
Oct. 1...	64.31	62.53	79.54	86.56	132.36	81.48	75.82	89.36	102.85	88.10	82.40	77.95	86.68	84.88
1896.														
Jan. 1...	63.95	59.59	73.63	85.93	107.07	79.96	67.43	96.97	108.22	81.19	87.40	96.27	91.14	85.29
Apr. 1...	65.39	63.73	68.47	83.00	97.74	73.08	67.25	90.85	99.01	82.66	88.22	82.86	90.15	81.29
July 1...	66.23	55.70	73.29	78.64	101.28	72.34	67.11	93.73	*91.67	94.28	85.67	81.70	82.11	†78.81
Oct. 1...	63.50	59.94	69.23	79.16	95.12	77.88	64.63	90.95	*89.66	91.42	82.38	79.21	82.92	†78.84
1897.														
Jan. 1...	62.16	68.46	77.32	82.63	108.92	75.41	62.69	89.59	*85.07	90.99	86.76	77.64	84.43	†79.95

*Six articles.

†Ninety-nine articles.

It is to be borne in mind that the final estimate made January 1, 1897, includes a rise in three kinds of articles. There is a rise in breadstuffs owing to the rise in wheat; there is a rise in live stock over October 1, 1896, and there is a very heavy rise in the four articles included under the head of hides and leather, that rise having a special cause. There is a rise in building material and a rise also in chemicals, notwithstanding which these carefully prepared tables of Mr. Barker show, as he states, that prices in general have fallen off over 20 per cent during the last six years.

A still more striking table is that to be found in the circular of the Department of Agriculture issued December 4, 1896, which seems to have been issued by Secretary Morton, although his chief of the Division of Statistics, Mr. Henry A. Robinson, had not given him facts which complied with the last request of the Secretary contained in his letter of instructions of November 23, 1896.

And the reply—

The Secretary says to his subordinate—

taken as a whole, ought to show whether the mint value of a money metal can be made by statute greater than the bullion value thereof.

The Statistician fails to show that, but he does show the great fall in farm products since 1866. He has taken, as found in the table on page 10, six articles—corn, hay, wheat, cotton, oats, and potatoes—and I insert that table in my remarks.

The total product and total value of the country's six leading staples for the average of eight years ending with 1896 are approximately as follows:

Article.	Product.	Value.
Corn.....bushels..	1,783,000,000	\$650,000,000
Hay.....tons.....	51,200,000	451,000,000
Wheat.....bushels..	470,000,000	322,000,000
Cotton.....pounds..	8,750,000,000	276,000,000
Oats.....bushels..	688,000,000	200,000,000
Potatoes.....do.....	197,000,000	90,000,000

He thereupon ascertains the average proportionate production of these other articles for every 100 bushels of corn raised, and reaches the conclusion that the average is 3 tons of hay and 27

bushels of wheat, and then makes a table showing the gold value of farm products and silver, of 100 bushels of corn, 3 tons of hay, and 27 bushels of wheat, and the sum of the three and 37.125 grains of silver and 100 bushels of wheat. This is the result: The 100 bushels of corn, which in 1866 would have produced \$49, produced in 1896 \$21; the 3 tons of hay, which in 1866 produced \$31, produced in 1896 \$20; and the 27 bushels of wheat, which in 1866 realized \$42, in 1896 realized \$20; and the sum of the three, which produced in 1866 \$122, in 1896 realized only \$61. The quantity of silver which in 1866 was worth \$104, in 1896 was worth \$52; the price of the 100 bushels of wheat, which in 1866 was \$156, in 1896 was \$73; and it is to be noted that this last figure takes account of the rise of wheat in 1896, because the figures given for 1895 show that 100 bushels of wheat could then be bought for \$51, and in 1896 it was worth \$73.

Mr. President, this is a most valuable and important table, and it is of greater value because it comes from the enemy; it comes from the other side. It is a table prepared for a Secretary of Agriculture, all of whose desires and all of whose interests tended to make him wish for a different result, and yet here is the unmistakable evidence of the tremendous fall in farm products since 1866 and since 1873.

Gold values of farm products and silver.

Years.	Gold value of—					
	100 bushels of corn.	3 tons of hay.	27 bushels of wheat.	Sum of three.	37.125 grains of silver.	100 bushels of wheat.
1866.....	\$49	\$31	\$42	\$122	\$104	\$156
1867.....	58	31	38	127	103	144
1868.....	45	29	27	101	103	102
1869.....	57	29	19	105	102	71
1870.....	48	26	24	108	103	91
1871.....	43	43	30	116	103	113
1872.....	35	39	30	104	102	110
1873.....	42	33	27	102	100	102
1874.....	58	36	23	117	99	85
1875.....	36	32	24	92	96	88
1876.....	33	20	25	84	89	93

Gold values of farm products and silver—Continued.

Years.	Gold value of—					
	100 bushels of corn.	3 tons of hay.	27 bushels of wheat.	Sum of three.	37.125 grains of silver.	100 bushels of wheat.
1877	\$34	\$25	\$23	\$87	\$93	\$103
1878	32	21	21	74	89	77
1879	37	23	20	85	87	111
1880	39	35	26	100	89	95
1881	64	35	32	131	88	119
1882	49	29	24	102	88	88
1883	42	25	25	92	86	91
1884	36	25	17	78	86	65
1885	33	26	21	80	82	77
1886	37	25	19	81	77	69
1887	44	30	19	93	76	68
1888	34	26	25	85	73	93
1889	28	24	19	71	72	70
1890	51	23	22	96	81	84
1891	41	25	23	89	76	84
1892	39	26	17	82	67	62
1893	36	26	15	77	60	54
1894	46	26	13	85	49	49
1895	25	25	14	64	51	51
1896	21	20	20	61	52	73

There is an equally striking table of the fall of American cereal crops to be found in Mr. Wharton Barker's American of February 6, 1897, to which I shall allude later; but the whole result of the European index numbers and of the American index numbers, made with fidelity and with care, is to show, what is now undisputed throughout the civilized world, that within the last twenty years there has been a steadily progressing fall in the prices of all kinds of property.

Mr. President, it is true that about no point in dispute connected with the complex subject of money has controversy raged more fiercely than about this question whether the admitted depreciation of prices since 1873 has been caused by the demonetization of silver. I accept the conclusion of Prof. L. L. Price, of Oriel College, Oxford, contained in his book on Money and Its Relation to Prices, published in 1896, as follows:

The fall in prices during that period is attested by various index numbers. The general agreement of the results, in spite of differences of detail in the construction of the numbers and of the precise degree of fall, is remarkable, and is adequate to establish the fact of a noteworthy change. (Page 171.)

In the light of these converging lines of evidence, it seems impossible to doubt the existence of a causal connection between the recent fall of prices and the monetary changes of the last twenty years. (Page 199.)

Even the gold monometallist, Mr. Giffen (in his Essays in Finance, second series, page 22, Trade Depression and Low Prices), says:

Two causes only have been suggested. One is the great multiplication of commodities and diminution of the cost of production, due to the progress of invention, etc. The other is that the precious metal used for standard money, namely, gold, has become relatively scarcer than it was, its production being diminished, on the one hand, and the demand for it, on the other, increased. I am disposed to give greater weight to the latter. (From Bimetallism; a Tract for the Times, by Francis A. Walker, page 9.)

GEN. FRANCIS A. WALKER.

Confirmation of these opinions is given by that careful and instructive writer on political economy, Gen. Francis A. Walker. At the first mention of his name I must turn aside to speak a few words in his deserved praise. He was a Union soldier of zeal, bravery, and renown; a scholar learned and profound, as well as brilliant; a political economist of the highest rank, and a writer on economic questions known favorably to the world of letters; a patriotic citizen, and a courteous gentleman. He had given his whole soul to the new movement for bimetallism, and on the 5th day of January, 1897, he passed away suddenly, almost in the hour of newly engaging in its service. The bimetallists of Europe and America pay loving tribute to his memory.

General Walker, in his recent work on International Bimetallism, says (page 256) that—

Ever since 1873 there has been an almost continuous fall of prices in terms of gold.

And he proceeds in this book and in the Yale Review for December, 1896, to refute the assertions of Mr. David A. Wells that the saving in the cost of production accounts for the fall of prices.

This claim of Mr. Wells is the principal explanation made by the gold monometallists of the fall in prices in recent years—namely, that it is due to increased facilities of production. That these account for some portion of the fall is not denied by bimetallists. The moot question is whether the total fall is thus accounted for. General Walker says that increased facilities raise the profits of the producers, but do not lower prices until they reach the method of production of that very last portion of the supply which can be profitably produced and which, "as every well-trained economist knows, determines the price of commodities." The point may be difficult to understand, but here it is, as carefully stated by General Walker in the December Yale Review:

All the movements and inventions in the world, no matter how great, will not reduce the price of any line of commodities merely by being applied, no

matter how extensively, to production by the more favored producers. If a steam thrashing machine would thrash, sack, and tie a thousand bushels a second, however much it might enhance the profits of the men who employ steam thrashers on their farms, there would not be the slightest influence exerted upon the price of wheat until the machines began to reduce the cost of production on the poorest or most distant lands contributing to the supply of the market.

In addition to this argument of General Walker, other points are worthy of notice. There was a great saving in the cost of production due to railroads, steamers, harvesters, and the like causes before 1850, so that, according to Mr. Wells's argument, prices ought then to have fallen, yet it is well established that there was a general rise in prices.

Again, there have been no increased facilities in the production of real estate. Although it is the subject of cultivation, it is not a subject of production. Yet it is matter of the commonest observation that in the recent years during which the fall in the prices of commodities has been attributed to the demonetization of silver there has been a general fall in the prices of real estate corresponding to the fall in commodities. In special localities there has been a rise in prices, but the general rule is the other way.

THE LOWEST FALL IN PRICES NOT YET REACHED.

It would require a tedious citation of proofs and many arguments, as well as answers to objections, to demonstrate in detail that the fall in prices has been caused in great part by the rejection of silver as a money metal. Every person called upon to act on this question must satisfy himself and follow his own conclusions. My inquiries have been carefully and conscientiously made, and they lead me to opinions which are exceedingly disturbing to my hopes that business prosperity is near at hand. I do not believe that we have as yet realized the full fall in prices which demonetization is producing. Reverting to a statement previously made, that economic shocks are slow in making themselves felt, I am helped to reach this opinion that prices have not as yet touched bottom.

One of the most felicitous and characteristic parts of General Walker's argument in his book on bimetallism is where he answers those writers who speak of the readjustment of social forces to meet changed conditions as if it were always a speedy movement.

In one part of his work he says that the point against such writers was brought out admirably by Prof. Cliffe Leslie and Professor Cairnes, in their essays dealing with this theme, namely:

The delay necessarily involved in the propagation of economic forces or economic shocks, from one object to another, from one class in the community to another, from one country to another, even from one city or town to another. It is thoroughly characteristic of the economists of the a priori school to assume that such propagation is instantaneous. If these writers ever admit the fact of "a period of readjustment," it is much as if it were a matter of changing tickets and baggage at a railway junction. Prices will readjust themselves to the new supply of money, be the same greater or smaller. Wages will readjust themselves to the new prices, be the same higher or lower. Industries will readjust themselves to the new prices and the new wages with ease and celerity and without loss. Taxes will diffuse themselves with infallible equity, whatever the original subject of imposition. Readjustment is the shibboleth of this school. (Walker on Bimetallism, pages 48, 49, and 50.)

General Walker proceeds further to deal with this shibboleth as follows:

No man would now presume to talk in this way before an intelligent audience. It has come to be understood that social and industrial organizations and structures are matters of immense importance; that society and industry can not be reasoned upon as homogeneous and as in a state of continual flux. It is acknowledged that the process of readjustment is not easy, and that its period is not short; that economic shocks are propagated along the lines of least resistance; that burdens and taxes tend to rest upon those individuals and classes who are least able to throw them off upon others, and who are therefore least able to bear these themselves; that economic injuries once inflicted tend to deepen and to become permanent.

It must be admitted, if ever the old-fashioned style of reasoning was applicable to any subject-matter in economics, it was applicable to the influence of alterations in the money supply upon prices. Economists even the most reasonable, have been disposed to speak of this matter as if the effects were instantaneous, or were produced with scarcely sensible intervals. That the economic movement is more rapid in this field than in any other is due partly to the nature of money and partly to the fact that the trading classes, who are the chief agents in the work, are a selected body, active, alert, and well informed. Yet Professors Cairnes and Cliffe Leslie have shown that, in fact, both after the silver discoveries of America and after the gold discoveries of California and Australia, the distribution of the new money proceeded by distinct steps, with appreciable intervals, extending in the former case to considerable periods, periods measured not by years, but by decades.

General Walker returns to this point in a later portion of his book, where he is treating of the effect of the demonetization of silver upon the industry and trade of oriental nations, and says:

I have more than once commented upon the rapidity and completeness with which writers of the a priori school in economics are accustomed to assume that readjustment will take place after important changes, whether in the standard of value or in the conditions of production or exchange. I have referred to the writings of Professors Cairnes and Cliffe Leslie to show that after the discovery of America the effects of the new silver extended from land to land, only with long intervals; and in the result were irregularly experienced by different nations, by different classes of economic agents, and even by different commodities. Even after the gold discoveries at the middle of this century, when it might be supposed improvements in trade, in transportation, and in the communication of intelligence would have secured an almost instantaneous propagation of economic forces, Professor Cairnes has

abundantly shown in his Essays on the Gold Question that the influence of the new money proceeded from commodity to commodity, from class to class, and from country to country, with still very considerable intervals; and that this retardation of the forces thus operating produced large, important, and permanent economic effects.

That I may not be suspected of exaggeration, I quote the words of this most authoritative writer:

"Before this result is attained, a period of time, longer or shorter, according to the amount of the augmentation and the general circumstances of commerce, must elapse. In the present instance, the additions which are being made to the monetary systems of the world are upon an enormous scale, and the disturbances effected in the relation of prices is proportionally great. Under such circumstances it is very possible that the inequalities resulting may not find their corrections throughout the whole period of progressive depreciation, a period which, even with our present facilities of production and distribution, may easily extend over some thirty or forty years. During this transitional term the action of the new gold on prices will not be uniform, but partial. Certain classes of commodities and services will be affected much more powerfully than others. Prices generally will rise, but with unequal steps."

In the light of such facts, the monometallists were clearly not justified in assuming that the readjustment of international values, made necessary by the demonetization of silver in Europe, would be early or easily effected. But their error becomes altogether inexcusable when we consider how well it was understood that changes of any nature are brought about with exceptional difficulty and delay among the people of the East. The force of custom, tradition, and caste there rises to its maximum. So great is the inertia of the Eastern peoples under economic shocks, even the most tremendous, that at times it seems as if those shocks were not felt at all. (Walker on Bimetallism. 243, 244, 245.)

Accepting fully these views of General Walker, and applying them to the progress of demonetization since 1873, and considering the efforts made by the United States to resist that progress, and the fact that the India mints were not closed until 1893, and that Secretary Carlisle did not strike his last deadly blow at silver until September, 1896, I am led to the conclusion that by far the greater share of the effect upon the prices of property produced by the successive steps of demonetization has been realized since the year 1890, when the last census of the United States was taken.

EFFECT OF FALL IN PRICES IN THE UNITED STATES.

Prior to that year, notwithstanding the effects of demonetization of silver had begun to be felt, the nominal growth of wealth in this country had been rapid. Many railroads had been built, much new land opened to settlement, and increased cultivation and abundant foreign immigration had helped to swell our population. By the census of 1890 it appears that the property, real and personal, in the United States was \$65,037,091,197, classified as follows:

Real estate with improvements thereon.....	\$39,544,544,333
Live stock on farms, farm implements, and machinery.....	2,703,015,040
Mines and quarries, including product on hand.....	1,291,291,579
Gold and silver coin and bullion.....	1,158,774,948
Machinery of mills and product on hand, raw and manufactured.....	3,058,593,441
Railroads and equipments, including \$389,357,289 for street railroads.....	8,685,407,323
Telegraphs, telephones, shipping, canals, and equipments.....	701,755,712
Miscellaneous.....	7,893,708,821

The indebtedness of individuals and corporations in the United States in 1890, not reckoning \$2,027,170,546 of national, State, and local debts, was sixteen thousand millions of dollars, as appears by the estimate of Mr. George K. Holmes, the head of the Bureau of Mortgages, in the Department of Labor Bulletin for November, 1895 (page 48). According to the best of my information and belief, as already stated, the value of the sixty-five thousand millions of property in the United States in 1890 has shrunk 25 per cent since that date, and therefore the same property would not be valued to-day at more than forty-nine thousand millions.

It is to be borne in mind that this amount of sixty-five thousand millions was placed at those figures by the census authorities, acting according to their own judgment, by making additions of \$39,563,917,779 to the sum of only \$25,473,173,418, which was the value of the same property according to the valuations of the State and other local taxation officers.

Here, then, we have this startling condition of our country: Our sixty-five thousand millions have shrunk sixteen thousand millions, or to forty-nine thousand millions. Our debts of sixteen thousand millions have not shrunk, but remain due, according to the letter of the bonds, and are an inexorable charge upon our property to that full amount, leaving us, deducting our debts, values to the amount of only thirty-three thousand millions. Can this continuous shrinkage of our property and the unyielding burden of our debts be endured without widespread bankruptcies?

Can all this indebtedness be liquidated, or that portion of it which falls due in the near future, with such a fall in values? I am compelled to believe that if the present tendency of prices downward continues the debtors of the world will be unable to meet their engagements, and insolvencies will continue to increase

from year to year until almost a revolution will take place in the ownership of the property of the country, which will pass from the control of debtors into the hands of creditors.

It is best to look the actual situation squarely in the face. In 1893, from various causes, about which there is controversy, came the worst business year this country had ever seen. The commercial failures were, in liabilities, \$346,779,889. The banking failures were, in liabilities, \$210,998,808. The railroad failures were, with indebtedness, \$1,212,217,033.

In 1894 there was a recovery, as follows: Commercial failures, liabilities, \$172,992,856. In 1895 the commercial failures were \$173,196,060. But in 1896 again an increase of failures confronts us as follows, \$226,096,834.

These figures are taken from Messrs. R. G. Dun & Co.'s Review, of January 30, 1897, and the editor adds:

Wheat has declined severely, cotton has scarcely risen enough to pay brokerage, wool holds steady in spite of enormous buying, woolen goods hardly change in price, iron and its products decline, leather is sluggish, hides are lower, * * * the average of railroad stocks is slightly lower than it was December 31, and the advance in trust stocks has been small. To traders in such properties the month has been disappointing. January—

Say Messrs. Dun & Co.—

has been a month of disappointment—

And then grotesquely add—

but of real gain.

Where the real gain comes in they do not say, perhaps from complacently contemplating the fortunate balance of trade in favor of the United States against Europe, as shown by the statistics for 1896. Those statistics are stated in Mr. Barker's American of January 23, 1897, under an article headed "The nation's balance sheet," and I will quote the figures, which are taken by Mr. Barker, and have been verified by me, from the Treasury Department's returns.

In 1896 we exported goods to the reported value of \$325,322,184 in excess of imports, and on top of this we exported \$33,777,884 of silver in excess of imports. Thus by the export of our products we placed to our credit abroad the enormous sum of \$359,100,068. This much more we sold than we bought, and yet gold was sent to us in payment to the amount of only \$47,777,097. A balance of \$311,322,971 was therefore left.

Now, what has become, Mr. Barker pertinently asks, of the \$311,000,000? It has gone to pay to Europe what we would otherwise have been obliged to pay her in gold or to borrow from her in new loans. Mr. Barker makes an estimate of what has become of the \$311,000,000 balance. He states the account against the United States as follows:

Interest, at 4 per cent, on our foreign indebtedness of \$5,000,000,000.....	\$20,000,000
Expenditures of Americans traveling and living abroad.....	75,000,000
Freights paid foreign shipowners on account of the carriage of, say, \$375,000,000 worth of our imports allowing a charge for transportation equal to 8 per cent of the value of the produce imported.....	\$46,000,000
Less freights paid by foreigners to American shipowners for the carriage of, say, \$30,000,000 worth of our exports, allowing a freight charge equal to 12 per cent of the value of produce exported.....	9,600,000
	36,400,000
Total account against the United States.....	311,400,000

That is where the balance of trade has gone. I see no escape from the conclusion that if unfortunately we had not had this balance of \$311,000,000 in our favor, we would have been obliged to find in some way \$311,000,000 to send abroad in gold, or we would have been obliged to borrow that money in Europe. In other words, if it had not been for this fortunate balance of trade in our favor, there would have been a business cataclysm in this country which would have prostrated all industries and produced infinite misery in our commercial and domestic affairs.

There is a most discouraging exhibit made by Mr. Barker in The American of February 6, 1897, where he gives for 1875, 1885, 1895, and also 1896, the estimated acreage and value of the cereal crops of the United States. I will insert the two tables in my remarks.

Estimated acreage and value of the cereal crops of the United States.

1875.

Crop.	Area.	Value.
	Acres.	
Corn.....	44,841,371	\$555,445,930
Wheat.....	26,381,512	294,580,090
Rye.....	1,359,788	13,631,900
Oats.....	11,915,075	129,499,930
Barley.....	1,789,902	29,952,082
Buckwheat.....	575,530	7,166,207
Total.....	86,863,178	1,030,277,099

Estimated acreage and value of the cereal crops, etc.—Continued. 1885.

Table with 3 columns: Crop, Area, Value. Rows include Corn, Wheat, Rye, Oats, Barley, Buckwheat, and Total for the year 1885.

Cereal crops of 1896 and estimation of what their value would have been at 1895, 1885, and 1875 prices.

Table with 5 columns: Crop, Area, 1896, Value, 1896, and three columns for 1895, 1885, and 1875 prices. Rows include Corn, Wheat, Rye, Oats, Barley, Buckwheat, and Total.

So there has been a loss to the farmers of this country of \$777,000,000 by the fall in the price of crops since 1875. And notwithstanding that, if it had not been for the sums realized by these cereal products in 1896, the balance of trade in favor of the United States as against Europe would not have existed...

Mr. President, the country has been saved from these evil effects of the fall in prices, caused, as I believe, by the demonetization of silver only, because, fortunately for us, unfortunately for them, gaunt famine stalks through India, and the starvation of the people of other lands is causing a rise in the value of the cereal crops of America.

It is possible that I have made an erroneous collocation of facts and conclusions, and that optimistic reviewers may find hope in the face of the facts as they may be able to present them, and that they may believe and demonstrate that we are upon the eve of revived agricultural, commercial, and financial prosperity upon the platform laid down by the recent monetary convention at Indianapolis, that the gold standard must be maintained.

IS THERE A SYSTEM OF BIMETALLISM?

The confidently proposed remedy for the evils to mankind thus described and proved is the restoration of bimetalism. To the system from which we have departed we must return, and I trust that we are already on the road. But the objectors continue to say that there is no such thing as bimetalism, that it did not in fact exist before 1873, and that there is, in truth, no bimetalism to which we can return.

Mr. Meline, president of the council and minister of agriculture, was replying to the observations made at the previous session by Mr. Joseph Jourdan. When he spoke of the reestablishment of a fixed ratio between gold and silver, he was interrupted as follows:

MR. CHARLES GRUET. It is a myth. THE PRESIDENT OF THE COUNCIL. No; it is not a myth, for up to 1873 it was the law that ruled the world.

Mr. Meline's brief but forcible statement seems vindicated by the facts. In the report of the Director of the Mint for 1895, dated October 16, 1896, on page 329, is given "the commercial ratio of silver to gold each year since 1687." I will insert the table.

Commercial ratio of silver to gold each year since 1687. [Report of the Director of the Mint for 1895. Fifty-fourth Congress, second session, House Document No. 23, page 329.]

Large table with 10 columns: Year, Ratio, Year, Ratio, Year, Ratio, Year, Ratio, Year, Ratio. Shows the ratio of silver to gold from 1687 to 1896.

NOTE.—From 1687 to 1832 the ratios are taken from Dr. A. Soetbeer; from 1833 to 1878 from Pixley and Abell's tables; and from 1879 to 1896 from daily cablegrams from London.

In 1687 the ratio was 14.94 and in 1872 it was 15.63, and during this whole period of one hundred and eighty-six years the number, without fractions, of the ratio is either 14, 15, or 16. The number is 14 during fifty-nine years, 15 during one hundred and twenty-four years, and 16 during only three years.

But when formal demonetization commenced in 1873, up began to rise the number of ounces of silver necessary to equal an ounce of gold. Beginning in 1873 with 15.92, in 1899 it had reached 22.10. In 1890, under the influence of our purchasing law, the ratio fell to 19.76. In 1891 the upward movement again began. In 1893, when the India mints closed, it went in one week from 24 to 30. In 1895 it was 31.60, and in 1896 it was 30.66.

It seems impossible that any candid inquirer should doubt that this remarkable uniformity in the ratio down to 1873, covering nearly two centuries, notwithstanding all the fluctuations in the product of the two metals, was occasioned by some cause acting independently of the quantities of the two metals produced. Those quantities varied greatly during this period, as appears by the following table:

Production of gold and silver in the world since the discovery of America.

Table with 5 columns: Period, Value of gold, Coining value of silver, and two sub-columns for Percentage of production by value (Gold and Silver). Rows show production from 1499-1520 to 1741-1760.

Production of gold and silver in the world, etc.—Continued.

Period.	Value of gold.	Coining value of silver	Percentage of production, by value.	
			Gold.	Silver.
1761-1780	\$275,211,000	\$542,658,000	34	66
1781-1800	238,484,000	730,810,000	24	76
1801-1810	118,152,000	371,677,000	24	76
1811-1820	76,063,000	224,786,000	25	75
1821-1830	94,479,000	191,444,000	33	67
1831-1840	134,841,000	247,990,000	35	65
1841-1850	365,928,000	324,400,000	53	47
1851-1855	662,566,000	184,169,000	78	22
1856-1860	670,415,000	188,062,000	78	22
1861-1865	614,944,000	228,861,000	73	27
1865-1870	648,071,000	278,313,000	70	30
1871-1875	577,839,000	409,322,000	59	41
1876-1880	572,931,000	509,256,000	53	47
1881-1885	495,582,000	594,773,000	46	54
1886	106,163,900	120,626,800	47	53
1887	105,774,900	124,281,000	46	54
1888	110,196,900	140,706,400	44	56
1889	123,489,200	153,427,700	44	56
1890	118,848,700	163,082,000	42	58
1891	130,650,000	177,352,800	42	58
1892	146,651,500	198,014,400	42	58
1893	157,494,800	213,944,400	42	58
1894	181,567,800	212,829,600	46	54
1895	200,285,700	218,738,700	48	52
1896	215,000,000	215,000,000	50	50
Total	8,990,738,400	10,560,688,700	46	54

[From 1493 to 1885 the above figures are from a table of averages for certain periods compiled by Dr. Adolph Soetbeer. For the years 1886 to 1896 the production is the annual estimate of the United States Bureau of the Mint. The table down to and including 1895 is contained in the report of the Director of the Mint for 1895, House Document No. 23, Fifty-fourth Congress, second session, page 346; and the estimate for 1896 is made by the Director of the Mint.]

Here, Mr. President, are striking facts to be noticed. During the years from 1781 to 1830, about fifty years, the proportion of the production of gold and silver (coining value) was as follows: 24 to 76, 24 to 76, 25 to 75, 33 to 67. Come on down, however, to 1851, and from 1851 to 1870 the conditions were exactly reversed, and the percentage of the production of gold to silver was 78 of gold to 22 of silver, 78 to 22, 73 to 27, 70 to 30; and yet during all those periods practical bimetalism prevailed, as I shall show later, and this enormous disproportion in the relative production of gold and silver did not destroy the bimetallic law.

Mr. President, here is the total of the production of silver and gold in the world since the discovery of America brought down to and including 1896. The total production of gold (coining value) is \$9,000,000,000, and of silver, \$10,560,000,000, a difference practically imperceptible for the whole period since 1492; and the difference between the coining value of the silver and the coining value of the gold is more than made up, in my judgment, by the larger use of silver than gold in the arts.

I find the most remarkable fact of all, and that is, that in 1896 the world's production of gold was \$215,000,000 and the world's production of silver was \$215,000,000. It would seem as if good fortune, as if nature, as if perhaps God himself, had interposed here to refute the prediction of those who have demanded the demonetization of silver on the ground of its enormous overproduction, and had shown us in this year 1897, as the result of the production of gold and silver in the world in the year 1896, the exact equality of \$215,000,000 worth of each of the precious metals. Yet we are told we can not have bimetalism because the one metal or the other, being produced disproportionately, will drive its associate out of existence. Here the equality of 15 to 1 in the coinage was maintained during the period when gold as to silver was as 25 to 75, and during the later period, when the production of gold as to silver was as 75 to 25.

It is easy, examining the subject historically, to see how the bimetallic system maintained the ratio of 15 to 1, notwithstanding the variations in the quantities of the two metals produced. France, principally, ran the risk and bore the strain whenever the production of either metal took place in unusual quantities disproportionate to the production of the other metal. In 1848 and 1851 there were enormous discoveries of gold in California and Australia. The bimetallic link of 15 to 1 was threatened. France, between 1853 and 1860, boldly took \$616,000,000 worth of gold and parted to other nations with \$293,000,000 worth of silver; and bimetalism was saved. Later, toward 1873, when silver began to be more abundantly produced than gold, France again tried to hold the ratio firmly, and there can be little doubt that, even against nominal demonetization of silver by the United States in 1873 and the continued efforts of England to establish the single standard of gold, France would have continued to maintain the parity of silver with gold at the ratio of 15 to 1 had it not been for the action of Germany on the 9th day of July, 1873, when, enriched by the French indemnity of one thousand millions in

gold, that Government began to sell its silver thalers, and thus joined England in the movement to demonetize silver, which, unfortunately, as Senator SHERMAN said, was brought about because the other nations yielded to the demand of the United States for the single standard of gold, although the Senator manfully acknowledged that this demand was an error in his letter of July 15, 1878, to Hon. W. S. Groesbeck, in which he says:

But other arguments showing the dangerous effect upon industry by dropping one of the precious metals from the standard of value outweigh, in my mind, all theoretical objections to the bimetallic system.

In the light of the facts which have been recited, and looking carefully at the dates in which the various commercial nations have acted on the subject of standards, the whole argument for bimetalism is revealed to the thoughtful inquirer. Here the dates stand:

In 1785, 1786, and 1792 came the establishment of the double standard in the United States; in 1803 its formal establishment in France, ratio 15 to 1; 1816, the adoption of the gold standard in England; 1862, the adoption of the French system by Italy; 1865, the formation of the Latin Union by France, Belgium, and Switzerland, ratio 15 to 1; 1868, the admission of Greece to the Latin Union and the adoption by Spain of the French system; 1871, the adoption by Germany of the gold standard; 1873, suspension by the United States of the coinage of silver dollars and the suspension of silver coinage by France, Belgium, and Holland; 1875, the suspension by Italy and the Dutch colonies; 1892, by Austria-Hungary; 1893, by British India; panic in the silver market in July in London, when the price fell until the ratio was 31.43 to 1. (See United States Treasury Department Circular No. 123, July 1, 1896.)

The learned editors of the Encyclopedia Britannica (9th ed., article "Money," page 729), speaking of the sudden increase about 1870 of the annual product of silver from \$45,000,000 to \$75,000,000, more than half coming from new mines opened in Nevada, say:

The increased production of silver was only a minor element in causing its depreciation. The policy pursued by various states—viz: (1) Germany and the Scandinavian States in adopting a single gold standard; (2) the countries composing the Latin Union in limiting the coinage of silver; (3) the Indian Government by adopting a new method of drawing bills—proved to be the really influential causes for the decline in the value of silver as contrasted with gold.

Considering the facts which have been thus set forth, is it possible to assert that bimetalism is a myth? Is it not as clear as light that it was a substantial principle of monetary science, operating silently and powerfully for two hundred years, before it was recognized and studied by the political economists of the nations, and which would have continued to maintain the parity of silver with gold even to this day had it not been for the unwelcome interference of the great governments of the earth?

Yet gold monometallists continue to say that the parity between the two metals was not maintained prior to 1873. They can only keep themselves from being characterized as censurable deceivers by pointing to the slight fluctuations, between fourteen and a fraction to sixteen and a fraction, shown by the statistics from 1837 to 1873. But those fluctuations were of comparatively little moment, and did not seriously impair the existence during all that period of the bimetallic system.

Prof. Willard Fisher, of the Wesleyan University, in the Quarterly Journal of Economics for January, 1896 (see Walker on International Bimetalism, 109), states the answer to this argument in language which is so apt and so much better than my own that I must here repeat it:

Professor Laughlin utterly fails to grasp what bimetalists claim for and expect from their system, and he makes the same mistake that Mr. Robert Giffen made in his Case against Bimetalism. They both think that if the French law of 1803 had any effect upon the market value of the precious metals, it must have kept the commercial ratio at exactly 15 to 1; and in citing the familiar fact that the market figures fluctuated up and down, but rarely, if ever, coincided with the mint ratio, they complacently assume that they have refuted the historical argument for bimetalism. But it is absolutely certain that no such identity of ratios could be expected, even by the most confident bimetalist. So long as there are seigniorage charges, freight charges, insurance fees, or any other expenses involved in passing metal through the mint, the nominal legal ratio is never the effective mint ratio. The inefficiency of the French law in steadying the relative values of the precious metals can never be proved by citing differences between the market ratio and the nominal legal ratio, unless it be shown that the differences are greater than can be accounted for by (1) the seigniorage and all other mint charges, (2) the cost of transporting the metal from the market whose ratio is cited to the mint, (3) the fees for insurance during the transit, (4) the agents' commissions, (5) the interest on the capital temporarily locked up, and (6) the exigencies of sudden and urgent demand. But no man has even so much as attempted to examine thus fully the deviation of the London market from the French mint ratio. Let just a simple hint as to the effects of these various charges and expenses suffice. The law of 1803 imposed a seigniorage of 9 francs a kilo on gold and 3 francs a kilo on silver; and if no thought be given to the five other heads, this mint charge alone makes the effective legal ratio not 15 to 1, but anywhere between 15.796 to 1 and 15.455 to 1.

General Walker, in International Bimetalism (page 223), speaking of a bimetallic league, says:

This would not mean that the value of gold and silver would remain absolutely at the ratio fixed by the bimetallic agreement, but that the range of divergence would be always within the cost of transporting metals from monometallist markets to bimetallic mints. If this were so, it would, for all

practical commercial purposes, be the same thing as if there were no divergence whatever. A preference for either metal in a monometallist market, which fell short of the cost of transporting the other, the cheapening metal, to a bimetallic mint, would, for all purposes of economic reasoning, be the same as actual indifference. To this case would apply Mr. J. S. Mill's remark made with reference to another subject: "Small means do not merely produce small effects; they produce no effect at all."

In truth, the variations under the bimetallic law prior to 1873 from the French ratio of 15½ to 1 were no greater and quite as immaterial as are the differences between the two eyes and the two ears of the human body, the two pairs of engines of the twin-screw steamship, and the two horses that draw a carriage. The claim that bimetallicism never has existed and that there can be no such thing as a permanent system of bimetallicism created by the consensus of the nations, involving a bimetallic standard of money which shall determine the value of the property of the world, is a contention that finds no support in reason, and very little countenance from the careful thinkers and writers on monetary science.

All the members of the celebrated Herschell commission declared as to the system of bimetallicism prevailing before 1873 as follows:

So long as that system was in force we think that, notwithstanding the changes in the production and use of the precious metals, it kept the market price of silver approximately steady at the ratio fixed by law between them, namely, 15½ to 1. (Report, end of section 192, part 1, November 6, 1888.)

"It is upon this principle," said Professor Jevons, writing in 1874, "that we must explain the extraordinary permanence of the ratio of exchange of gold and silver. That this fixedness of ratio does not depend upon the amount and cost of production is proved by the very slight effect of the Australian and California discoveries." (Bimetallicism: A Tract for the Times, by Francis A. Walker, page 16.)

Here the special attention of that distinguished gold monometallist, the Senator from Wisconsin [Mr. VILAS], ought to be called to these authoritative declarations in such striking contradiction of the views expressed by him in this Chamber on January 29 in opposition to the bill for another international conference. The Senator said:

The bill is worse than useless—it is highly vicious.

In the same speech the Senator spoke of it as "this vicious and misleading bill."

He also said:

No such bimetallicism has ever existed in fact; in no country of the world does it exist now. * * * The pretense that any such system of bimetallicism * * * has ever had existence in the world * * * must be consigned to the limbo where the ghosts of witchcraft, astrology, demonology, and kindred superstitions have been driven by the advancing intelligence and wisdom of mankind.

It is painful to be obliged to impugn the Senator's dogmatic infallibility by contrasting his utterances with those of such eminent men as venture to hold an opposite opinion.

I have in my hand Prof. Charles B. Spahr's review of Giffen's Case against Bimetallicism, where he quotes from Professor Foxwell, of Cambridge. The latter describes the condition of scientific opinion in England concerning bimetallicism, and, after naming the very eminent men who believe in bimetallicism, he adds:

Whoever refuses to admit that a fixed ratio between gold and silver can be established and maintained by international treaty is no longer considered amongst us an economist.

Therefore, by this authority the Senator from Wisconsin could not be considered as an economist. He certainly can be considered as a vituperator, and, Mr. President, vituperation seems to be a common habit of the advocates of gold monometallism. I find here that Mr. Giffen has fallen into the habit of using epithets like those which are used by the Senator from Wisconsin. Mr. Giffen speaks of bimetallicism as "the detestation of men of sense."

Mr. President, the Senator from Wisconsin did not always think that bimetallicism is as bad as witchcraft and demonology. The Senator was a member of the convention which nominated Mr. Bryan for President; and the Senator from Illinois [Mr. PALMER] will excuse me for calling that a Democratic convention. I find a declaration of the minority committee on resolutions to that convention, as follows:

That the efforts of the Government should be steadily directed toward the establishment of international bimetallicism.

Now, on the one hand, we have the Senator saying that no such bimetallicism has ever existed in fact; that—

the pretense it ever had existence in the world * * * must be consigned to the limbo where the ghosts of witchcraft, astrology, demonology, and kindred superstitions have been driven by the advancing intelligence and wisdom of mankind.

That was the Senator on the 29th of January, but at the Democratic convention of 1896 we heard him declaring to the convention and to the people of the world—

That the efforts of the Government should be steadily directed toward the establishment of international bimetallicism.

The PRESIDING OFFICER (Mr. PERKINS in the chair). Will the Senator from New Hampshire suspend? Under the rules of the Senate, the Chair is obliged to lay before it the unfinished business coming over from yesterday, which will be stated.

The SECRETARY. A bill (H. R. 8110) to establish a uniform law on the subject of bankruptcies throughout the United States.

Mr. FRYE. I ask that that may be informally laid aside, and that the Senator from New Hampshire may be permitted to conclude his speech.

The PRESIDING OFFICER. It is asked that the unfinished business be temporarily laid aside and that the Senator from New Hampshire be permitted to finish his speech. Is there objection? The Chair hears none, and the Senator from New Hampshire will proceed.

Mr. CHANDLER. Mr. President, who signed this report declaring that the efforts of the Government should be steadily directed to the establishment of international bimetallicism? The first name is that of the distinguished Senator from New York, DAVID B. HILL; the second, WILLIAM F. VILAS, of Wisconsin; the third, GEORGE GRAY, of Delaware; the fourth, John Prentiss Poe, of Maryland; the fifth, Irving W. Drew, of New Hampshire. My colleague will recognize Mr. Drew as a distinguished member of the convention, who, after declaring against the free coinage of silver by the United States alone and in favor of international bimetallicism, went home to New Hampshire and manfully assisted in giving the McKinley Republicans of that State their unprecedented majority of 36,000.

It seems to me that the Senator from Wisconsin ought to allow those of us who still believe that the powers of the Government should be steadily directed to the establishment of international bimetallicism to do so without charging that in so doing we are advocating either witchcraft, astrology, demonology, or a kindred superstition. We are only advocating a superstition to which the Senator from Wisconsin affixed his name less than one year ago.

Returning again to the Herschell commission, we find that six of its members, Rt. Hon. Sir Louis Mallet, C. B.; Rt. Hon. A. J. Balfour, M. P.; Rt. Hon. Henry Chaplin, M. P.; Sir D. Barbour, K. C. S. I.; Sir W. H. Houldsworth, Bart., M. P.; Mr. Samuel Montagu, M. P., declared as follows:

Part III, section 29. In 1873-74 the connecting link disappeared, and for the first time the system of rating the two metals ceased to form a subject of legislation in any country in the world. The law of supply and demand was for the first time left to operate independently upon the value of each metal; and simultaneously the ratio which had been maintained, with scarcely any perceptible variation, for two hundred years, gave place to a marked and rapid divergence in the relative value of gold and silver, which has culminated in a change from 15½ to 1 to 22 to 1.

The chairman of the Holland delegation to the international conference of 1892, Mr. Van Den Berg, made the following striking statement, showing that bimetallicism was no myth, but a potent reality, from 1800 to 1873. His language is as follows:

Our ideal is an international bimetallic agreement. Such an agreement we fully believe to be possible and desirable, both from the theoretical and also from the practical point of view. We in Holland are unanimous in the belief that, should an international bimetallic agreement admit gold and silver to free coinage at a fixed ratio, the union between the two metals would be re-established and would be maintained on a fixed basis, as in fact it was maintained during nearly three-quarters of a century in spite of the extreme variations in the production of gold and silver, respectively, which took place in that period. I need not remind you, gentlemen, that from 1800 to 1820 silver yielded 75 per cent and gold 25 per cent only of the total value of the precious metals produced. Gradually the production of gold increased, while the production of silver continually diminished relatively to the production of the yellow metal until, after the discovery of the Californian and Australian mines, the two metals arrived at a position exactly the reverse of that which I have just mentioned, for it was gold that now yielded 75 per cent of the world's production, while silver sunk to 25 per cent and took the place which gold had occupied half a century before. Well, notwithstanding this complete inversion of the respective production of the two metals, the ratio between gold and silver remained nearly fixed and steady, and I believe that ratio would have been maintained permanently if the use of silver had not been proscribed by legislative enactments. It must be admitted that the increase in the production of silver, of which we hear so much, has only a very slight importance in comparison with the development in the production of gold toward the middle of the century which is now approaching its close. (Walker on International Bimetallicism, 227.)

THE GOLD PANIC AFTER 1849.

General Walker, in his International Bimetallicism, page 123, thus graphically describes the gold panic after 1849:

In 1848 occurred the discovery of gold on the Pacific Coast of North America. Only three years later, on the other side of the globe, gold was discovered in enormous and seemingly inexhaustible amounts in Australia. It is surely one of the most marvelous coincidences of human history, that of the three great "finds" of the yellow metal which have occurred since authentic history began two should have come within so narrow a space. The aggregate effect upon the supply of gold produced by the simultaneous discovery of the California and Australian mines, together with a three or four fold increase in the yield of the alluvial deposits of the Ural Mountains, threatened for the time to be overwhelming. The average production of the world had been twenty or thirty million dollars. In a few years it rose to five times that amount. Within the ten or twelve years succeeding 1851 it is estimated that the stock of gold in the hands of civilized man was literally doubled. During the decade 1801-1810 the production of silver had been that of gold, by weight, 50.2 to 1; during the decade 1851-1860 it was only 4.4 to 1, a change to the extent of nearly eleven-twelfths. M. Chevalier states the change in production in still higher terms. In 1857 he wrote that the production of gold as compared with silver had increased fivefold since 1851, and fifteenfold in the course of only forty years. A veritable gold panic set in. It hardly seemed to anyone out of France that it would be possible to stem the flood and to save commercial and financial values from such a fall as would amount to the destruction of all individual credit. Few dared to hope that the barrier which France had to this time interposed against fluctuations in the value of the two metals could long withstand the strain. If once that gave way, gold might fall in a succession of plunges, from crag to crag, down to a level which would mean nothing less than universal bankruptcy. Estimates were freely made that, from being worth 15½ to 1 of silver,

it would soon be worth 12 to 1, 10 to 1, even 8 to 1. In his book on the Probable Fall in the Value of Gold, Chevalier more than once uses the illustration of a fall to one-half its former value. He indeed states that this assumption is not the result of anything like exact computation, and is only used to show briefly and strikingly what might come from the bursting of the great reservoir and the rushing of its mighty waters down upon the marts of trade and the seats of industry; but Chevalier would not have used this illustration so freely had he regarded it as an extravagant statement of the possibilities, and even the reasonable probabilities, of the case.

The nations of Europe were prompt to take alarm at the menace to industry, finance, and even the social structure. "Ten years ago," wrote M. Leon Faucher, in 1852, in his work *The Production of the Precious Metals*, "everyone was frightened at the prospect of the depreciation of silver; during the last eighteen months it is the diminution in the price of gold that has been alarming the public." In June, 1850, Holland demonetized the gold 10-florin piece and the guillaume. Portugal prohibited any gold from having current value except English sovereigns. Belgium demonetized its gold circulation. Russia prohibited the export of silver as the metal likely to become the very stay and staff of the national existence. Austria, which was then on a basis of inconvertible paper, thought that the cheapening of gold offered a favorable opportunity to come to a metallic basis, and called the German States to meet in a monetary conference at Vienna. The other States feared the depreciating gold and insisted on the single silver standard. The most that Austria could do was to secure the concession of the coinage of gold crowns as trade pieces. (Suess, *Die Zukunft des Goldes*, 11, 12; Soetbeer, *Litteraturnachweis über Geld- u. Münzwesen*, 77, 78.)

In some countries shops sought to attract trade by offering to receive gold at par. M. de Laveleye states (*La Mon. et le Bimet.*, p. xii) that traders hung out the sign, "L'or est reçu sans perte!" "Even in England," wrote Chevalier, "some persons have put forth the advice that the standard should be altered and that silver should be substituted for gold. They ground their opinion primarily upon the plea of principle, in maintaining that, gold having ceased for an interval of time, which may possibly be rather long, to satisfy the essential condition of having a value relatively stable, it thereby loses its aptitude for the functions of money." So respectable an authority as Mr. James Maclaren, author of the *History of the Currency*, put forth a proposal that life-insurance companies should be established on a silver basis. Certain American corporations in the same period sought to safeguard themselves by similar arrangements, and to this day have the satisfaction of receiving every month a certain number of ounces of fine silver, paid in for rents under contracts then made.

Those are companies at Lawrence, Mass. When I was there last summer making a call upon a friend, I inquired whether the statement of General Walker was correct. I found that it was even so, and that the Essex Company, in Lawrence, at the time when gold was plenty and silver was scarce, had undertaken to safeguard themselves by requiring that certain rents of real estate, leased for a long period of years, should be paid each year in so many ounces of fine silver; and to-day I suppose their tenants must be felicitating themselves that they are, by express contract of the creditor, paying their rents in depreciated 50-cent silver.

Returning to the quotation from General Walker, I read:

One English financier is quoted as declaring that gold would soon only be "fit for the dustpan."

Amid this general alarm, amounting to panic, the statesmen and financiers of France stood firm. The Government, indeed, assembled a commission for the consideration of the question in its new and startling aspects; and some economists, like Chevalier, declared in favor of silver monometallism as the only hope of preserving industry and trade and the social structure. Chevalier proposed to return to the system in force down to 1785, when silver was the standard and gold was rated to it by law or proclamation. He proposed that this rating should be made every six to twelve months to keep pace with the fall of gold. He even raised the question whether the gold coin thus issued should not be restricted as to the amount for which it could be tendered. And this of gold! The man who could put forward such a proposal should have been prosecuted for lese-majeste. But the hearts of the men who controlled the destinies of France did not fail. Freely that country gave of her silver to all, freely took gold from all, without fear of its becoming worthless on her hands. Year after year the flood of the yellow metal poured in upon her mints; and her moneyers stood at their posts to coin it and give it back, full legal tender, at 15½ to 1. In the eight years between 1853 and 1860, both inclusive, there was imported into France gold to the value of 3,083,000,000 francs, or \$116,000,000, or 123,000,000 pounds sterling. Coincidentally with this influx of gold began the exportation of silver. In the eight years of which we have just spoken, France sold silver to the amount of 1,465,000,000 francs, or \$23,000,000, or 50,000,000 pounds sterling.

Such was the course of the greatest financial storm of two centuries. By the end of 1860 the gale had well-nigh blown itself out, though the waves were still running high. During the decade then closing there had been added to the stock of gold \$1,407,000,000, as estimated by Soetbeer; \$1,257,000,000, as estimated by Tooke and Newmarch. Even these figures do not fully express the shock which the bimetallic system had to bear during this tremendous crisis. Not only was France without an ally in sustaining the ratio of 15½ to 1, but, in addition to the blows which fell upon her from the enormously increased production of gold, she had to meet the hostile action of other nations in demonetizing that metal, or restricting its use within their own circulation. When it is said that the gale had well-nigh blown itself out by the close of 1860, it is not meant that the production of gold very greatly declined after that period, though, in fact, it fell off considerably, owing to the exhaustion of the richest of the alluvial deposits; the average of the next decade was, according to Tooke and Newmarch, almost precisely 20 per cent below that of 1851-1860. But the storm center had passed by France. The other countries, protected so long by the action of the French bimetallic system, were now experiencing the effects of the increased production of the precious metals, in a not too tumultuous manner, by gradual accessions which exerted an influence on trade, industry, and the social structure, here and there injurious to individuals, but on the whole immensely beneficial to mankind. The French breakwater had beaten off the fury of the waves, but it could not, and indeed it was not desirable that it should, prevent the level of the harbor thus protected from being gradually raised.

Mr. President, after this magnificent historic picture of the success of bimetallic at 15½ to 1, achieved mainly by France, notwithstanding the enormous increase in the production of gold in the decade preceding 1860, he must be indeed a bold man—as bold as the Senator from Wisconsin—who will not admit that a like

success would have been gained over the disproportionate production of silver during the last fifteen years if it had not been for the demonetization of that metal by the United States and Germany and the other nations which followed their lead.

I would be willing to end the whole argument for bimetallic before any intelligent American tribunal—and such could be found—if composed of disinterested members—and such it would be difficult to find—by submitting to the tribunal nothing but the documents that I have already introduced into my remarks, and extra copies of which I now hold in my hand, as follows:

I.

The Sauerbeck table (1), showing the fall of the prices of commodities since 1873, supplemented (2 and 3) by Mr. Barker's tables, and (4) those of Secretary Morton.

II.

The table (5) showing the ratios between gold and silver so near 15½ to 1 from 1687 to 1873 and the change since 1873.

III.

The table (6) showing the production of gold and silver, with the variations from 1493 to 1896, at which last date the production of each metal was of the same coinage value, \$215,000,000, and the total of each metal for the four hundred and three years was not far from a similar equality—gold \$9,000,000,000, silver \$10,500,000,000.

IV.

The United States bimetallic laws of 1785, 1786, and 1792 (7), the French law of 1803 (8), and the memorandum (9) showing the successive acts of demonetization committed by the nations since 1873.

The early United States legislation was as follows:

July 6, 1785: "That the money unit of the United States of America shall be one dollar." August, 1786: "Resolved, That the money unit of the United States, being by the resolve of Congress of the 6th of July, 1785, a dollar, shall contain of fine silver 375.64 grains. * * * That there shall be two gold coins, one containing 246.238 grains of fine gold equal to ten dollars, and to be called an eagle; one containing 123.134 grains of fine gold, equal to five dollars, and to be called a half eagle."

Coinage act of 1792, ninth section, in part as follows: "There shall be from time to time struck and coined at the said mint coins of gold, silver, and copper of the following denominations, values, and descriptions, namely: Eagles, each to be of the value of ten dollars or units, and to contain 247½ grains of pure or 270 grains of standard gold; half eagles, each to be of the value of five dollars, and to contain 123¾ grains of pure or 135 grains of standard gold; quarter eagles, each to be of the value of two dollars and a half a dollar, and to contain 61½ grains of pure or 67½ grains of standard gold; dollars or units each to be of the value of a Spanish milled dollar, as the same is now current, and to contain 371½ grains of pure or 416 grains of standard silver."

The French law of the year 1803 decrees as follows:

To every person bringing to this mint 1 kilogram of gold nine-tenths fine, this same kilogram shall be given back to him transformed into 155 gold pieces of 20 francs, the total being equal to 3,100 francs. To every person bringing 1 kilogram of silver nine-tenths fine, this same kilogram shall be returned to him coined into forty 5-franc pieces, the total being equal to 200 francs. The debtor may tender these gold or silver pieces at his option, and can obtain for them a full receipt for his debt.

The foregoing nine documents are an impregnable mass of convincing facts which can not be blotted out of sight nor sneered down by the gold monometallists of Europe or America.

I have addressed this package to any gold monometallist, intending to submit it to the Senator from Wisconsin [Mr. VILAS], but, as he is not present, I will venture to ask my respected friend from Illinois [Mr. PALMER] if he will accept it and hand it to the Senator from Wisconsin when he makes his appearance?

Mr. PALMER. With pleasure.

SOME OBJECTIONS TO BIMETALLISM.

Mr. CHANDLER. Mr. President, there are scores of objections not yet alluded to that have been made to the continued agitation for the restoration of bimetallic, which it would not be possible, within any reasonable time to-day, to recite and endeavor to refute, even if I were capable of the task. A few may be profitably alluded to, and a reply stated without elaboration.

THE INCIDENTAL USE OF SILVER NOT BIMETALLISM.

The fact is pointed to that before 1873 we had coined in the United States only about eight millions of silver dollars (\$8,031,238), while since the date fixed as the beginning of demonetization we have coined over four hundred millions (\$423,289,629). The Senator from Ohio [Mr. SHERMAN] is fond of stating these facts to prove that we now have bimetallicism.

There is usually an omission to state that, in addition to the silver dollars, we had coined before 1853 other silver, making the total \$79,241,854.50; and also coined between 1853 and 1873, \$64,571,744.20, making a total amount in 1873 of \$143,813,598.70. (United States Treasury Circular No. 123, July 1, 1896, page 15.) Spanish, Mexican, and South American silver coins were also for a long time legal tender under United States laws.

But the true answer to this argument seems to be that the use of silver coin as token money, or even in considerable quantities as legal-tender money, is not bimetallicism so long as the mints are closed to all but limited amounts of silver. When the United States had but little coined silver in actual circulation, yet the

amount of that metal still in use in the world, joined with the gold of the world, measured the values and determined the prices of the world's property. When this Government prohibited the coinage of silver dollars, and Germany followed our decision, the downward movement of the prices of property began, because the real money of the world began to diminish in quantity. The purchases of silver made by our Government retarded the movement and held up for a time the price of silver bullion, but silver was no longer real money. When it came to be authoritatively proclaimed that our silver dollars must be redeemed on demand in gold, they ceased to be money in fact and became only promises to pay money, like the paper dollars, which were just as good money as silver dollars, and it was a waste to use the silver merely to imprint upon it promises to pay gold dollars. In short, the limited use of silver while the mints are closed to the coinage of silver, although it may help for a time to maintain better prices than would otherwise prevail for silver bullion, has but little effect in retarding the fall of the prices of commodities and the increased burdens upon debtors, and is no more bimetallicism in principle or permanent effect than is the petty use of silver for dimes, quarters, and half dollars.

BIMETALLISM NOT REPUDIATION.

Attempts are made to discredit the efforts to remonetize silver by saying they are dishonestly intended to relieve debtors from the payment of their debts in full. The charge is unjust. Debtors have the right to have the burden of their debts unchanged by any changes in the currency. If during twenty years the value of the property of the debtors has been reduced, not from natural causes, but by the appreciation of gold caused by the demonetization of silver, that is an unnatural reduction of values, and debtors have the right to ask that the steps of demonetization shall be retraced and the constant increase in the burden of their debts arrested. To yield to this right of the debtors is in no sense assisting them to repudiate their debts.

This kind of argument—the appeal against anything which would look like repudiation—made in the late Presidential canvass was frequently and forcibly made, and was very effective in defeating Mr. Bryan.

Americans are sensitive to any imputation of private or public dishonor, and audiences responded promptly to invocations to maintain what was claimed to be the plighted faith of the nation and not to vote to pay debts in a currency deliberately or purposely depreciated. The argument and the appeal were fair, I think, in dealing with the Bryan proposition for the immediate free coinage of silver by the United States alone, which would have resulted in silver monometallism; gold would have gone to a premium and debtors could have paid their debts in a cheapened dollar.

This would have been contrary to the pledge of the nation to maintain the parity between the two metals, contained in the acts of 1890 and 1893, and would have savored of repudiation; and so it was overwhelmingly rejected by the American voters.

But when the argument is extended in the form of a claim that the United States can not honestly change its present monetary system, it is a false one. Mistaken policy as it would be for this people to adopt silver monometallism, yet it may be honestly done if they so decide. But the change must be made with due fulfillment of all existing express or implied pledges. Not long ago I asked that distinguished statesman of Massachusetts, Hon. George S. Boutwell, whether if the United States were to pay its existing debt, principal and interest, in gold, redeem its existing paper currency in gold, and its existing silver dollars in gold, it would not then be honest, even if unwise, thereafter, in its new issues of bonds and money to base them upon the single silver standard; and Mr. Boutwell did not undertake to maintain that any imputation of dishonor would lie against such a course.

The legal decisions of our highest court leave no doubt as to the right of a nation to change its monetary system, without impairing the obligation of contracts. In the Legal-Tender Cases (12 Wall., 564), Judge Bradley says:

But the creditor interest will lose some of its gold. Is gold the one thing needful? Is it worse for the creditor to lose a little by depreciation than everything by the bankruptcy of his debtor?

Mr. Justice Strong says (page 529):

But the obligation of a contract is to pay that which the law shall recognize as money when the payment is to be made.

In *Juilliard and Greenman* (110 U. S., 449), Mr. Justice Gray said:

A contract to pay a certain sum in money, without any stipulation as to the kind of money in which it shall be paid, may always be satisfied by payment of that sum in any currency which is lawful money at the place and time at which payment is to be made. * * * As observed by Mr. Justice Strong, in delivering the opinion of the court in the Legal-Tender Cases, "Every contract for the payment of money, simply, is necessarily subject to the constitutional power of the Government over the currency, whatever that power may be, and the obligation of the parties is therefore assumed with reference to that power." (12 Wall., 457.)

There are many more dicta in the several Legal-Tender Cases to the same effect. I will make a part of my remarks an extract

from the opinion of the court, given by Mr. Justice Strong, in the Legal-Tender Cases (12 Wall., 457), concurred in by Justices Swayne, Davis, Miller, and Bradley; dissented from by Chief Justice Chase and Justices Clifford and Field.

But the proposition that a nation once having established a monetary system, once having been seduced into the adoption of the single gold standard, could never to the end of time return to bimetallicism, or adopt even silver monometallism, would have met with no favor from any one of those famous legalists. It should not appear in any argument against bimetallicism. Here is the powerful utterance of Mr. Justice Strong:

We come next to the argument much used, and, indeed, the main reliance of those who assert the unconstitutionality of the legal-tender acts. It is that they are prohibited by the spirit of the Constitution because they indirectly impair the obligations of contracts. The argument, of course, related only to those contracts which were made before February, 1862, when the first act was passed, and it has no bearing upon the question whether the acts are valid when applied to contracts made after their passage. The argument assumes two things; first, that the acts do, in effect, impair the obligation of contracts, and second, that Congress is prohibited from taking any action which may indirectly have that effect. Neither of these assumptions can be accepted. It is true that under the acts a debtor, who became such before they were passed, may discharge his debt with the notes authorized by them, and the creditor is compelled to receive such notes in discharge of his claim. But whether the obligation of the contract is thereby weakened can be determined only after considering what was the contract obligation. It was not a duty to pay gold or silver, or the kind of money recognized by law at the time when the contract was made, nor was it a duty to pay money of equal intrinsic value in the market. (We speak now of contracts to pay money generally, not contracts to pay some specifically defined species of money.) The expectation of the creditor and the anticipation of the debtor may have been that the contract would be discharged by the payment of coined metals, but neither the expectation of one party to the contract respecting its fruits nor the anticipation of the other constitutes its obligation. There is a well-recognized distinction between the expectation of the parties to a contract and the duty imposed by it. Were it not so, the expectation of results would be always equivalent to a binding engagement that they should follow.

"But the obligation of a contract to pay money is to pay that which the law shall recognize as money when the payment is to be made." If there is anything settled by decision it is this, and we do not understand it to be controverted. No one ever doubted that a debt of \$1,000 contracted before 1834 could be paid by 100 eagles coined after that year, though they contained no more gold than 94 eagles such as were coined when the contract was made, and this not because of the intrinsic value of the coin, but because of its legal value. The eagles coined after 1834 were not money until they were authorized by law, and had they been coined before, without a law fixing their legal value, they could no more have paid a debt than uncoined bullion or cotton or wheat. Every contract for the payment of money simply is necessarily subject to the constitutional power of the Government over the currency, whatever that power may be, and the obligation of the parties is therefore assumed with reference to that power. Nor is this singular. A covenant for quiet enjoyment is not broken, nor is its obligation impaired by the Government's taking the land granted in virtue of its right of eminent domain. The expectation of the covenantee may be disappointed. He may not enjoy all he anticipated, but the grant was made and the covenant undertaken in subordination to the paramount right of the Government. We have been asked whether Congress can declare that a contract to deliver a quantity of grain may be satisfied by the tender of a less quantity. Undoubtedly not. But this is a false analogy. There is a wide distinction between a tender of quantities, or of specific articles, and a tender of legal values. Contracts for the delivery of specific articles belong exclusively to the domain of State legislation, while contracts for the payment of money are subject to the authority of Congress, at least so far as relates to the means of payment. They are engagements to pay with lawful money of the United States and Congress is empowered to regulate that money. It can not therefore be maintained that the legal-tender acts impaired the obligation of contracts.

Moreover, it is pertinent at this point to ask those who contend that it will be dishonest to creditors to remonetize silver: What will you do whenever a great mass of gold is discovered somewhere in the world? Will you then call for silver payments and denounce the advocates of gold as dishonest? It will be impossible, as time passes, as the business world grows, and as trade expands, to base all the other money of the world upon the gold money of the world. You can put the \$215,000,000 worth of gold produced in 1896 in an eight-foot cube. Four hundred thousand dollars makes a cubic foot; the two hundred and fifteen millions will make 540 cubic feet. An eight-foot cube is 512 feet; so that will about hold the two hundred and fifteen millions of gold, and 16 such cubes will hold the two hundred and fifteen millions of silver produced in 1896; 20 such cubes will hold all the gold coin in the world, and 320 such cubes will hold all the silver coin in the world; and the 20 eight-foot cubes of gold and the 320 eight-foot cubes of silver can all be put inside this Senate Chamber, and still leave room enough for the Senators now present to transact the business of the Senate.

MONEY IS THE CREATION OF LAW.

Even more common is the argument against bimetallicism that it is an attempt to create values by law, which, it is said, can not be done. True it is that law can not of itself create values; but, as General Walker well says, it can set in operation economic forces which will create values; and this is precisely what is done when the law defines what shall be the money of the people, the medium of exchanges, the means of paying debts. Such a law increases the value of gold and silver by adopting them as money and creating a new demand for them. This demand for gold and silver can only be made by law. Law alone can make money. It may be a consensus of the people of one nation, making the money of that nation; or it may be a consensus of all the nations, making one money for all the nations; or it may be express statutes of one

country or of all the countries. Chief Justice Chase said, in the Legal-Tender Cases (12 Wall., 538), in connection with an expression already cited:

We assume as a fundamental proposition that it is the duty of every government to establish a standard of value.

Indeed, it may be truly said that modern money is the creation of the statutes for the collection of debts and the legal-tender statutes, and that these give the value to gold and silver, and that without these their value would be insignificant. Without these, gold and silver would be merely merchandise, and would be used only like other commodities, in barter, and they would be almost the least valuable commodities in barter. Bimetallists could easily confute those who claim that it is the commercial value of the metals that makes them money, and that the intrinsic value of gold is to-day thirty times greater than silver, if the laws making gold a legal tender and providing for its free coinage could be repealed, as those relating to silver have been repealed. Yet more conclusive would be the experiment if all laws for the collection of debts could be abrogated. This would be the destruction of all commerce among men and a return to semi-savagery; but it would place gold and silver upon an equality where, prior to 1873, they stood by force of the laws, written or unwritten, now known to constitute the bimetallic system. Let us go rather in the other direction, and in due time and with proper safeguards remonetize silver by opening the mints to its free coinage at the ratio of 15½ to 1, and it will soon regain its old value, a value created like that of gold, because it is in demand for use as money, which is an artificial instrument of exchange, created, limited, sustained, and made potent for the good of mankind by law, and by nothing else but law.

CAN BIMETALLISM BE SECURED?

Thus having endeavored to show briefly and imperfectly (1) the great evils that have come to this country and the world from an unnatural reduction in the prices of property; (2) that the evils have arisen, not from natural causes, but from a change in the money of the world, which measures the values of property; and (3) that the remedy is to be found in a return to the principles and practice of bimetalism which have been unwisely abandoned, the next question is, Shall that remedy be applied? The answer to this question will depend somewhat on the course of politics in this country and in other lands. The question is an economic one, it is true; but it is equally true, even if it is to be regretted, that economic questions frequently enter into politics and become the subject of controversy between two great political parties, each striving to obtain the control of a nation; and such is the case to-day with the money question. However much this condition may be lamented, it can not be helped and must be endured.

THE POLITICAL CONTROVERSY IN THE UNITED STATES.

What is the situation of the controversy in the United States? During the recent Presidential conflict Mr. Bryan and his supporters contended that an immediate return to the free coinage of silver by the United States alone ought to be ordered by the American people. This contention met with defeat as the result of the election. It came to be clearly seen by the voters that while a return to bimetalism—the use of the two metals maintained at a par with each other, according to the fixed ratio—would be a wise remedy for existing evils, yet that the adoption of immediate free coinage by the United States alone necessarily would result in silver monometallism—the breaking of the parity between the two metals which this Government was pledged by the acts of Congress of 1890 and 1893 not to allow to take place—and would be a joining by the United States of the silver monometallist nations. So the Bryan proposition was rejected.

The Democrats who seceded from the Bryan convention and at Indianapolis nominated PALMER and Buckner, inspired by President Cleveland and his Administration, were patriotic in their opposition to the silver monometallism of the Bryanites, but they committed the mistake of asserting that the Democratic party "practically established by the legislation of 1834 and 1853 the gold standard of monetary measurement" and of declaring as follows: "To this long-established Democratic policy we adhere, and insist upon the maintenance of the gold standard." They also made a mistake when, in connection with opposition to the free coinage of silver, they denounced protection to American industries and American labor by tariff duties as a scheme "for the personal profit of a few at the expense of the masses," and condemned its advocates as "hostile to the people of the Republic, whose food and shelter, comfort and prosperity, are attacked by higher taxes." When they declared thus: "In fine, we reaffirm the historic Democratic doctrine of a tariff for revenue only," it became no wonder that their respectable and respected candidates, bearing the motto "Gold monometallism and free trade," received but 136,000 out of 14,000,000 votes cast. Nevertheless, the assistance of these worthy, old-fashioned gentlemen in the election of Mr. McKinley was gladly welcomed. It was time for the passing of the Democratic party, and they were entitled to perform an honorable part in the interment.

THE REPUBLICAN BIMETALLISTS SAVED MCKINLEY'S ELECTION.

The Republican bimetalists saved the election of McKinley and Hobart. It would not have been thus carried if the Republican party had adopted a money plank similar to that of the Indianapolis convention. While pronouncing against the immediate free coinage of silver without an international agreement, the Republican party declared, by adding concerning bimetalism six potent words, "which we pledge ourselves to promote," that it would equally oppose a permanent acquiescence in gold monometallism. This party therefore stands recognizing the evil consequences which have come from the reduction of the values of the world's property, proclaiming that the cause is the demonetization of silver, and declaring that the remedy is the reestablishment of bimetalism. The great political question of the future, therefore, is, Shall this pledge be kept? If it is kept in letter and in spirit, and the party is wisely conducted, as it is to be hoped it will be, in other essential particulars, the members of that party may not only contemplate with pride its glorious record of past achievements, but may hope to see it win further victories over the Populist party, which has now practically taken possession of the Democratic party and is masquerading under the name of Democracy.

THE HOPES OF INTERNATIONAL BIMETALLISM.

Concerning the prospects of international bimetalism, it must be admitted there can be no safe prediction, yet there is much to give encouragement to its American advocates. France is thoroughly in favor of remonetization.

FRANCE.

Mr. Edward Thery, in the *Economiste* of July 16, 1896, says:

On the 17th of March last Mr. Meline, the honorary president of the French Bimetallic League, and now president of the Council of Ministers, deposited at the bureau of the Chamber of Deputies a motion signed by 347 deputies, that is to say, about two-thirds of the habitual voters in the chamber, as follows: "The Chamber of Deputies is of opinion that the establishment of international bimetalism would be a great benefit to the agricultural, industrial, and commercial interests of the country, and urges upon the Government the advisability of doing all in their power to establish and maintain by international agreement a stable monetary par of exchange between gold and silver."

Mr. Thery also says:

At least two-thirds of the French Senate share this opinion. Furthermore, Mr. Loubet, the president of the Senate, is now the honorary president of the Bimetallic League, after having been acting president-founder during fourteen months.

GERMANY.

The position of Germany was stated by Count Alvensleben to the Brussels conference of 1892, as follows:

Germany, being satisfied with its monetary system, has no intention of modifying its basis. The Imperial Government does not, however, fail to recognize that the continual oscillation and the considerable fall of silver are much to be regretted from an economic point of view, and that it would be advantageous to the economic interests of the Empire if these evils could be remedied in a lasting manner. (Walker on Int. Bimet., 229.)

General Walker (*International Bimetalism* 232) says that—

The German Reichstag has declared by a vote of more than 2 to 1 in favor of negotiation for monetary reform, the Imperial Chancellery by a vote of 10 to 4 rejecting the proviso that, in the course of such negotiations, the single gold standard should not be compromised.

The German action here referred to took place on February 16, 1895, when the Reichstag passed the following motion of the bimetalists, submitted by Count Mirbach:

To request the allied governments to issue, as soon as possible, invitations for a monetary conference for the international settlement of the currency question.

ENGLAND.

The British House of Commons, by unanimous vote, on February 26, 1895, adopted a resolution—

That this House regards with increasing apprehension the constant fluctuations and the growing divergence in the relative value of gold and silver, and heartily concurs in the recent expressions of opinions on the part of the Government of France and the Government and Parliament of Germany as to the serious evils resulting therefrom. It therefore urges upon Her Majesty's Government the desirability of cooperating with other powers in an international conference for the purpose of considering what measures can be taken to remove or mitigate these evils.

Again, on March 17, 1896, the House of Commons, without a division, resolved that—

This House is of opinion that the instability of the relative value of gold and silver since the action of the Latin Union in 1873 has proved injurious to the best interests of this country, and urges upon the Government the advisability of doing all in their power to secure by international agreement a stable monetary par of exchange between gold and silver.

Acquiescence in the House of Commons resolution was accompanied by oral declarations that the ministry would not be likely to consent to the abandonment of the gold standard, but it was also intimated that an agreement could be had, whenever an international conference should be held, that the mints of India should again be opened to the free coinage of silver.

The Senator from South Dakota [Mr. PETTIGREW], in the recent debate on the passage of the bill for an international conference, quoted from various utterances of delegates from European countries at the international conference of 1892 who expressed an unwillingness to agree to the full remonetization of silver. The Senator should have investigated further, and he would doubtless have concluded that the later utterances from France, Germany, and England show a change of opinion and a growing feeling in favor of international bimetalism. Changes on such important

subjects are frequently made in less time than that which has elapsed during the five years between 1892 and 1897. For illustration, the South Dakota resolutions adopted by the Republican convention in the summer of 1896 reaffirmed the Minneapolis financial plank of 1892 until the St. Louis convention should adopt a later statement. Previous to choosing delegates a resolution was adopted requiring all nominees to go upon the floor and declare for McKinley and sound money; not only to vote but to work to accomplish this end.

The Senator from South Dakota was chosen a delegate, and did go upon the floor and declare that he would work for McKinley and sound money. Within two weeks, however, the Senator gave in his adhesion to Mr. Bryan and a platform declaring (1) in favor of the free and unlimited coinage of silver, without waiting for the aid or consent of any other nation; (2) that the silver dollar should be a full legal tender for all debts, public and private, and (3) that laws should be made preventing private contracts to pay gold. It is unnecessary to add—

Mr. PETTIGREW. Mr. President—

Mr. CHANDLER. In one moment I will yield.

Mr. PETTIGREW. I wish to ask the Senator a question.

Mr. CHANDLER. It is unnecessary to add that the Senator also supported Mr. Bryan.

When the Senator reflects upon his own radical change of opinion and position within one short month, he certainly must admit that possibly there may have been some change of opinion in Europe during the long five years between 1892 and 1897 which will make another international conference not absolutely hopeless. Yet the Senator, by his speech and vote, endeavored to prevent any such favorable consummation, and stamped himself as a hopeless silver monometallist.

Mr. PETTIGREW. I should like to ask the Senator from New Hampshire if what he was reading was a quotation or his own statement with regard to my attitude?

Mr. CHANDLER. In regard to the Senator's attitude? I do not understand him.

Mr. PETTIGREW. You made the statement just now that I went upon the floor of the convention and declared my adhesion to McKinley and gold. Was that your statement, or was it a quotation?

Mr. CHANDLER. It was my statement, derived from the daily newspapers at the time.

Mr. PETTIGREW. If the Senator will permit me, I brand that statement as wholly and unqualifiedly false in every particular. I will say further that I made the same statement in answer to those newspaper charges and placed it in the RECORD several months ago, previous to the St. Louis convention. Therefore, it hardly seems that the Senator from New Hampshire has any excuse for putting it in his speech to-day.

Mr. CHANDLER. Mr. President, the Senator says the statement is wholly false. I therefore understand him to say that he did not attend the South Dakota convention. Am I correct in that?

Mr. PETTIGREW. Is that the gist of it—the fact that I attended the convention?

Mr. CHANDLER. I said the Senator attended the convention and went upon the floor and declared that he would obey the instructions of the convention. The Senator says my statement is "wholly and unqualifiedly false." I ask whether he attended the convention?

Mr. PETTIGREW. I say that your statement on the whole, and the purpose you intended to convey—

Mr. CHANDLER. The purpose!

Mr. PETTIGREW. Is entirely and absolutely false.

Mr. CHANDLER. I ask the Senator whether he was in the convention or not?

Mr. PETTIGREW. I was at the convention.

Mr. CHANDLER. Did the Senator go upon the floor and accept an election as a delegate, or not?

Mr. PETTIGREW. I was elected a delegate in that convention, but I stated on the floor and I stated in the Senate that I never was asked to support what was called sound money, and if you had taken any pains to ascertain the truth, you could have ascertained it.

Mr. CHANDLER. The Senator will kindly address his remarks to the Chair.

Mr. PETTIGREW. It would be much more agreeable than to address them to you.

The PRESIDING OFFICER. The Senator from South Dakota is speaking by the indulgence of the Senator from New Hampshire.

Mr. PETTIGREW. I will take nothing by his indulgence.

Mr. CHANDLER. I do not know what the Senator means by this action of his. I stated what the newspapers had said—that he was chosen as a delegate, went upon the floor, accepted the nomination. Now the Senator says the statement I made is wholly and unqualifiedly false. He admits that he was upon the floor of the convention, that he accepted the commission then and there

given him by the Republicans of South Dakota, and he did go to the McKinley convention. Where have I made any misstatement as to the Senator? The Senator does not pretend that he then and there dissented from the declaration of the South Dakota convention in favor of sound money. He does not say that he made any dissent there.

Mr. PETTIGREW. Mr. President—

The PRESIDING OFFICER. Does the Senator from New Hampshire yield to the Senator from South Dakota?

Mr. CHANDLER. If the Senator will not get angry and sit down in a minute and say he will not say anything by my indulgence, certainly I will yield to him.

Mr. PETTIGREW. The South Dakota convention did not declare for sound money. If they had, they would not have declared for gold. They simply declared that they would refer the question of bimetalism to the St. Louis convention. They passed no resolution, made no declaration in favor of what is called, and wrongfully called, sound money.

Mr. CHANDLER. Did they not declare in favor of the Minneapolis plank on money?

Mr. PETTIGREW. Yes; they declared practically in favor of the Minneapolis plank—the plank of four years ago—and it was a plank, in my opinion, and in the opinion of those who agree with me, in favor of the free and unlimited coinage of silver as the only means of securing and maintaining the parity between the two metals.

Mr. CHANDLER. There is no quarrel between the Senator from South Dakota and myself. If the Senator had heard what I have said, he would have understood that I criticised quotations he made from declarations made in Europe at the bimetalist conference of 1892 as reasons why there should not be another international conference. I did not undertake to criticise the Senator. I ask the Senator's indulgence—I am willing to ask his indulgence when it is needed—for the supposition that these eminent men in five years might possibly have changed their opinions when he changed his opinions in one short month.

Mr. PETTIGREW. With the indulgence of the Senator from New Hampshire, I will say further that I declared in the convention of my State, when elected as a delegate to the St. Louis convention, that I would not support a platform in favor of the single gold standard, and that unless they chose to elect me as a delegate on that declaration I did not desire to go. Mr. President, I do not charge the Senator from New Hampshire with any intention to misrepresent me; he has been misinformed.

I will also state, Mr. President, with the indulgence of the Senator from New Hampshire, that the declarations of all the European advocates of the single gold standard are the same now as they were in 1892. They have not changed their position one particle. Further than that, they all declare, as does Bertrand Currie, who is at the head of the gold-defense association of Great Britain, that there would be a panic which would wreck the industries of the gold-using countries of the world if bimetalism were accomplished; and they picture ruin and disaster as great as that pictured by the advocates in this country of the single gold standard and the opponents of the free and unlimited coinage of silver by this country alone in case we try to coin gold and silver both. Why, then, should we delay the free coinage of silver if we are to have a panic with or without an international agreement?

I do not think there is a single authority in Great Britain who has not taken the position that a bill for international bimetalism could not be passed in Parliament; could not pass the House of Commons; could not reach a stage where it would look as though it would pass, without a panic which would ruin and destroy and bankrupt the financial and manufacturing institutions of Great Britain. I say they make a picture even more doleful and distressing than that painted by the opponents of the free coinage of silver if we should undertake to do it without the assistance of other countries.

Mr. CHANDLER. The Senator, I think, is mistaken. I have seen no such declarations from English gold monometallists as those which the Senator has suggested. I think that when the Senator comes to read what I have already said and what I shall hereafter say, he will conclude that international bimetalism is not only possible but probable, and will regret the vote he gave the other day against the calling of another international conference.

Mr. President, this is a living subject all over the world. I hold in my hand a letter written to the Manchester Guardian of January 14, showing the effect of the closing of the India mints upon the people of India. It is signed by J. P. Haseltine, and is dated London, January 12, 1897:

SIR: We are rightly engaged in raising a fund for the relief of our fellow-subjects in India now suffering from famine and pestilence. We shall congratulate ourselves if we raise £500,000, or say, roughly, 8,000,000 rupees. How few realize that one letter from Her Majesty's Government to the French premier and one to Mr. McKinley, the President-elect of the United States, stating that Her Majesty's Government were ready to join France and America in restoring the ancient legal-tender ratio of weight between gold and

silver would, by a stroke of the pen, save the Indian taxpayers at least 85,000,000 of rupees per annum. This calculation can be roughly examined with great ease by anyone. To meet sterling obligations the Indian taxpayer has now to buy gold bills on London to the amount of £17,000,000 a year. At 15 rupees to the pound, this costs 255,000,000 of rupees. If we take the old rate at 10 rupees to the pound, the cost will be 170,000,000 of rupees, or a saving of 85,000,000 of rupees per annum, without costing Great Britain or India or anyone else one penny.

Yours, etc.,

J. P. HASELTINE.

LONDON, January 12, 1897.

There is in the New York Tribune of Monday, February 8, 1897, a letter of the very acute and able correspondent, Mr. Ford, in which he states the terrible condition of the Indian peasantry on account of the reduction in the value of their silver ornaments. As everyone knows, they have been in the habit of accumulating their savings in silver—silver dollars and silver ornaments. India has been a great market for silver. The estimate of the amount of silver in the possession of the Indian peasantry in the form of ornaments, Mr. Ford says, is thirteen hundred and twelve million ounces. There is no savings-bank system, and the natives have been accustomed to hoard silver in ornaments, worn by men, women, and children. He goes on to give an estimate of the shrinkage in the savings of the peasantry by the demonetization of silver, which he places at \$470,000,000.

Mr. President, there is terrible misery in India now because when the peasants, confronted with short grain crops and famine and plague, come forward with their hoarded stores to dispose of them they find that they are reduced one-half in value.

[From the New York Daily Tribune, February 8, 1897.]

LONDON, January 27.

A significant letter has appeared in the Times from an expert in Indian finance, Sir Lepel Griffin. It directs public attention to a momentous fact which is seldom discussed by English journals, namely, that the sufferings of the plague-stricken, famine-stricken peninsula are terribly intensified by the depreciation of silver. Sir Lepel Griffin disclaims any intention of criticizing current methods of Indian finance, but lays stress upon the monetary conditions in order to impart a fresh impulse to the charitable work which is now in progress throughout the United Kingdom. The results which have followed the depreciation of silver have nowhere else been equally calamitous. For generations the swarming millions of India have been in the habit of investing their savings in silver ornaments. Now, in their hour of direst need, they are finding out that there has been a tremendous shrinkage in the value of their savings and that they can not sell their ornaments without material loss.

Sir Lepel Griffin states, on the authority of Mr. Lesley Probyn, that the amount of silver in the possession of the Indian peasantry in the form of ornaments is 1,312,500,000 ounces. There is no savings-bank system. The natives have been accustomed to hoard silver in ornaments worn by men, women, and children. In former years government rupees were melted down and reworked into ornaments. In time of distress from famine or plague these ornaments were readily sold to the village bankers and rupees given in exchange at full weight. That was when the mints were open and there was a fixed relation between the metal and the coin. Sir Lepel Griffin estimates that the stock of ornaments, which was once worth \$350,000,000, now has a value of \$256,000,000. This implies a shrinkage of \$94,000,000 in the savings of the peasantry. When the ornaments are sold, the natives receive from 35 to 40 per cent less, weight for weight, than formerly. The rupee has an artificial value, owing to the closure of the mints, and the money lender charges from 10 to 15 per cent to cover his risk. The conversion of ornaments into cash, which has been the main resource of the native population in time of famine, is thus attended with ruinous losses. These losses not only aggravate the sufferings of the people, but tend to excite distrust of the Government, which is held responsible for the shrinkage in value of these native savings—the only available reserve of the peasantry.

The gravity of the economic and political situation in India can hardly be overestimated. Here is a great empire with over 300,000,000 subjects whose savings have depreciated to the extent of \$470,000,000 through the fall of silver; and millions of them are suddenly confronted with their losses when they attempt to sell their ornaments. It is not strange that veteran Indian officials are haunted with apprehension of the outbreak of another mutiny.

I have referred to the weighty statements of this expert in Indian finance not for the purpose of discussing the burning question of the expediency of reopening the mints as a relief measure, but in order to emphasize the fact that England has a vast empire which has been impoverished by the decline of silver. Not only is silver the only currency circulating in that populous realm, but also the meager savings of the peasantry are invested in silver ornaments, which can not be converted into rupees without enormous loss. Lancashire, with its diminishing cotton trade with India, has been warned year after year that there has been a shrinkage in the purchasing resources of its best market, and the silver question has been recognized by cotton manufacturers as one of supreme importance in relation to British trade; but it was not until the present crisis arose, with the awful visitations of famine and pestilence, that the magnitude of the imperial issues involved in the solvency of India was fully appreciated.

While England has adhered persistently to the single gold standard and shows no signs of abandoning it, the fact that the extreme poverty of the natives of India, who comprise one-fifth of the inhabitants of the globe, has been increased and intensified by the depreciation of silver possesses momentous significance. Theoretically, England has its well-ordered system of finance which, like the laws of the Medes and Persians, can never be changed; but, practically, it has an impoverished Indian empire and a larger commerce with silver countries than any other nation possesses, and the question of the solvency and prosperity of the silver-trading world is one of paramount importance.

This fact is indisputable, even if the House of Commons be emptied whenever an Indian debate comes on. Last night only about forty members listened to the first discussion of Indian affairs which has occurred during the present session. It opened with a keen inquiry from Mr. Maclean respecting the relief which might be afforded by government purchase of silver ornaments at a fixed price per ounce, and drew from the secretary for India, Lord George Hamilton, an expression of incredulity respecting the practicability of the scheme. Not long afterwards, Sir William Wedderburn offered an amendment to the address in favor of a full inquiry respecting the poverty and helplessness of Her Majesty's Indian subjects, and supported it with a well-informed, carefully prepared speech.

For an hour or two the debate dragged along, and finally it was brought to a close by an exchange of compliments between Lord George Hamilton and

Sir Henry Fowler on the superior administrative methods of British India, and by the withdrawal of the amendment. The subject under discussion was the fate of 300,000,000 of the Queen's subjects, who are exposed to the appalling horrors of plague, starvation, poverty, and wretchedness; and not more than forty members took sufficient interest in it to listen to the languid debate.

While expert talent and sobriety of judgment are lacking in the Commons for adequate discussion of the Indian question, the financiers of the city and the merchants and manufacturers of the United Kingdom understand the general economic results of the insolvency and degraded impoverishment of the silver empire. They know that the prosperity of the Indian peasantry is dependent upon a satisfactory settlement of the silver question, and that British commerce has an enormous interest in the removal of existing causes of monetary disturbance and industrial stagnation. The British commercial empire has two lungs. One is the agricultural industry of the colonies and dependencies. The other is the manufacturing industry of the mother country. Both lungs must be in full operation if the industrial body is to be maintained in perfect health. British commerce must finally languish, if, through continued depreciation of silver and consequent monetary disturbance and economic disorder, trade with silver-using countries steadily declines.

SENATOR WOLCOTT'S SILVER QUEST.

In this morning's journals I notice a Washington dispatch stating that Senator WOLCOTT has not met with a hearty reception in London, but has been referred by British statesmen to their brethren on the Continent. I am able to contradict without reserve the inference that the Senator has been received with coolness and indifference by public men and financiers in London. His coming was heralded by dispatches in the daily journals from New York correspondents, stating that he had undertaken a mission on behalf of the President-elect. This was unfortunate, because it created an erroneous impression, which had to be removed as soon as he arrived. He was compelled to explain that his task was self-imposed and unofficial, and that it was simply a personal quest for information on the monetary situation. The frankness with which he released Mr. McKinley from responsibility for his tour of investigation, and the eagerness and thoroughness with which he entered upon his study of a complex subject, commended him at once to the good graces and hospitality of the leaders of political, financial, and social London.

Senator WOLCOTT has been literally overwhelmed with social attentions here. He has met Mr. Arthur Balfour several times; he has had a prolonged interview with the chancellor of the exchequer; he has seen Lord George Hamilton, Mr. Chamberlain, and other members of the Government, and he has been in daily communication with the most experienced financiers in the city. Nothing could be further from the truth than the Washington allegation that he has been coolly and cynically received in London.

Senator WOLCOTT, having had an unwelcome and unsolicited advertisement of his journey before he left New York, has been scrupulous in avoiding publicity here. His object was to obtain a free exchange of views with eminent public men, economists, and financiers on the silver question, and the possible conditions under which an international conference may be held. This purpose would not have been promoted by newspaper interviews. He has denied himself to reporters, and has not taken the public into his confidence. This policy, while it has exposed him to the penalty of escaping observation in the daily press, has facilitated his quest for information. The most important Government officials and economic experts have talked with him with the utmost freedom. He has met everyone whom he wished to see. The list of distinguished people with whom he has been conferring on confidential terms would be a long and impressive one. Mr. Bryan and other monometallist silver leaders, if they were in London, would supply more local copy for the press, but they would not promote the interests of international bimetallicism. Senator WOLCOTT is a man of distinction, who has inspired confidence and commanded respect by the dignity of his conduct and by the reasonableness of his argument. He has adapted himself to English customs and methods of procedure.

CHANCES OF INTERNATIONAL ACTION.

While Senator WOLCOTT has left London to-day for Paris, his departure is not in consequence of any change of plans nor of any lack of cordiality in his reception here. He made no secret when he arrived in London of the fact that he had important work to do in Paris, and he is now carrying out a pre-arranged plan. It is not likely that he will go to Berlin or to any other European capital; nor is it probable that his stay in Paris will be longer than a week, nor that his return to America will be deferred many days after his arrival in London. One thing, however, may confidently be assumed, and that is that the Senator will return to Washington with a unique knowledge of the existing status of English and French opinion on the silver question. In that sense his self-imposed mission has been crowned already with success. He will be able to speak with authority on the prospects of international action respecting silver.

If nothing else has been gained through the Senator's conferences in London, a change of temper in the discussion of the monetary problem has been disclosed. When the Brussels conference was held, there was no attempt to conceal England's uncompromising hostility to a double standard and to international action on behalf of silver. I do not believe that there is even a remote probability that England will abandon the single gold standard; but it is certainly true that the tone of inflexible opposition to international action is not as bitter as it was. If an international conference were called, it is probable that the Indian mints would be reopened at once.

That might be the only concession which England would make, but it would be an important one. The Indian situation is a critical one, and under existing conditions the reopening of the mints would prove a relief measure in releasing the peasantry from bondage to the village money lenders and in enabling them to make better terms in disposing of their ornaments—their only reserve and last resource. The ministers of the day might be glad of a pretext for reopening the mints, and their example would not be without effect upon continental nations, like Germany, Russia, and Austria-Hungary, which, in reorganizing their currency systems, have been approaching gold monometallism as the safest basis of finance. No shrewd observer will be beguiled into the belief that the prospect for international action is either hopeful or promising; but India in this calamitous year is an object lesson from which much is to be learned. England has a paramount interest in the restoration of the solvency and prosperity of silver countries.

I. N. F.

Mr. STEWART. Will the Senator from New Hampshire allow me?

Mr. CHANDLER. Certainly.

Mr. STEWART. I understand what is stated in the article is a fact, and it has resulted from the suspension of silver coinage in 1893.

Mr. CHANDLER. I understand so. Up to the suspension of the coinage of the rupee in 1893 the demonetization of silver had but little effect in India, because, as I have already shown,

economic changes are very slow in taking effect, particularly among the oriental people. But after 1893 the fall of silver in India began to take place; the consequences to that country now are exceedingly lamentable; and England is beginning, with poverty, pestilence, and starvation in India, to take account whether it is not her duty to do something toward the remonetization of silver. It stands as an absolutely unequivocal promise, so far as it can be made, except by statute, that in the aid of the remonetization of silver England will open the India mints.

Mr. President, the Senator from South Dakota [Mr. PETTIGREW] will, I think, change his mind, and the Senator from Wisconsin also will change his mind, as to the probabilities of the success of international bimetalism if they will read the February (1897) number of the National Review, published in London and New York—edited by Mr. L. J. Maxse, an extremely intelligent English gentleman and writer, who was recently in this country—where there are three articles on bimetalism in Europe: On France, by Mr. Edmond D'Artois, who was the assistant general secretary of the French Bimetallic League; on Germany, by Dr. Otto Arendt, who is a member of the Prussian diet and honorary secretary of the German Bimetallic League, and by Lord Aldenham, president of the British Bimetallic League. I ask not that these three short articles may be printed in the RECORD, but that, in order that I may send out some of them with my speech, they may be printed as a document for the use of the Senate.

The PRESIDING OFFICER. If there be no objection, that order will be made. The Chair hears none.

Mr. CHANDLER. I will read what Lord Aldenham says, if the Senator from South Dakota will listen to me: .

Nevertheless—

He says—

I would point out that opinions expressed by distinguished foreigners in 1892 are not a proof that the same opinions are held by other people of the same nations in 1897.

Dr. Arendt, speaking of an international conference, says:

Should such a conference take place, the German Parliament can therefore be relied upon as a strong supporter.

I do respectfully and earnestly request that Senators, whether or not they read my remarks, will take pains to read these three cogent and extremely interesting articles from the National Review.

THE UNITED STATES.

The position of the United States stands recorded in the declaration of the act of November 1, 1893, as follows:

And it is hereby declared to be the policy of the United States to continue the use of both gold and silver as standard money, and to coin both gold and silver into money of equal intrinsic and exchangeable value, such equality to be secured through international agreement, or by such safeguards of legislation as will insure the maintenance of the parity in value of the coins of the two metals, and the equal power of every dollar at all times in the markets, and in the payment of debts. And it is hereby further declared that the efforts of the Government should be steadily directed to the establishment of such a safe system of bimetalism as will maintain at all times the equal power of every dollar coined or issued by the United States in the markets and in the payment of debts.

A minor but equally significant American declaration was the telegram sent to the lord mayor of London and read at the international bimetallic conference at the Mansion House in London May 2, 1894, as follows:

We desire to express our cordial sympathy with the movement to promote the restoration of silver by international agreement, in aid of which we understand a meeting is to be held to-morrow under your lordship's presidency. We believe that the free coinage of both gold and silver by international agreement at a fixed ratio would secure to mankind the blessings of a sufficient volume of metallic money, and what is hardly less important, would secure to the world of trade immunity from violent exchange fluctuations. JOHN SHERMAN, WILLIAM B. ALLISON, D. W. VOORHEES, H. C. LODGE, G. F. HOAR, N. W. ALDRICH, D. B. HILL, E. MURPHY, C. S. BRICE, O. H. PLATT, A. P. GORMAN, W. P. FRYE, C. K. DAVIS, S. M. CULLOM, J. M. CARY. (Report of the proceedings of the conference, page 18.)

These utterances may be fittingly supplemented by two of the many declarations in favor of bimetalism made by Mr. McKinley, beginning with that in his speech in the House of Representatives on June 25, 1890, when, although he resisted the free coinage of silver independently of international action, he said:

I believe, Mr. Speaker, that we should preserve these two metals side by side. * * * I want both metals side by side, equal in purchasing power and in legal tender quality, equal in power to perform the functions of money with which to do the business and move the commerce of the United States. * * * Whatever money we have, it must be based upon both gold and silver.

And ending with that of his letter of acceptance of August 26, 1896:

The Republican party has declared in favor of an international agreement, and if elected President it will be my duty to employ all proper means to promote it.

Surely it is impossible to doubt that upon this record the movement for international bimetalism has a large chance of success. Much will of course depend upon the course of prices and business during the months that are before us, while the subject is undergoing further discussion. If changes for the better take place, if the downward tendency of prices is arrested and an upward movement begins, if the widespread failures of debtors

shall cease, if prosperity shall come to this country and the other countries of the world while the existing gold standard prevails, the efforts of bimetalists may be in vain. If, on the other hand, the present prices of property, the present conditions of trade, the present woeful plight of the debtors of the world remain as now, or grow worse, there will be an irresistible movement against the existing gold standard which it will not be wise for the public men of any country to attempt to arrest.

THE UTTERANCES OF SENATORS AND SECRETARIES SHERMAN AND CARLISLE.

Mr. President, whatever may be the near or the final result, the cause in which the bimetalists of this country are about to engage will be a noble one. No other words can depict its importance so well as those which have been used by two statesmen of the present day, each of whom has been Senator of the United States and Secretary of the Treasury. Fortunate has been the Senate in retaining for so many years in its membership the Senator from Ohio. His long life has been one of patriotic devotion to the interests of his country, and he now stands here with the highest prestige of any member of the Chamber, in full vigor of body and mind, and it is to be hoped that he may long continue in his country's service. His fame is our fame and the nation's fame, and when he goes forward to his new sphere as Secretary of State we shall all recognize in him the appropriate leader of the new movement to save the country and the world from the evils of gold monometallism, so powerfully described by him in his speech in the Senate of April 10, 1876.

Speaking of the German demonetization of silver, he said (CONGRESSIONAL RECORD, volume 4, Part III, page 2341):

It at once begot a struggle for the possession of gold between all the great nations of the world, because everybody could see that if you demonetize \$3,200,000,000 of silver coin and make \$3,500,000,000 of gold coin the sole standard of the transactions of the world * * * it would enormously add to the value of gold. * * * Therefore what we have observed recently is not so much a fall of silver as it is a rise of gold, the inevitable effect of a fear of demonetizing the whole mass of this silver.

To adopt the gold standard alone and demonetize silver would be to deprive the poor people of the world of the money which alone measures the value of their production and their labor. * * * Gold alone is not suitable for a currency, because it will not measure the daily wants of the great mass of mankind. (Page 2341.)

The utter ruin that would come to mankind, especially to the poorer nations, by the entire demonetization of silver can not be estimated by us. Take one-half of the solid money of the world out of existence, take the sole standard of more than two-thirds of the human race, reduce it to a base metal, and the effect upon the commerce of the world would be incalculable. It can not be done; it will not be done. There is no danger of it. These two metals, gold and silver, have traveled side by side from the beginning of time; the records of human history do not go back beyond it. They have varied, sometimes one and sometimes the other higher, but they have gone on, gold the money of the rich, silver the money of the poor, the one to measure acquired wealth, the other to measure the daily necessities of life; and, sir, no act of Parliament, although it may disturb for a moment the relation of these two metals to each other, nothing but an act of God, can destroy the use of both these metals among the nations of mankind. (Page 2246.)

Mr. President, three Sundays ago, while these impassioned words of the Senator were running in my mind, I listened to the discourse of a young and eloquent preacher in Washington, who told the story of Micah, the man of Mount Ephraim, and of the Levite priest, who had come to his house while wandering about the earth seeking a sojourning place:

And Micah said unto him, Dwell with me, and be unto me a father and a priest, and I will give thee ten shekels of silver by the year, and a suit of apparel, and thy victuals. So the Levite went in. (Judges xvii, 10.)

And the Levite was content to dwell with Micah.

Then said Micah, Now know I that the Lord will do me good, seeing I have a Levite to my priest. (Judges xvii, 13.)

When I heard this narrative, I imagined that the fervid Senator knew the story of Micah when he made his earnest assertion that silver was "the money of the poor" and predicted that nothing but "an act of God" could destroy its use as money. A silver shekel was equal to the sum of about 70 cents. So Micah hired his priest for \$7 per year in money, for a suit of apparel (which in the Hebrew original meant a double suit—one for summer and one for winter), for his food, and for lodging also in his humble house hard by the burial place of Joshua, the son of Nun, on the wooded slopes of Mount Ephraim, which mountain was a part of the lot of the tribe of the children of Judah. Micah, the silverite, lived there with his mother and his sons and his priest in honest poverty, using the silver money which God had provided for him. But his happy condition did not long last. The children of Dan had spied out the land and came with 600 men, appointed with weapons of war, and plundered the house of Micah, and then went away and smote the people of Laish with the edge of the sword and built a city in the land of Laish and dwelt therein, and, alas, the Levite priest, at the bidding of the robbers, laid his hand on his mouth and held his peace, abandoned his benefactor, Micah, and fled to the new city and became a priest of his new employers, the Danites.

Thousands of years have rolled around since Samuel, the prophet, wrote this story of Micah, but human nature remains the same.

Lowly cottagers are benevolent; mendicants are ungrateful; noble men and righteous causes are betrayed by those who, when their fidelity and courage are brought to the test, lay their hands on their mouths and hold their peace; but silver is still the money of the poor, which God gave and nothing but an act of God can destroy, and the faithful Senator from Ohio, more earnestly than ever before, will in his new position of power strive to restore and maintain that bimetallicism which begun in the days of the prophets and the priests, the kings and the judges of the tribes of Israel and Judah.

The other Senator and Secretary is a distinguished son of Kentucky, to whom it will certainly ever be a pleasure for me to give the meed of praise which belongs to an honorable and patriotic public servant. There are few limits to my gratitude to him, because in the recent election he showed the full courage of his convictions, broke loose from the party ties of a lifetime, and contributed all in his power to give to Mr. McKinley the electoral vote of the State of Kentucky. No language can be constructed which will more forcibly declare the necessity of the rejection of the single gold standard and the restoration of the bimetallic standard in the monetary system of mankind than his utterances on the 21st of February, 1878. This is what he said:

According to my view of the subject, the conspiracy which seems to have been formed here and in Europe to destroy by legislation and otherwise from three-sevenths to one half the metallic money of the world is the most gigantic crime of this or any other age. The consummation of such a scheme would ultimately entail more misery upon the human race than all the wars, pestilence, and famine that ever occurred in the history of the world. The absolute and instantaneous destruction of half the movable property of the world, including horses, ships, railroads, and all other appliances for carrying on commerce, while it would be felt more sensibly at the moment, would not produce anything like the prolonged distress and disorganization of society that must inevitably result from the permanent annihilation of one-half of the metallic money of the world.

THE DUTIES AND DANGERS OF THE REPUBLICAN PARTY.

Surely, in view of these tremendous assertions of two of the greatest and wisest statesmen now living in America, there ought to be universal concurrence in the determination that something shall be done to arrest the evils which they have so luridly depicted. There was much deprecation in the recent political canvass against appeals for the votes of classes as against appeals for the votes of the whole people without regard to classes. In view of the utterances of Senator SHERMAN, such criticism is not well founded. There can not be wise legislation for the whole people that does not take account of classes, at least to the extent of making certain that the legislation does not affect one class more unfavorably than the other; that it does not benefit one class more than it benefits another. The highest authority that ever spoke said: "The poor ye have always with you." Certainly it can not be unwise for the rulers of the people or the members of a national legislature to specially endeavor to protect the poorer classes of society and to lift from them some of the burdens which press them downward into poverty. The hour has struck in this country when there must be a sincere and earnest movement to arrest the injustice that is being done to the masses of the people by the great aggregations of capital, a few great monopolies and many unlawful trusts. In an article written by me on the 14th day of July last, and published in the North American Review of August last, after stating the issues and predicting the result of the campaign, I added:

The time of trial to the Republican party will come after its approaching victory. It will then be in order to determine whether it is the slave of the rich capitalists, of the promoters of trusts and monopolies, and of the bloated bondholders, as the Bryan Democrats and the Populists will contend.

That time has arrived. The writer of a recent essay on "The present distribution of wealth in the United States," Prof. Charles B. Spahr, sums up his conclusions as follows: That there is constantly going forward in this country a concentration of wealth in the cities to the impoverishment of the country districts, and that in the cities there are forces constantly working toward a yet narrower concentration of wealth—as much more concentrated as it is greater than the wealth in the country. He asserts that, taking the whole country, the great body of the small property holders, embracing seven-eighths of the property-holding families, hold of the national wealth only one-eighth, while the wealthy classes hold five-eighths; that one family out of every hundred holds as much wealth as the other ninety-nine; that the average wealth of the families in the country districts is \$3,250, while in the cities it is \$9,000; that the wealth of the East, including foreign holdings, with but 30 per cent of the population of the country, amounts to thirty-one thousand five hundred millions of dollars, while the wealth of the West and the South, with 70 per cent of the population, is thirty-three thousand five hundred millions.

He says, in connection with incomes, that two-fifths of the product of industry goes to capital; that one-tenth of the families have as much income as the nine-tenths; that 1 per cent of the families, the richest, at the top, have as much income as 50 per cent, the poorest, at the bottom. In other words, that one-eighth of the families have more than one-half of the whole income of the people.

Referring to taxation, he claims that of the national taxes, including customs, the wealthy classes pay one-tenth, the well-to-do citizens pay one-fourth, and the relatively poorer classes pay two-thirds; while, taking local and national taxes together, the wealthier classes pay less than 1 per cent per year on their property, the masses of the people pay 4 per cent on their property.

If these conclusions are to be relied upon—and they are carefully set forth and gravely defended—while it may not be patriotic to appeal for the votes of the poor against the rich, yet it certainly will be wise for the governing classes of this country to devote themselves, in hard and distressing times, to the alleviation of the burdens of the poorer classes; to preserve as money of the world—in the language of the Senator from Ohio—silver, which is the money of the poor, as well as gold, which is the money of the rich; to lessen as much as possible the taxes of the poor, and to so manage the affairs of the Government that neither in 1898 nor in 1900 shall the country be confronted, in the political contests in which we are next to engage, with any unjust national laws, framed and maintained either in the interest of the money lenders or of the managers of illegal trusts and monopolies of any sort.

The fortunate renaissance of the Republican party ought to give as the first fruits of reascendency not the free coinage of silver by the United States alone, which would be silver monometallism, but—

I.

The restoration of bimetallicism, in moderate course, and with due regard to all the honorable pledges of the nation.

II.

The Republican party should also, without interfering with the right of private individuals to accumulate property, so control the exercise of corporation powers as to forbid the payment of excessive salaries or dividends or of interest on fictitious capitalization.

III.

It should, without prohibiting the consolidation of business enterprises into single corporations, prevent the combination of separate companies by trust agreements in restraint of trade and in destruction of competition, which is the life of trade.

IV.

It should, without hindering the use of modern methods of freight and passenger transit, effectually regulate and govern transportation companies, so as to prevent free transportation and all other discriminations for favored classes, and so as to fix, by governmental authority, in the first instance and before they can be lawfully collected, reasonable rates of fares and freights, in order that complaining parties may not be forced to actually pay exorbitant rates and vainly look for a remedy in futile lawsuits to recover them back.

V.

It should readjust the schemes of national and local taxation, so that the burdens shall not weigh unjustly upon the classes in the community least able to bear them, and so that American industries may be developed, while American wages are maintained at the highest possible standard.

VI.

Above all, it should struggle to restore and establish honesty and purity in making political nominations and conducting political elections, thrusting corruption away "from the seats of the mighty;" thus making this country—

The land of justice, where the poor
Shall hold their rights as safe
As those the rich secure.
Where right, not might, shall rule; all men
Be equal; while o'er all,
God's blessing shall endure.

When, forty years ago, the Republican party was formed, it had the noblest possible mission—to resist the extension of American chattel slavery. Its efforts resulted in a war between the North and the South, the greatest conflict in the world in modern times. The Union was saved, a race liberated, and the nation of freemen carried by the Republican party to the highest degree of prosperity ever attained by any country in any age. After a brief exclusion from national power by a combination of Eastern plutocrats, Southern sectionalists, and Western malcontents, typified at one extreme by President Cleveland and at the other by Governor Altgeld, the reins of Government have again been placed in Republican hands. New occasions teach new duties. In repetition and conclusion, I declare my belief that President McKinley and the other leaders of the party, in its present advent to power, may, by wise designs and virtuous deeds, indefinitely prolong its ascendancy in the country. This can surely be done by making it the true party of the people, to the final confusion and discomfiture of those pretenders, the blind leaders of the blind, who were so summarily, on the 3d of November last, all thrown into the

ditch together. If, on the contrary, this is not done, and the Republican party shall content itself with seizing and enjoying the spoils of office, surrendering unreservedly to the money power which so effectively contributed to its recent victory, acquiescing permanently in the existing gold standard, and treating bimetalism, according to the advice of the Portland Oregonian, as "a juggling humbug," and the promise to promote it, according to the advice of the New York Sun, as a pledge never intended to be fulfilled, Republicans will speedily find the tide of political battle once more turned against them, and they will soon exchange places with their now sore, bleeding, and prostrate foes.

To the coming triumphant President, hopeful and overconfident, rejoicing as a strong man to run a race, and to his chosen advisers, soon to challenge all the adverse currents of the future, I can not help warningly say concerning the pending world-wide controversy over the burning question of money: Unsettled questions pay no heed to the repose of nations. "Be wise to-day; 'tis madness to defer."

Mr. STEWART. Will the Senator from New Hampshire allow me to ask him one question? I have been much entertained and interested in his very able speech as showing the absolute necessity of bimetalism. I wish to ask him, in case the Republican party fail to secure international bimetalism, what is then to be done? If bimetalism can not be obtained through international agreement, is there any remedy which he would advise?

Mr. CHANDLER. I shall never help fasten the single gold standard upon mankind. I should suppose that inference was pretty easily drawn from what I have said. I have so much confidence that we are to have international bimetalism that I do not have to take up any further question. I only hope that my silver monometallist friends are not so anxious to have their own way about it that they are not willing to have the free coinage of silver adopted in concurrence with the other nations. I sometimes fear that they are so earnest and zealous and persistent that they do not want international bimetalism, but prefer to have this country join the silver nations. I do not wish this country to be compelled to join the silver nations, and I am quite sure we are going to have international bimetalism.

Mr. STEWART. That is not an answer to the question.

The PRESIDING OFFICER (Mr. BACON in the chair). The Chair will state that the unanimous consent which was given extended only to the speech of the Senator from New Hampshire.

Mr. STEWART. I ask unanimous consent to ask a question. I will quit then.

The PRESIDING OFFICER. Without objection, the Senator from Nevada will proceed.

Mr. STEWART. The Senator's reply does not answer the question. My question is, Whether, in case international bimetalism can not be obtained, the Senator from New Hampshire is prepared to say what he would do—what he would advise?

Mr. CHANDLER. I think it is the highest folly in the world to set about any enterprise by making threats—

Mr. STEWART. There is no threat about it.

Mr. CHANDLER. Or by undertaking to define what your future position would be. I am a convinced bimetalist; I am an earnest bimetalist; I believe we are going to accomplish bimetalism, and I am not going to say what I shall do if we do not accomplish it in one way or the other. We will attend to that question when we get to it.

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. 1816) granting a pension to Eliza Craig Heckman, widow of Brig. Gen. Charles A. Heckman;

A bill (S. 1975) granting a pension to Mrs. Julia Jones Duncan, widow of Bvt. Maj. Gen. Samuel A. Duncan;

A bill (S. 2645) granting a pension to Jane H. Vandever; and

A bill (S. 2832) for the relief of Daniel T. Tollett.

The message also announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 10040) granting an increase of pension to George W. Ferree, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. ANDREWS, Mr. CROWTHER, and Mr. BAKER of Kansas managers at the conference on the part of the House.

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

A bill (H. R. 6845) granting an increase of pension to Maj. John H. Gearke; and

A bill (H. R. 9785) granting a pension to Rebecca A. Kirkpatrick.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills and joint resolutions:

A bill (S. 3603) to extend the time for the completion of the St. Paul, Minneapolis and Manitoba Railway Company through the White Earth, Leech Lake, Chippewa, and Fond du Lac Indian reservations, in the State of Minnesota;

A bill (H. R. 5764) granting an increase of pension to Elizabeth D. Marthon;

A joint resolution (S. R. 121) to amend an act granting to the Duluth and Winnipeg Railroad Company a right of way through the Chippewa and White Earth Indian reservations, in the State of Minnesota; and

A joint resolution (S. R. 204) authorizing the Secretary of the Navy to transport contributions for the relief of the suffering poor of India.

INDIAN APPROPRIATION BILL.

Mr. PETTIGREW. I move that the Senate proceed to the consideration of the Indian appropriation bill.

Mr. VILAS. Is not the bill to be taken up with the idea that the bankruptcy bill shall not be displaced? If the motion is to be made with the view of displacing the bankruptcy bill, I desire to call for the yeas and nays upon it.

Mr. PETTIGREW. Not at all. I will amend my motion by providing that the appropriation bill shall not displace the bankruptcy bill.

Mr. VILAS. I suggest, then, that instead of being in the form of a motion, there be unanimous consent asked that the bankruptcy bill be temporarily laid aside.

Mr. PETTIGREW. I have no objection to placing it in that form.

Mr. VILAS. And that the appropriation bill be taken up only upon such an arrangement.

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

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 10002) making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1898, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. PETTIGREW. I ask that the formal reading be dispensed with and that the amendments of the committee be disposed of as they are reached.

The PRESIDING OFFICER. Without objection, that course will be taken.

Mr. VEST. I prefer myself that the bill shall be read.

The PRESIDING OFFICER. Objection being interposed, the bill will be read.

Mr. PLATT. What was the objection of the Senator from Missouri? I want to understand about it before the reading is commenced.

The PRESIDING OFFICER. The Senator from South Dakota asked that the formal reading of the bill be dispensed with, and that each amendment be acted upon as it was reached in the reading. The Senator from Missouri objected, desiring that the bill shall be read through consecutively before action upon the amendments.

The Secretary proceeded to read the bill, and read to line 23, on page 14.

Mr. GORMAN. I ask the attention of the Senator in charge of the bill. The bill is being read through on account of the fact that quite a number of Senators desired that that course should be pursued because they have not had an opportunity to familiarize themselves with its details. I suggest to the Senator that he permit a motion for an executive session, and by to-morrow morning we can dispense with the formal reading of the bill, and go on and consider it as appropriation bills are usually considered. That will give to some Senators who have not had it, an opportunity to read the bill during the night; and, with Senators' consent, I will make that request.

Mr. PETTIGREW. I ask unanimous consent that the formal reading of the bill be dispensed with, and that it be taken up to-morrow morning immediately after the routine morning business.

The PRESIDING OFFICER (Mr. BLACKBURN in the chair). The Senator from South Dakota asks unanimous consent that the formal reading of the bill be dispensed with and that it be taken up to-morrow morning immediately after the conclusion of the routine morning business. Is there objection? The Chair hears none, and it is so ordered.

UNIFORM SYSTEM OF BANKRUPTCY.

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

Mr. HOAR. I desire to have the bankruptcy bill laid before the Senate before that is done. I suppose in the regular order the Senator will not object to having the bankruptcy bill laid before the Senate.

Mr. GORMAN. No; not at all. I understand that is the order. Mr. HOAR. Let that be done before the executive session is ordered.

The PRESIDING OFFICER. It is so understood.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 8110) to establish a uniform law on the subject of bankruptcies throughout the United States.

Mr. HOAR. Why should not the Senate now proceed with that bill a little while, instead of going into executive session?

Mr. GORMAN. I only made the motion at the request of some Senators who desire a short executive session.

Mr. HOAR. Then I give notice that after the executive session I shall ask the Senate to proceed with the consideration of the bankruptcy bill.

EXECUTIVE SESSION.

Mr. GORMAN. I renew my motion for an executive session. The motion was agreed to; and the Senate proceeded to the consideration of executive business. After eighteen minutes spent in executive session the doors were reopened.

UNIFORM SYSTEM OF BANKRUPTCY.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 8110) to establish a uniform law on the subject of bankruptcies throughout the United States.

Mr. VEST. I will ask the Senate to consider a little local measure, which will only take a few moments, without displacing the regular order.

Mr. HOAR. If the Senator will pardon me, I should like to take the floor on the regular order, and then I will yield without proceeding at present.

Mr. VEST. Certainly, as a matter of course.

Mr. HOAR. Mr. President—

The PRESIDING OFFICER. The Senator from Missouri asks unanimous consent for the present consideration—

Mr. VEST. I yield the floor to the Senator from Massachusetts, so that he can take it upon the regular order.

The PRESIDING OFFICER. The Chair understood the Senator from Massachusetts to yield to the Senator from Missouri.

Mr. HOAR. If I am recognized and have the floor, I yield to the Senator, if that is the understanding of the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts is entitled to the floor on the regular order.

KANSAS CITY INTERSTATE NATIONAL BANK.

Mr. VEST. I ask unanimous consent for the consideration of the bill (S. 3680) to provide for the removal of the Interstate National Bank of Kansas City from Kansas City, Kans., to Kansas City, Mo.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Finance with an amendment, to strike out section 4, in the following words:

SEC. 4. That this act shall take effect and be in force from and after its passage.

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.

CAPT. WILLIAM N. TISDALL, UNITED STATES ARMY.

Mr. HAWLEY. With the consent of the Senator from Massachusetts, I ask the Senate to take up the bill (S. 1427) to provide for promoting Capt. William N. Tisdall, United States Army, now on the retired list, to the rank of major. The Senator from Tennessee [Mr. BATE], when the bill came up the other day requested a little delay. I understand he withdraws any objection.

Mr. BATE. I objected yesterday evening, Mr. President, but I have no objection to present now. I understand the bill passed through our committee unanimously, and as I say, I do not object to its present consideration.

By unanimous consent, the Senate resumed the consideration of the bill.

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

UNIFORM SYSTEM OF BANKRUPTCY.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 8110) to establish a uniform law on the subject of bankruptcies throughout the United States.

Mr. HOAR. Mr. President, I do not wish to be counted among the number of those Senators who have defeated great measures of legislation by elaborate speeches in their favor. I assume that this body, consisting of experienced statesmen and business men, and so largely of experienced lawyers, understands pretty thoroughly the history of bankruptcy legislation in this country, and the detail of the legislation which we have had in the three bankruptcy laws which have been enacted and repealed in the past. So I wish, in a sort of informal and business way, to take ten or fifteen minutes in simply stating one or two points of this matter which I think ought to be understood and recorded.

The estimates which are generally made are that there are 350,000 bankrupts in this country. A very careful and thorough examination made by the publisher of the great business magazine known as Bradstreet's made the number about 300,000 sev-

eral years ago. There must be certainly an addition of 50,000 more. I have no doubt myself that that is an underestimate, and that there must be at least a half million of these persons. They are people who have generally been men of activity, energy, and credit. Otherwise they would not, as a rule, be debtors. The great cities on this continent are upon rivers, and the great rivers of this continent are very largely boundary lines of States. Accordingly, these debts, so far as they are contracted by merchants and manufacturers, are apt to be owed by men living in the neighborhood of great cities, or in great cities, to persons who live over their State lines. The great manufacturing and mercantile business of this country and the cotton-raising business of this country depend upon distant parts of the continent for their market and distant parts of the continent for their material. So the number of these bankrupts who can not be discharged from their debts by State laws is very great, and it will be remembered that the State law can not provide for the discharge of a debt between citizens of the same State unless it was contracted after the enactment of the law in reference thereto.

Now, there are three classes of opinion in this country on this subject. First, there is the opinion that there ought to be a law providing for two things: First, the discharge of all the debtors who have committed no crime or fraud and who can not pay their debts, in order that this great mass of American citizens may be restored to citizenship. A bankrupt goes through his life unable to do anything in a natural way for himself or his family and "drags at each remove a lengthening chain" until he goes to his grave. He is compelled to resort to petty shifts and subterfuges, doing business in another man's name, and fraudulent concealment of his interest in what the other man allows him to do in his name.

I think there should be a bankrupt law discharging these people where there is no case of actual and clear fraud, and that it should provide for the equal distribution of a bankrupt's estate among all his creditors without favoritism or preference, unless debts for the actual necessities of life or to laborers or personal servants for actual wages are preferred to a limited extent.

I do not think any bankruptcy law that does not provide for the rights of creditors also in the case of an attempt to defraud them or in the case of an attempt to grasp the whole estate for one favorite creditor is in spirit constitutional. The word "bankruptcy" used in the Constitution had at the time of the adoption of the Constitution a technical meaning. It meant the distribution of the estate of a fraudulent debtor at the application of the creditors. An insolvent law was a totally different thing.

Mr. STEWART. I think there ought to be a full Senate to hear the statement of the Senator from Massachusetts. I suggest the want of a quorum.

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

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

Aldrich,	Call,	McBride,	Sherman,
Allen,	Chandler,	Morgan,	Shoup,
Bacon,	Chilton,	Morrill,	Smith,
Baker,	Dubois,	Nelson,	Stewart,
Bate,	Elkins,	Pasco,	Tillman,
Berry,	Frye,	Perkins,	Turpie,
Blackburn,	Gallinger,	Pettigrew,	Vest,
Blanchard,	Hawley,	Platt,	Vilas,
Brown,	Hoar,	Proctor,	Walthall,
Burrows,	Jones, Ark.	Pugh,	Wetmore.
Butler,	Lindsay,	Quay,	
Caffery,	Lodge,	Sewell,	

The PRESIDING OFFICER. Forty-six Senators have answered to their names. A quorum is present.

Mr. HOAR. I do not think it was ever intended by the framers of the Constitution, or by the generation that adopted it, that a pure insolvent law without a provision for a distribution on the application of creditors should be enacted. Bankruptcy meant a measure taken on the application of creditors, and nothing else. An insolvent law in legal treatises of that time is a separate and independent measure, treated on under different chapters in the old law books. But very naturally and properly the two things were united, and the insolvent law became an incident of our bankruptcy system. As time went on and a more humane and generous estimate of the relation of debtor and creditor prevailed, very naturally, also, the insolvency application became the principal, and the bankruptcy, the application by the creditors, became, if not the incident, at least the less important feature.

But still it is very difficult, in my judgment, to uphold the constitutionality of a pure voluntary system of insolvency which entirely excludes the bankruptcy proceeding which was contemplated by the Constitution. However, I do not propose to discuss or enlarge upon that consideration, because, practically, I do not think there is any likelihood that a majority of the Senate will be found favoring either of those things without the other. I do not care to waste time, therefore, in that discussion.

Now, the States have at present no sufficient remedy; first, for the reason I have stated already, that they can not take care of debtors owing debts to citizens of other States. In point of fact, there are only thirteen States having voluntary and involuntary

bankruptcy laws. So that in thirty-two States of this Union the poor debtor has no hope, even if all his creditors dwell within the borders of his own State. Then there are ten States, in addition, which have the voluntary insolvent laws, where the debtor can get relief from the debts contracted within his own State with citizens of his own State, if those debts were contracted after the passage of the law. Then there are five States of these which require the assent of a certain proportion of creditors, always, I believe, at least a majority in number and value. In some States I think it is two-thirds; it is one or the other. That is not material, however. So that in those five States the debtor is dependent upon the will of the creditor, even in the limited number of cases where he can get relief at all.

Mr. TURPIE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Indiana?

Mr. HOAR. Certainly.

Mr. TURPIE. I should like to call the attention of the honorable Senator to the words in the Constitution, "uniform laws on the subject of bankruptcies," and especially to the word "subject." I refer the honorable Senator to the English law upon that subject before the adoption of the Constitution.

Mr. HOAR. I can not hear the Senator from Indiana.

Mr. TURPIE. There were, then, two classes of courts formed by the act of Parliament—one the insolvent court and one the bankruptcy court; one which authorized a voluntary surrender of assets and one which contemplated an involuntary surrender of assets. I think it was to combine both into one act of legislation that the phrase in the Constitution is so written. It was not written "uniform law on bankruptcies," but "uniform law on the subject of bankruptcies," thus expressly combining the English insolvency proceeding and the bankruptcy proceeding, and the English courts on both those subjects as well as parliamentary action, so as to include both voluntary and involuntary.

Mr. HOAR. That reinforces, it seems to me, the suggestion which I just made. But I merely made it in passing to show my own view, not intending to predicate any argument now or later in this debate upon that proposition. I only said that the word "bankruptcy" contemplated at the time of the adoption of the Constitution a different thing from insolvency, administered in different courts, in the history of English legislation, and treated of differently in the books.

Mr. TURPIE. Yes, sir; but if the honorable Senator will allow me, the word "bankruptcy" does not give and would not alone indicate what the "subject of bankruptcies" conveys.

Mr. HOAR. That suggestion is a very pertinent one, unquestionably, but I am now coming to another proposition. I wish to hurry this along, so as at this late hour of the afternoon to get rid of what I desired to say in the beginning.

Mr. President, the first class of opinion of which I have spoken is entertained by a class of people who want to unite both, of which I am one. There is another class of persons who want voluntary bankruptcy, but who are very unwilling to have any provision for involuntary bankruptcy unless in case of actual fraud, either in an attempt to cover up and conceal the property of the debtor from the creditor, so that the debtor may keep it himself, or in an attempt to give a preference to a favored creditor, so that the mass of the creditors shall not be taken care of and shall not have their share. That class of persons, who exist in the country and are represented in the Senate, are very unwilling, indeed, to have any provision whatever which will effect the distribution of an estate for the mere reason that the debtor can not pay his debts and is hopelessly insolvent. If he wishes to stagger along, never getting a discharge, with the hope that something will turn up, or for any reason known to himself, they do not desire to interfere with him.

Their reason, however, they would not state in that way, and the reason which they would state—and undoubtedly it is a reason of the very greatest force—is that there are many instances of energetic, honest, capable, and brave men who get into some temporary business difficulty, so that they can not meet their obligations in the course of business, which is the general definition of insolvency, and if they are forced into bankruptcy their whole property is taken from them, their business is gone, the good will is gone, their relations in life which they have established are all destroyed, and very often hope is destroyed, too; that it is not reasonable that such men should not have their chance to go on for months and perhaps sometimes for years; that it is not reasonable that any one creditor should have the power to hang over their heads the threat to put them into bankruptcy from malice or cupidity.

I am very much impressed, speaking for one, with the wisdom and humanity and honesty of that opinion, and I think that this bill if it pass ought to contain in its provisions carefully drawn in the spirit of compromise and in the spirit of an honest endeavor to reconcile different opinions which will take care of that case.

I think the House bill, which is generally known as the Torrey bill, contains such provisions as ought and are likely to meet the

reasonable desire of gentlemen impressed by this opinion. If they do not, I hope that in the course of this discussion ground will be found, with the aid of other Senators interested in the matter, to accomplish that purpose to the satisfaction of the people of the country and the satisfaction of the Senate. It would be a great pity if the half million of bankrupts were to go on in sorrow and in despair for the rest of their lives because we have not skill enough to frame a measure which will accomplish the result which every humane man thinks desirable.

Now, the third class of opinion does not want any bankruptcy legislation at all. It does not want these men relieved. It does not want estates of debtors honestly divided among creditors. It wants the possibility of fraud, and the possibility of preference to continue so far, at any rate, as it is to be affected by the interposition of national authority and the exercise of the constitutional power, which it is our right and which Mr. Webster claimed it was our constitutional duty to exercise.

There are undoubtedly reasons, honest and weighty, in favor of that proposition, and it is not for me to undertake to answer them before I hear them, if they are to appear here.

There are persons outside of this Chamber who have been active, earnest, efficient, formidable, and successful for many years in hindering bankruptcy legislation, who do it for a reason that they themselves avow and act upon. I have a fair right to state it, because they state it themselves. It is that they have business arrangements in some cases, firms that have credits by the million, by the tens of million, over the country who have arrangements with debtors, traders and small manufacturers especially, by which they give them credit on the condition that if they ever get into failing circumstances they shall be preferred by way of mortgage or absolute conveyance of the whole property of the debtor. They say very frankly, "We do not want a bankruptcy act, because when you go into bankruptcy we want your property for ourselves."

Sometimes they are creditors of the class that I have stated, doing business all over the country. At other times they are local bankers, lending money on those terms; and the banker says—to quote a phrase which was used in my hearing not long ago:

The question is to be between the banker who lives in the neighborhood and the goods man who lives in some other State, and we would rather have it ourselves.

Now, that proposition is one which, it seems to me, will not bear a great deal of discussion. I do not think it is likely to find support in the mind of any member of this body. These men not only lend the money, or set up the debtor in business by the capital that they furnish or the goods they supply him, but the fact that they have done so gives the debtor the very credit that has enabled him to get loans of money or advances of goods elsewhere. The local banker is written to—a man in Alaska. I will not take the name of any existing State or Territory which is likely to be very much affected by the pending bill. The local banker lends him some money. Then a man in New York or Connecticut writes to that banker and wants to know if the man's credit is good. "Oh, excellent." He sends him his goods. Then, the man's business being unsuccessful, the very goods which have been supplied to that man on a credit which the creditor in the neighborhood has furnished him are taken and sold, and the whole proceeds of them go to the man on whose recommendation the distant creditor has made to him the sale.

Now, it seems to me that that reason will not stand fire or bear the light. The idea of keeping these 500,000 poor men in the toils and in the chains forever in order that this class of creditors may get not the lion's share, but the hyena's share, it strikes me is not one which if acted upon would be very creditable to the legislation of a humane, Christian, honorable, or just nation.

Mr. President, this bill, in the course of many years that this matter has been under consideration in Congress, has been constantly modified and ameliorated for the benefit of the debtor. In the first place, there is a very careful provision, such as is not found in the legislation of any single State—if it is, in only one or two at any rate; I have not got the statistics on that point here—that the expenses of the referee and trustee shall never exceed a very small percentage on the assets. There is no eating up, as we have had in the experience in the past, of a bankruptcy estate, so that it goes to lawyers and assignees and referees and court officials.

Mr. PEPPER. And registers.

Mr. HOAR. And registers. In the next place, the debtor gets his discharge; but if he has been honest and fair, without any regard to the assent of any creditor. If he does not pay one cent and owe a million dollars, he is discharged from the million dollars. No proportion of his debts is required to be paid, and no assent of any proportion of creditors.

The scheme of the bill I will now state. I speak now not of the proposed amendment to the bill, but of the original House bill, which is technically before the Senate. The original bankruptcy jurisdiction is conferred upon the district courts of the United States and of the Territories, the supreme court of the District of Columbia, and the United States court of the Indian Territory.

They appoint assistant judicial officers, called referees, in such numbers as may prove desirable in order to secure a prompt administration, and in such localities as may prove desirable in order to bring the proceeding to the door of the debtor and the door of his neighborhood creditors as far as practicable, so that traveling long distances and over great spaces to the United States court is to be avoided as far as possible.

The compensation of the referee is a ten-dollar filing fee in each case and 1 per cent commission on amounts paid in dividends from each estate administered before him.

Then the bankruptcy proceeding may be taken by appeal to the court of appeals. Under a proposed amendment no question is to be carried to the Supreme Court of the United States except such questions as would go up by reason of being what is called Federal questions from a State court under like circumstances—that is, where it is claimed that some State statute is invalid by reason of its being opposed to a law, treaty, or the Constitution of the United States and the decision is in favor of its validity, or where some authority or title is claimed by the Constitution or laws of the United States and the decision is against the title or authority.

That is the substance of the bill. It is the same as in the cases of State courts, except that on application to the Supreme Court the court may grant a certiorari to bring up the decision of any court of appeals in any circuit where such bringing up is necessary to secure uniformity of decision throughout the country. That does exist in cases of all other questions which are in the court of appeals, and it ought especially to exist in bankruptcy proceedings, because the mandate of the Constitution is express that the system of bankruptcy throughout the United States shall be uniform.

Now, all persons or partnerships who owe debts may become voluntary bankrupts on filing their own petitions, except corporations, who are authorized to take the benefit of the act voluntarily, but may be adjudged involuntary bankrupts on the petition of creditors.

The question whether a railroad corporation shall be the subject of bankruptcy in this country is one which has been often raised, and that is left to the general provision of the law saying that corporations may be put into bankruptcy. For myself, and speaking for one, not for the committee, not for the framers of this bill, not for anybody else, I do not believe that if the question were an original one a railroad corporation ought ever to be made the subject of bankruptcy.

The railroad corporation is in all States a corporation which is required to have a particular nature and character. Special provisions are made for the paying in of the stock, for the voting, for proxies, for securing a sufficient capital; and the right of eminent domain is delegated to them. They go across the country, going where they choose, crossing highways, going along highways, and they discharge for the people the great public function of providing public ways—one of the three great functions of the sovereign—and the great public function of carrying freight and passengers.

I do not conceive that such a franchise as that ought ever to be sold to the highest bidder, to be bought by an individual, to be acquired by speculators or by persons who are not controlled in their action in the organization and management of the corporation and ownership of the property without the special consent of the State legislature in each particular case.

I do not think we can constitutionally, as a matter of original principle, provide that a State power of eminent domain granted by the State to a corporation of its own construction can be taken from it by United States authority and set up for sale and given to the highest bidder or wielded under our authority. I do not think that it is either expedient or ought to be held lawful that these corporations can be put into bankruptcy without having sold what is ordinarily their chief and most valuable property, the franchise which they have got from the public.

So if the question had come to me, if I had had the honor to be on the bench, I should have held that a railroad corporation, if insolvent, must have its assets distributed under special provisions of the authority that created it.

But the practice has been otherwise. The Supreme Court of the United States have recently used language, without, I think, very much discussion of the question, which implies that they think otherwise, and I suppose it will be held otherwise in the country. But I have sought, or at least the framers of the bill have sought, and I entirely agree with them, to leave this question to the court. I say framers of the bill. It has come down very much modified and changed, partly in committee, partly out of it, from a former Congress. The framers, I say, have left that question to the exposition of the court, with the bill providing generally that corporations may be put in insolvency on involuntary proceedings, and there it stands. I thought it was proper to make this statement.

Now, farmers and wage earners, like all other classes of the community, of course, may avail themselves of the voluntary proceedings provided for by the bill. The involuntary proceedings, so far as they are provided for in the bill, can only be taken against

persons who are found to be actually insolvent, except where actual fraud has been committed in the first place. So they can not be taken against anybody, whatever acts of bankruptcy he has committed, as a threat or to get power over him. They can not be used as a threat or menace against anybody who is not an actual insolvent. In the next place—

Mr. STEWART. How is that question to be determined in the initiation of the proceedings?

Mr. HOAR. It is determined by the court in the first instance, with power of appeal to a jury in every case.

Mr. STEWART. Before any proceedings?

Mr. HOAR. Before any proceedings can be had.

Next, where the man, in the first place—and that applies all through—is actually found insolvent by a jury, and he must have committed an act of actual fraud by either being insolvent, and in contemplation of insolvency having conveyed his property out of his hands to defeat, delay, or hinder creditors, or given a preference to one creditor against the others.

In each of those cases, according to the bill as it came from the House, and as it will stand unless this particular provision may be modified to suit all parties in the Senate, three or four unsecured creditors, having together claims amounting to \$500 or over, may file a petition, and if there are less than twelve creditors in all, then any one creditor having a claim of that amount may file a petition, and the defendant may have a jury trial if he sees fit.

In case a final adjudication is secured against the defendant, a trustee shall be appointed, corresponding to the old officer called an assignee, to whom the title of all the property held by the debtor at the date of the adjudication, except such as is exempted, passes.

Now, the statute recognizes and gives effect to the exemption laws of all the States. The circuit court, in Judge Miller's time, when he gave the opinion, have held that that is not an objection; it does not prevent a system of bankruptcy being a uniform system of bankruptcy within the meaning of the Constitution; that it only attaches to and sequesters and distributes the property of the debtor which is liable to his debts wherever it may be found. If there be property—although the State law creates the exemption—exempted from such liability, exempting that property does not prevent the system from being uniform in the constitutional sense. The bankrupt gets his discharge, as I have said, without reference to the consent of anybody, and without reference to the payment of any amount, unless he has committed an offense by giving preference after the passage of the act for the purpose of defeating its operation within one year, which has not been surrendered. If he has given such a preference, and it has been surrendered, that does not interfere, and in ordinary cases, of course, such preference would be set aside by the law. So that if it were established, it would hardly be a practical objection to the bankrupt getting his discharge.

Another provision relates to obtaining property upon credit by false pretenses, which is made a criminal offense in most of the States, or making a fraudulent transfer of his property, which has not been restored, or fraudulently, and in contemplation of bankruptcy, destroying his books of account, or failing to keep proper books of account with fraudulent purpose.

The last provision, I wish to say here, will probably, if the bill shall pass, receive some special attention in the Senate, and very likely some modification of that provision may be thought, on discussion, desirable. It is not of the essence of the bill at all, but that is the way it came from the House of Representatives.

The bankrupt gets a discharge from all his debts except taxes, judgments rendered against him in court, for willful and malicious injuries to the person or property of another, or debts which he does not put in his schedule, and fraudulently omits from his schedule, or such as were created by fraud, embezzlement, or defalcation while acting as a public officer or serving in a fiduciary capacity.

The creditors choose the trustee of the bankrupt. The compensation of the trustee is, first, a filing fee of \$5 in all cases; second, 5 per cent commission on the first \$5,000 actually paid over in dividends to the creditors, net and not gross; 2 per cent on the second \$5,000, and 1 per cent of all amounts so actually paid on dividends over \$10,000.

Mr. President, we had great complaints of the administration of the old bankrupt law in some parts of the South immediately after the war, especially in the State of Louisiana. Those complaints were just. The facts on which they were founded were a scandal on the administration of justice; and I am bound to say publicly what I have often said in private, that there was a great and a most reprehensible carelessness in the appointing power of this country of United States judicial officers in the district courts during and immediately succeeding the Administration of President Lincoln. We ought in the disturbed and distracted condition of that country to have sent down there, or selected there from their own material rather than send down at all, men who would have been great and shining models of the judicial character.

Mr. STEWART. Will the Senator allow me?

Mr. HOAR. Pretty soon; when I have got through with this point.

They should have been men who would have represented to the people the authority and the justice of the United States by characters which would have been revered and honored. That was not done. Five judges of the courts of the United States were driven from office during that period by threats of impeachment, which they dreaded.

Mr. STEWART. If the Senator will allow me, there was no bankrupt law in force during President Lincoln's time.

Mr. HOAR. The bankrupt law was enforced by the judges immediately after the war, and by judges who were appointed in his time. I do not want to name them, as everybody knows them.

Mr. STEWART. It was long after that.

Mr. HOAR. Everybody knows them, and I do not think, so long as Louisiana is represented in the Senate of the United States, that I need go very far to find witnesses of the substantial truth of what I am saying. I have had occasion to know something about it in various ways. I presume now, as the Senators from Louisiana are both present, I should not err if I were to say that amongst hundreds and hundreds of bankruptcy cases in that State there was not a single one in which a dollar was paid to a creditor. If I exaggerate, I should like to be contradicted and set right.

Mr. CAFFERY. I did not hear the Senator's statement.

Mr. HOAR. I said that I believed that after the war amongst hundreds and hundreds of bankruptcy cases in the State of Louisiana there was not a single case in which a dollar was paid to a creditor.

Mr. CAFFERY. I think the Senator is probably correct in that statement.

Mr. HOAR. That I supposed. I thought I knew something about it when I stated it. The bankrupt law was passed in 1867.

Mr. BLANCHARD. Will the Senator allow me?

Mr. HOAR. Yes.

Mr. BLANCHARD. I know also that the administration of the national bankrupt law in Louisiana after the war was a disgrace to those who participated in it.

Mr. HOAR. That is just what I said, except that I stated it a little stronger than the honorable Senator has done. I said, instead of sending down to those communities or selecting in those communities men who would represent by their dignity, purity, and authority the character of the United States, we had down there judges, five of whom were driven from office by threats of impeachment, and I regard that history as the scandal, not in the least of those Southern communities, but as the scandal of justice and the authority of the United States. I called the attention of the Senate and of the people of the United States to that fact on a very impressive occasion in this Chamber on an impeachment trial, when I think my honorable friend from Nevada was probably one of the judges of the court.

Mr. STEWART. No.

Mr. HOAR. I was not sure whether he was then in the Senate or not.

Mr. President, this bill has gone to the extreme in the other direction. There never was a bankrupt law, I believe, either in existence or proposed, on the face of the earth which so strictly, carefully, scrupulously, economically guarded and pressed down the possibility of extravagant expenditures in administration, or which provided so low a compensation for the officers, the referee, and the trustee who are provided for by it.

There is one point that we can not guard absolutely, and if any Senator can find an amendment guarding it, I for one will thank him. I have not found myself able to devise a provision by which, if there were lawsuits brought against an estate, where strangers in the transaction are on the other side, it is made impossible to have extravagant fees or large expenditures in the matter of counsel. Experience has shown that the courts are not as strict in those matters as they should be. Of course, the trustee can have no personal interest in it without being subject to prosecution and punishment as an embezzler, and the referee can have no more personal interest in it than can the judge. But if any human being can contrive a way by which these estates can get, in case of litigation, the assistance of eminent and suitable counsel, which they need, and still have any security other than the honor of the counsel themselves, the character of the parties, and the fidelity of the trustee to his estate, the person chosen by the creditors, removable by them—and that, of course, is a great security—I shall be glad to support any amendment in that direction.

There are some matters of mechanism. The bill takes up a good many pages in what, after all, is easily understood, but is necessary to be set out for the safety of the transaction. I believe, however, that I can honestly and fairly and reasonably say that there never existed on the face of the earth, that there never was proposed to a legislative body, State or national, here or elsewhere, a bankruptcy bill so considerate and humane to the debtor and so careful to preserve the just interests of the creditor against embezzlement, waste, or any other description of fraud.

Mr. STEWART. Mr. President, I desire to make some remarks on this subject, but it is too late to-night, and there are not enough Senators here. The Senate is very thin.

Mr. WALTHALL. If it will be agreeable to the Senator, I will move an adjournment.

The PRESIDING OFFICER (Mr. PASCO in the chair). Does the Senator from Nevada yield for that purpose?

Mr. STEWART. I yield for that purpose.

Mr. WALTHALL. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 18 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, February 17, 1897, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate February 16, 1897.

COMMISSIONER OF THE DISTRICT OF COLUMBIA.

Francis P. B. Sands, of the District of Columbia, to be a Commissioner of the District of Columbia, vice John W. Ross, whose term expired January 9, 1897.

PROMOTIONS IN THE ARMY.

Quartermaster's Department.

Col. George Henry Weeks, assistant quartermaster-general, to be Quartermaster-General, with the rank of brigadier-general, February 16, 1897, vice Sawtelle, retired from active service.

Lieut. Col. James Grafton Carleton Lee, deputy quartermaster-general, to be assistant quartermaster-general with the rank of colonel, vice Weeks, appointed Quartermaster-General.

Maj. James M. Marshall, quartermaster, to be deputy quartermaster-general with the rank of lieutenant-colonel, vice Lee, promoted.

Capt. John Wesley Pullman, assistant quartermaster, to be quartermaster with the rank of major, vice Marshall, promoted.

Lieut. Alfred M. Palmer, to be assistant quartermaster with the rank of captain, vice Pullman, promoted.

ASSISTANT ENGINEER IN REVENUE-CUTTER SERVICE.

Acting Second Asst. Engineer Samuel M. Rock, of Pennsylvania, to be a second assistant engineer in the Revenue-Cutter Service of the United States, in place of George M. De Reamer, deceased.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 16, 1897.

PROMOTION IN THE ARMY.

Quartermaster's Department.

Lieut. John M. Carson, jr., to be assistant quartermaster with the rank of captain.

POSTMASTERS.

James J. Davidson, to be postmaster at Swedesboro, in the county of Gloucester and State of New Jersey.

John J. Winn, to be postmaster at Haverhill, in the county of Essex and State of Massachusetts.

Charles H. Pierson, to be postmaster at Bridgeton, in the county of Cumberland and State of New Jersey.

John W. Goddard, to be postmaster at Bayonne, in the county of Hudson and State of New Jersey.

Michael A. Devine, to be postmaster at Atlantic City, in the county of Atlantic and State of New Jersey.

Herman J. Kohlhaas, to be postmaster at Paterson, in the county of Passaic and State of New Jersey.

R. Howard Thorn, to be postmaster at Ocean City, in the county of Cape May and State of New Jersey.

Charles W. Scott, to be postmaster at Cramer Hill, in the county of Camden and State of New Jersey.

Luke W. Morris, to be postmaster at Mexico, in the county of Audrain and State of Missouri.

Charles B. Wheeler, to be postmaster at Blackfoot, in the county of Bingham and State of Idaho.

William Gill, to be postmaster at Rockaway, in the county of Morris and State of New Jersey.

HOUSE OF REPRESENTATIVES.

TUESDAY, February 16, 1897.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN.

The Journal of the proceedings of yesterday was read.

Mr. TALBERT. Mr. Speaker, I rise to a parliamentary inquiry. Before the Journal is approved, I want to call the attention of the House to a ruling which was made at last evening's session. I read from the RECORD:

Mr. TALBERT. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore. The gentleman from South Carolina moves that the House do now adjourn. Under the rule it requires a majority of those present to second the motion. As many as are in favor of seconding the motion that the House do now adjourn will stand until counted. [A pause.] No one rising to second the motion to adjourn, the motion is out of order.

I want to inquire of the Chair if that ruling is embodied in the Journal; and if not, why not; and also to inquire what is the authority for the ruling? I ask for information.

Mr. PAYNE. Mr. Speaker, if the gentleman from South Carolina will turn to the rule under which the call of the House was proceeding he will find that it states that in order to make a motion to adjourn in order at such a time it must be seconded by a majority of those present.

Mr. TALBERT. That is what I am trying to find out—the authority for the ruling.

Mr. PAYNE. Well, it is in the rules of the House and in the particular rule under which we were proceeding at the time.

The SPEAKER. The Chair finds it in the Journal.

Mr. RICHARDSON (to Mr. TALBERT). Read the rule.

Mr. TALBERT. I do not think it is in the rule under which we were proceeding.

Mr. HENDERSON. But the Speaker says it is reported in the Journal.

The SPEAKER. This proceeding is irregular. We can not review a decision at this time. If the Journal states what actually occurred, it is correct.

Mr. PAYNE. If the gentleman will refer to the RECORD, he will find that the rule was read, and, as I am informed, is printed in the RECORD this morning.

The SPEAKER. If there be no objection, the Journal will be considered as approved.

There was no objection, and it was so ordered.

Mr. TALBERT. I simply wanted to call the attention of the House to that ruling, which seemed to be irregular.

The SPEAKER. If the gentleman will turn to his copy of the rules of the House and read the last clause but one of the fourth paragraph of Rule XV, he will find the provision to which reference was made by the gentleman from New York and on which the ruling was based.

Mr. TALBERT. I will state that the roll call had not been completed.

The SPEAKER. Then the gentleman interrupted the roll call by a motion to adjourn?

Mr. PAYNE. I think, Mr. Speaker, the gentleman is mistaken. It had been completed, but a quorum had not been obtained.

Mr. TALBERT. No, it had not been obtained.

The SPEAKER. The Chair sees nothing in the ruling but what was justified by the rule of the House.

Mr. TALBERT. I only wanted the House to understand the matter fully.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, 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 House to the bill (S. 2037) to provide times and places for holding terms of United States courts in Utah.

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. 9643) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1898, and for other purposes.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 9961) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1898, had asked for a conference with the House on the bill and amendments, and had appointed Mr. CULLOM, Mr. QUAY, and Mr. CALL as the conferees on the part of the Senate.

The message also announced that the Senate had agreed to the amendments of the House to the bill (S. 1862) to amend the act creating the circuit court of appeals in regard to fees and costs, and for other purposes.

The message also announced that the Senate had passed without amendment bills of the following titles:

A bill (H. R. 1474) granting a pension to John J. Copley;

A bill (H. R. 5852) to increase the pension of Josiah P. Bradbury;

A bill (H. R. 7121) to restore Mrs. Elizabeth T. Anderson to the pension roll;

A bill (H. R. 5986) granting a pension to Francis M. Ross;

A bill (H. R. 4519) granting a pension to John Zellers;

A bill (H. R. 6099) granting a pension to Margaret Kirkpatrick;

A bill (H. R. 4655) granting a pension to Frederick A. Driscoll;

A bill (H. R. 1299) to pension Harriet Woodbury, of Windsor, Vt.;

A bill (H. R. 4548) granting a pension to Mary L. Arnold;

A bill (H. R. 1095) granting a pension to Annie M. Ermer;

A bill (H. R. 2317) to increase the pension of Levi T. E. Johnson;

A bill (H. R. 446) to increase the pension of Julia H. H. Crosby;

A bill (H. R. 3715) for the relief of Capt. W. J. Kountz; and

A bill (H. R. 853) providing for the erection of a light-house at Orient Point, Long Island, New York.

The message also announced that the Senate had passed with

amendment bills of the following titles in which the concurrence of the House was requested:

A bill (H. R. 1104) granting a pension to Isaac N. Williams;

A bill (H. R. 5764) granting an increase of pension to Elizabeth D. Marthon;

A bill (H. R. 3108) to grant a pension to Jessie Durnell, late second-class pilot on gunboat *Lexington*;

A bill (H. R. 8388) for the relief of William G. Buck;

A bill (H. R. 5880) granting an increase of pension to Greenville Puckett;

A bill (H. R. 5981) granting a pension to Elihu Jones;

A bill (H. R. 6789) granting a pension and for the relief of Dr. Harrison Wagner;

A bill (H. R. 1311) granting a pension to Charles W. Sentman;

A bill (H. R. 10040) granting an increase of pension to George W. Ferree; and

A bill (H. R. 8898) to increase the pension of Elizabeth Wellons.

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

A bill (S. 3591) to increase the pension of Daniel Phillips, of Company D, Thirteenth Regiment Wisconsin Infantry;

A bill (S. 3670) to increase the pension of Mrs. Elizabeth S. Roberts, widow of the late Gen. Benjamin S. Roberts, United States Army;

A bill (S. 3628) to provide for the revision and codification of the criminal and penal laws of the United States;

A bill (S. 3538) to amend section 8 of the act of Congress entitled "An act to establish a court of appeals for the District of Columbia, and for other purposes," approved February 9, 1893;

A bill (S. 3307) declaring the Potomac Flats a public park, under the name of the Riverside Park;

A bill (S. 114) for the relief of Anna W. Osborne;

A bill (S. 567) for the relief of the Continental Fire Insurance Company and others;

A bill (S. 1972) to provide for the carrying out of the findings of the Court of Claims in the case of John Campbell;

A bill (S. 2986) authorizing the Commissioners of the District of Columbia to accept the bequest of the late Peter Von Essen for the use of the public white schools of that portion of said District formerly known as Georgetown;

A bill (S. 315) for the relief of Thomas Antisell; and

A bill (S. 3651) to provide for an investigation of the obstruction of the navigable waters of Florida, Louisiana, and other South Atlantic and Gulf States by the aquatic plant known as the water hyacinth, and for other purposes.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, the following Senate bills were taken from the Speaker's table and referred as follows:

A bill (S. 3591) to increase the pension of Daniel Phillips, of Company D, Thirteenth Regiment Wisconsin Infantry—to the Committee on Invalid Pensions.

A bill (S. 3628) to provide for the revision and codification of the criminal and penal laws of the United States—to the Committee on Revision of the Laws.

A bill (S. 3538) to amend section 8 of the act of Congress entitled "An act to establish a court of appeals for the District of Columbia, and for other purposes," approved February 9, 1893—to the Committee on the Judiciary.

A bill (S. 3307) declaring the Potomac Flats a public park, under the name of the Riverside Park—to the Committee on the District of Columbia.

A bill (S. 114) for the relief of Anna W. Osborne—to the Committee on Claims.

A bill (S. 567) for the relief of the Continental Fire Insurance Company and others—to the Committee on Claims.

A bill (S. 1972) to provide for the carrying out of the findings of the Court of Claims in the case of John Campbell—to the Committee on War Claims.

A bill (S. 2986) authorizing the Commissioners of the District of Columbia to accept the bequest of the late Peter Von Essen for the use of the public white schools of that portion of said District formerly known as Georgetown—to the Committee on the District of Columbia.

A bill (S. 315) for the relief of Thomas Antisell—to the Committee on War Claims.

A bill (S. 3651) to provide for an investigation of the obstruction of the navigable waters of Florida, Louisiana, and other South Atlantic and Gulf States by the aquatic plant known as the water hyacinth, and for other purposes—to the Committee on Rivers and Harbors.

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

A bill (S. 1862) to amend the act creating the circuit court of appeals in regard to fees and costs, and for other purposes;

A bill (H. R. 10134) making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1898;

A bill (S. 3666) to remove doubts as to the power of the supreme court of the District of Columbia to provide for a vacancy in the office of attorney of the United States for the District of Columbia;

A bill (S. 3603) to extend the time for the completion of the St. Paul, Minneapolis and Manitoba Railroad Company through the White Earth, Leech Lake, Chippewa, and Fond du Lac Indian reservations, in the State of Minnesota;

A joint resolution (S. R. 204) authorizing the Secretary of the Navy to transport contributions for the relief of the suffering poor of India;

A bill (H. R. 5764) granting an increase of pension to Elizabeth D. Marthon; and

A joint resolution (S. R. 121) to amend an act granting to the Duluth and Winnipeg Railroad Company a right of way through the Chippewa and White Earth Indian reservations, in the State of Minnesota.

VETO MESSAGE—NANCY G. ALLABACH.

Mr. KERR. Mr. Speaker, I desire to submit a privileged report from the Committee on Invalid Pensions on the veto message of the President of the United States with reference to Senate bill No. 894, granting a pension to Nancy G. Allabach.

The SPEAKER. The report will be read.

The Clerk read as follows:

The Committee on Invalid Pensions, to whom was referred the message of the President of the United States, returning without approval the bill S. 894, entitled "An act granting a pension to Nancy G. Allabach," having carefully and fully considered the same, respectfully adopt the report of the Senate Committee on Pensions, and earnestly recommend the passage of the bill, the objections of the President to the contrary notwithstanding:

"The Committee on Pensions, to whom the bill (S. 894) granting a pension to Nancy G. Allabach was recommitted, together with the objections of the President thereto, beg leave to report:

"The committee have reconsidered said bill, and considered the objections of the President thereto, and recommend its passage, notwithstanding his objections.

"The facts of the case, as found by the committee, are that Peter H. Allabach was a soldier in the Mexican war, and participated in the battles of Palo Alto, Resaca, and the military operations on the line of the Rio Grande. He conducted himself with conspicuous gallantry. He married the proposed beneficiary of this bill on the 30th of September, 1831. She is now 67 years of age, and unable to earn her own support.

"During the late civil war he was colonel of the One hundred and thirteenth Regiment of Pennsylvania Volunteers, and commanded a brigade in one or more severe battles. His conduct won the approbation of Gen. W. S. Hancock, Gen. A. A. Humphrey, and Gen. Henry S. Briggs, his immediate commanders. The letters of General Hancock, General Humphrey, and General Briggs are made part of this report.

"After the close of the war of the rebellion Colonel Allabach returned to and engaged in the pursuits of civil life. He died in this city on the 11th of February, 1892.

"This bill proposes to pay to Mrs. Nancy G. Allabach a pension of \$30 per month, which is the pension allowed by the general law to disabled officers of the rank Colonel Allabach held in the service of the United States. All the facts before the committee prove that Colonel Allabach was an officer of great merit, and rendered most valuable services to the country. His conduct as a citizen was exemplary, and he left his widow, the beneficiary of the bill before the committee, without other means of support than the small pension allowed by the general law. Upon these facts the committee reported the bill, 'An act granting a pension to Nancy G. Allabach,' to the Senate, and recommended its passage. It passed both the Senate and House of Representatives, was laid before the President, was disapproved by him, and was returned to the Senate with his objections, and recommitted to the Committee on Pensions for reconsideration.

"Your committee recognizes the constitutional right and the duty of the President to refuse to sign any bill which has passed both Houses of Congress which he does not approve. If he approve he shall sign it, but if not, he shall return it with his objections to that House in which it shall have originated.

"Your committee would give emphasis to that provision of the Constitution which makes the President a sharer with Congress in responsibility to the country for all legislation.

"Recognizing this imperative obligation imposed upon the President by the Constitution, your committee proceed to a respectful consideration of the objections of the President to this bill.

"The President, in his message containing his objection to this bill, correctly recites some of the facts which led your committee to recommend its passage, but he does not allude to the eminent and distinguished services rendered by the husband of the beneficiary in the war with Mexico and in the late civil war, in which the integrity of the Union as well as the peace of the continent and the existence of popular constitutional government was involved. He says truly that 'Colonel Allabach did not at any time apply for a pension,' to which it may well be answered that no services rendered to the country, however brilliant or useful, are pensionable.

"General pension laws are passed to make provision for the unfortunate; but the brave and patriotic soldier, who on many occasions imperiled his life in defense of his country or for the maintenance of its just authority, may well have hoped that, though he passed through the perils of the battlefield without personal harm, those who control the Treasury of a grateful country would, when appealed to directly, make provision for the dependent, loved wife whom he left poor and can no longer support or protect.

"It is further stated by the President as a ground of objection to this bill (and the committee quote his language):

"I do not see how the same relief as is contained in this bill can be denied to many thousand widows who, in a similar situation, are now on the pension rolls under general laws.

"Your committee beg to say that if, upon all the facts of this case, Mrs. Allabach is entitled to the relief afforded to her by this bill, it is no objection to its passage that it does not afford equal or ample relief to the many thousands of widows who are on the pension rolls under general laws. If the bill, upon its own facts, is just and proper, it will only be a precedent for like just and proper special legislation.

"Your committee admit without hesitation that the general pension laws

are liberal, and make provision for the large class of soldiers and those who are or were dependent upon them; but the committee would regret that a precedent should be established by Executive action which would, in effect, operate to deprive both Houses of Congress of the right, in the exercise of their discretion, to make provision for special cases of exceptional merit."

Mr. BARTLETT of New York. Mr. Speaker, I would ask to have read in this connection the veto message of the President of the United States.

The veto message was read, as follows:

To the Senate:

I herewith return without my approval Senate bill numbered 894, entitled "An act granting a pension to Nancy G. Allabach."

This bill provides for the payment of a pension of \$30 a month to the beneficiary named as the widow of Peter H. Allabach.

This soldier served for nine months in the Army during the war of the rebellion, having also served in the war with Mexico.

He was mustered out of his last service on the 23d day of May, 1863, and died on the 11th of February, 1892.

During his life he made no application for pension on account of disabilities. It is not now claimed that he was in the least disabled as an incident of his military service, nor is it alleged that his death, which occurred nearly twenty-nine years after his discharge from the Army, was in any degree related to such service.

His widow was pensioned after his death under the statute allowing pensions to widows of soldiers of the Mexican war, without reference to the cause of the death of their husbands. Her case is also, indirectly, one of those provided for by the general act passed in 1890, commonly called the dependent pension law.

It is proposed, however, by the special act under consideration, to give this widow a pension of \$30 a month without the least suggestion of the death or disability of her husband having been caused by his military service, and solely, as far as is discoverable, upon the ground that she is poor and needs the money.

This condition is precisely covered by existing general laws; and if a precedent is to be established by the special legislation proposed, I do not see how the same relief as is contained in this bill can be denied to the many thousand widows, who, in a similar situation, are now on the pension rolls under general laws.

GROVER CLEVELAND.

EXECUTIVE MANSION, April 21, 1896.

Mr. KERR. Mr. Speaker, this bill grants a pension of \$30 per month to Nancy G. Allabach, as the widow of Col. Peter H. Allabach. It passed both Houses and was vetoed by the President. It was then passed over the veto by the Senate. The report of the Senate Pensions Committee was written by Senator PALMER, and it sets forth with precision the meritorious service of Colonel Allabach, and combats with reasons which seem conclusive to my judgment the grounds upon which the President predicates his veto.

The Colonel Allabach served two years in the Mexican war and nine months in the war of the rebellion. In the Mexican service he was in the battles of Palo Alto and Resaca, and he participated in all the military operations along the Rio Grande.

His service in the war of the rebellion was at a most critical period of that great struggle, and was conspicuous for courage and gallantry. In the battles of Fredericksburg and Chancellorsville he commanded a brigade. In the battle of Fredericksburg he led his brigade in that terrific but impotent charge against the stone wall. For it he received the highest encomiums from his superior officers, Generals Briggs and Humphrey. To sum it all up, he served his country in two wars, and, in all, for a period of thirty-three months.

Now, then, a word about this veto. The President leaves out of consideration altogether the soldier's service. Whether it is long or short, characterized by courage or cowardice, whether in garrison duty, away from danger, or upon the bloody field, is not an important factor in his calculation.

Here is the vice of his logic, and upon it turns his objections to this and all other bills of its character. As it happened, Colonel Allabach did not apply for a pension in his lifetime, and there is no evidence that he died from army disabilities. Neither did Grant nor McClellan nor a hundred more distinguished soldiers whose widows we have pensioned. The ground of these pensions is the service of the husband, a little more distinguished than the ordinary, and the poverty of the widow. Both exist in this case.

The House and the Senate, better acquainted with the patriotic sentiment of the country, nearer, Mr. Speaker, the great American heart, sought to rescue this old woman, 67 years old, a war widow, from the agony of poverty or the humiliation of subsisting upon private charity. The President, exercising a constitutional power, interposed his objection. Let us, exercising an equal power, continue the good work we have begun and pass the bill, the veto to the contrary notwithstanding.

Mr. LOUD. Mr. Speaker, of course I recognize that it is futile for anyone to attempt to stay the mad career—and I measure my words, Mr. Speaker—to stay this House in its mad career regarding pensions. This pension, according to the report made (and I assume that the committee have made as good a report as possible), commends itself to neither the judgment nor the equity of this House. The services claimed to have been rendered by this gentleman were not in the faintest degree, by any reference, either long or distinguished. The late rebellion, as you well know, covered a period of four years of very bitter and sanguine war. Yet this gentleman's service extended over a period, according to the claim of the committee, of but nine months.

It is claimed that he was a soldier in the Mexican war. There

are many remaining who were soldiers in the Mexican war. It is claimed that he served with distinguished gallantry in the late war, and that he participated at most in but one battle, and yet the committee have disdained to inform this Congress what that battle may have been.

It seems almost useless, Mr. Speaker, to waste my breath or the time of Congress in endeavoring to stop its mad career, but I say again, that there is nothing in this soldier's service which appeals to the judgment of this House to furnish a reason why it should grant this woman a pension above the amount given by law to three or four or five or six hundred thousand other widows throughout the length and breadth of this land.

Of course our friends on this side of the House, some of them, vote against the action of the President, as I have heard it intimated, because they oppose the President on some other proposition. Our friends upon the Republican side of the House override the veto in all pension cases because they believe in doing what they claim to be an act of justice to the long-suffering widows of the soldiers of the late war. While but \$30 a month is involved in this case, and while there may have been many precedents set heretofore, still it never is too late for a legislative body, even in its dying hours, to express one sentiment of reason. For the many acts we have done here we shall receive the condemnation of the people. Can we not afford to leave one shining example that may be pointed out hereafter to our credit?

The gentleman who defends this claim likens this widow to the widow of General Grant, and to the widows of some other distinguished officers whom the mass of our people believe were great instrumental factors in saving this nation from destruction. Compare those cases with that of the widow of a gentleman who served for nine months during the late war, with distinguished gallantry, in one battle, which the committee evidently can not now discover or have forgotten!

The SPEAKER. The question is, Will the House on reconsideration agree to pass the bill, the objections of the President to the contrary notwithstanding? On this, under the Constitution, the yeas and nays are ordered. Those who favor passing the bill, the objections of the President to the contrary notwithstanding, will, when their names are called, say "aye;" those opposed, "no." The Clerk will call the roll.

The question was taken; and there were—yeas 115, nays 79, not voting 161; as follows:

YEAS—115.			
Aldrich, T. H.	Fischer,	Layton,	Royse,
Aldrich, Ill.	Fletcher,	Lefever,	Shafroth,
Anderson,	Gamble,	Leisenring,	Smith, Ill.
Andrews,	Gardner,	Lewis,	Sorg,
Babcock,	Gibson,	Linton,	Southard,
Baker, Kans.	Gillet, N. Y.	Long,	Sperry,
Baker, N. H.	Graff,	Loudenslager,	Stahle,
Barham,	Griffin,	Low,	Stephenson,
Bowers,	Grout,	Mahany,	Stewart, N. J.
Brewster,	Grow,	McCall, Mass.	Stewart, Wis.
Bromwell,	Hager,	McClure,	Stone, C. W.
Burrell,	Haily,	McEwan,	Strode, Nebr.
Burton, Mo.	Hardy,	McLachlan,	Strong,
Calderhead,	Hatch,	Meiklejohn,	Sulloway,
Chickering,	Hemenway,	Mercer,	Taylor,
Clark, Mo.	Henry, Ind.	Minor, Wis.	Thomas,
Codding,	Howard,	Mitchell,	Towne,
Cottin,	Howe,	Mondell,	Tracey,
Colson,	Howell,	Moody,	Van Voorhis,
Crowther,	Hubbard,	Morse,	Watson, Ind.
Crump,	Huff,	Mozley,	Watson, Ohio
Cummings,	Huling,	Murphy,	Wellington,
Curtis, Iowa	Hurley,	Odell,	Willis,
Curtis, Kans.	Hyde,	Perkins,	Wilson, Idaho
Daniels,	Johnson, Cal.	Poole,	Wilson, Ohio
Draper,	Kerr,	Powers,	Wood,
Eddy,	Kirkpatrick,	Prince,	Woodman,
Ellis,	Knox,	Pugh,	Wright.
Fenton,	Lacey,	Ray,	

NAYS—79.			
Abbott,	Cox,	Linney,	Shuford,
Adams,	Crisp,	Little,	Snover,
Aldrich, W. F.	Culberson,	Livingston,	Spalding,
Avery,	Danford,	Loud,	Spencer,
Bailey,	De Armond,	Maddox,	Stallings,
Bankhead,	Denny,	Martin,	Strat,
Bartlett, Ga.	Dinsmore,	McCreary, Ky.	Strowd, N. O.
Bartlett, N. Y.	Dockery,	McDearmon,	Swanson,
Bell, Colo.	Erdman,	McMillin,	Talbert,
Bell, Tex.	Hall,	McRae,	Tate,
Bennett,	Harrison,	Meredith,	Terry,
Bishop,	Hart,	Milnes,	Tracewell,
Blue,	Henry, Conn.	Money,	Tyler,
Broderick,	Hull,	Neill,	Updegraff,
Catchings,	Jones,	Ogden,	Wadsworth,
Clardy,	Kem,	Owens,	Washington,
Clark, Iowa	Kleberg,	Patterson,	Williams,
Clarke, Ala.	Lawson,	Pendleton,	Wilson, S. C.
Cobb,	Leighty,	Rinaker,	Woodard.
Cooper, Tex.	Lester,	Sayers,	

NOT VOTING—161.			
Acheson,	Atwood,	Berry,	Brumm,
Aitken,	Baker, Md.	Bingham,	Buck,
Allen, Miss.	Barney,	Black,	Bull,
Allen, Utah	Barrett,	Boatner,	Burton, Ohio
Apsley,	Bartholdt,	Boutelle,	Cannon
Arnold, Pa.	Beach,	Brosius,	Cockrell,
Arnold, R. I.	Belknap,	Brown,	Connolly,

Cook, Wis.	Heatwole,	McLaurin,	Settle,
Cooke, Ill.	Heiner, Pa.	Meyer,	Shannon,
Cooper, Fla.	Henderson,	Miles,	Shaw,
Cooper, Wis.	Hendrick,	Miller, Kans.	Sherman,
Corliss,	Hepburn,	Miller, W. Va.	Simpkins,
Cousins,	Hermann,	Milliken,	Skinner,
Cowen,	Hicks,	Miner, N. Y.	Smith, Mich.
Crowley,	Hilborn,	Moses,	Southwick,
Curtis, N. Y.	Hill,	Murray,	Sparkman,
Dalzell,	Hitt,	Newlands,	Steele,
Dayton,	Hooker,	Noonan,	Stokes,
De Witt,	Hopkins,	Northway,	Stone, W. A.
Dingley,	Hulick,	Otey,	Sulzer,
Dolliver,	Hunter,	Otjen,	Taft,
Doolittle,	Hutcheson,	Overstreet,	Tawney,
Dovener,	Jenkins,	Parker,	Thorp,
Ellett,	Johnson, Ind.	Payne,	Treloar,
Evans,	Johnson, N. D.	Pearson,	Tucker,
Fairchild,	Joy,	Phillips,	Turner, Ga.
Faris,	Kendall,	Pickler,	Turner, Va.
Fitzgerald,	Kiefer,	Pitney,	Van Horn,
Foote,	Kulp,	Price,	Walker, Mass.
Foss,	Kyle,	Quigg,	Walker, Va.
Fowler,	Latimer,	Raney,	Wanger,
Gillett, Mass.	Leonard,	Reeves,	Warner,
Goodwyn,	Lorimer,	Reyburn,	Wheeler,
Griswold,	Maguire,	Richardson,	White,
Grosvenor,	Mahon,	Robertson, La.	Wilber,
Hadley,	Marsh,	Robinson, Pa.	Wilson, N. Y.
Hainer, Nebr.	McCall, Tenn.	Rusk,	Woomer,
Halterman,	McCleary, Minn.	Russell, Conn.	Yoakum,
Harmer,	McClellan,	Russell, Ga.	
Harris,	McCormick,	Sauerherga,	
Hartman,	McCulloch,	Scranton,	

The following pairs were announced:
 Until further notice:
 Mr. RANEY with Mr. RUSSELL of Georgia.
 Mr. KULP with Mr. FITZGERALD.
 Mr. COOK of Wisconsin with Mr. MOSES.
 Mr. CORLISS with Mr. COWEN.
 Mr. PICKLER with Mr. MINER of New York.

For this day:
 Mr. OVERSTREET with Mr. ROBERTSON of Louisiana.
 Mr. MARSH with Mr. RICHARDSON.
 Mr. JOY with Mr. MCCLELLAN.
 Mr. HITT with Mr. LATIMER.
 Mr. HENDERSON with Mr. KYLE.
 Mr. MAHON with Mr. OTEY.
 Mr. ARNOLD of Pennsylvania with Mr. PRICE.
 Mr. ARNOLD of Rhode Island with Mr. MILES.
 Mr. OTJEN with Mr. TURNER of Georgia.
 Mr. WILBER with Mr. BERRY.
 Mr. DINGLEY with Mr. MAGUIRE.
 Mr. HICKS with Mr. SHAW.
 Mr. HARMER with Mr. HUTCHESON.
 Mr. FOSS with Mr. RUSK.
 Mr. DALZELL with Mr. TURNER of Virginia.
 Mr. PITNEY with Mr. ELLETT.
 Mr. HEATWOLE with Mr. KENDALL.
 Mr. SMITH of Michigan with Mr. TUCKER.
 Mr. BARTHOLDT with Mr. McLAURIN.
 Mr. GROSVENOR with Mr. ALLEN of Mississippi.
 Mr. BINGHAM with Mr. SULZER.
 Mr. COUSINS with Mr. STOKES.
 Mr. DOLLIVER with Mr. YOAKUM.
 Mr. TRELOAR with Mr. COCKRELL.
 Mr. JENKINS with Mr. BUCK.
 Mr. PARKER with Mr. SPARKMAN.
 Mr. SIMPKINS with Mr. WHEELER.
 Mr. JOHNSON of North Dakota with Mr. BLACK.
 Mr. SCRANTON with Mr. McCULLOCH.

The SPEAKER. On this question the yeas are 115, the nays are 79; two-thirds not voting in the affirmative, the House, on reconsideration, does not agree to pass the bill.

UNITED STATES COURTS OF UTAH.

Mr. BRODERICK. Mr. Speaker, I desire to submit a conference report.

The Clerk read as follows:
 The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2087) to provide times and places for holding terms of United States courts in Utah, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same.
 CASE BRODERICK,
 CHAS. G. BURTON,
 J. W. BAILEY,
Managers on the part of the House.
 GEO. F. HOAR,
 FRANK J. CANNON,
Managers on the part of the Senate.

The SPEAKER: The Clerk will read the statement.
 Mr. BRODERICK. That is all there is of it. The papers are in the Senate, and the report has been accepted by the Senate and the bill passed.
 The SPEAKER. But there should be a statement, under the rules of the House, by the House conferees.

Mr. BRODERICK. The report was sent up. That is all the report that is made.

The SPEAKER. There should be a statement besides the conference report.

Mr. BRODERICK. The statement is that the Senate conferees receded, and that is all the statement that was necessary.

The SPEAKER. This is the conference report, and our rules require a statement.

Mr. BRODERICK. Senator HOAR superintended the matter, and said that was all that was necessary.

The SPEAKER. But this is a House rule. The Chair does not know whether it is a Senate rule or not; but the House rule is that in addition to the conference report there shall be a statement made by the House conferees in writing.

Mr. BRODERICK. If recommitted, perhaps the statement can be made.

The SPEAKER. The gentleman can withdraw the conference report and afterwards submit it with a statement.

Mr. BRODERICK. I withdraw the report.

LUCY ALEXANDER PAYNE.

Mr. COFFIN. Mr. Speaker, I present a conference report.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill S. 1501, an act granting an increase of pension to Lucy Alexander Payne, widow of Capt. John Scott Payne, Fifth United States Cavalry, having met, after a full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendment.

CHARLES E. COFFIN,

J. C. C. BLACK,

WM. BAKER,

Managers on the part of the House.

W. N. ROACH,

H. C. HANSBROUGH,

W. A. PEPPER.

Managers on the part of the Senate.

The SPEAKER. There is no statement by the conferees.

Mr. BLUE. Does a statement accompany that report?

Mr. COFFIN. There is no statement by the conferees.

The SPEAKER. There is no written statement.

Mr. BLUE. Then I object.

Mr. COFFIN. Will there have to be a written statement?

The SPEAKER. There has to be a written statement under the rules of the House. The gentleman withdraws the report.

ARTESIAN WATERS OF A PORTION OF THE DAKOTAS.

Mr. PERKINS. Mr. Speaker, I ask unanimous consent for the present consideration of the following report from the Committee on Printing.

The SPEAKER. The gentleman from Iowa asks unanimous consent for the consideration of the report which the Clerk will read.

The Clerk read as follows:

Resolved by the Senate (the House of Representatives concurring). That there be printed 2,000 additional copies of an extract from the Seventeenth Annual Report of the United States Geological Survey entitled "Preliminary report on artesian waters of a portion of the Dakotas," for distribution by the Geological Survey.

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

Your Committee on Printing, having had under consideration Senate concurrent resolution No. 55, to provide for the printing of 2,000 additional copies of an extract from the Seventeenth Annual Report of the United States Geological Survey entitled "Preliminary report on artesian waters of a portion of the Dakotas," for distribution by the Geological Survey, recommend that the same be agreed to.

The Public Printer estimates the cost of the work called for under this resolution at \$465.

The SPEAKER. The question is on unanimous consent. Is there objection? [After a pause.] The Chair hears none.

The concurrent resolution was agreed to.

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

CAPT. ALEXANDER M'DONALD.

Mr. WOODMAN. Mr. Speaker, I ask unanimous consent for the present consideration of the bill which I send to the desk.

The Clerk read as follows:

A bill (H. R. 5090) to correct and amend the military record of Capt. Alexander McDonald, of Company I, Seventeenth Wisconsin Volunteer Infantry.

The bill was read at length.

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

Mr. TALBERT. I object, Mr. Speaker.

The SPEAKER. Objection is made.

IMPROVEMENT OF GOVERNMENT RESERVATION, FORT SMITH, ARK.

Mr. LITTLE. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 2923) for the better improvement of the Government reservation at the city of Fort Smith, in the State of Arkansas, and for other purposes. The bill has heretofore been read twice in the House, and I have an amendment that I desire to propose, coming in at line 9, on page 2.

The SPEAKER. The Chair thinks the bill must be read.

Mr. LITTLE. What I want to ask is simply for the bill to be read to where the amendment will come in, or read the entire bill, if gentlemen desire it to be read.

Mr. BARTLETT of New York. Let us have the bill read.

Mr. PAYNE. I understand the gentleman proposes to ask unanimous consent for the consideration of the bill as amended. I suggest that the bill be read as proposed to be amended.

Mr. LITTLE. That was what I was trying to have done.

The SPEAKER. The Clerk will read the bill as the gentleman proposes to have it amended.

The Clerk read as follows:

Be it enacted, etc., That Rogers and Parker avenues, as the same appear on the map and plat of the reserve addition of the city of Fort Smith, Ark., be extended in a northwesterly direction and on a straight line to the right of way of the St. Louis and San Francisco Railway Company; and that Second street, as the same appears on the map and plat of the reserve addition of the city of Fort Smith, Ark., be extended on a straight line from Garrison avenue in a southwesterly direction to the right of way of the St. Louis and San Francisco Railway Company; and that Third street, as the same appears on the map and plat of the reserve addition of said city of Fort Smith, be extended in a straight line from Garrison avenue to the southwesterly line of Parker avenue; that the block of ground included within the boundaries of Rogers and Parker avenues and Second and Third streets, as thus extended by this act, it being a rectangular block 300 feet by 290 feet 2½ inches, and upon which block is located the public buildings, known as the United States jail and hospital, belonging to the United States, be, and the same is hereby, reserved to the United States.

That such part of said ground as shall be occupied for said streets and alleys is hereby donated to the said city of Fort Smith for the purpose of being dedicated to public use.

That said city of Fort Smith is hereby authorized and empowered to remove the old fort walls and buildings attached thereto, and to dispose of the same for its own use.

That the Secretary of the Interior shall cause said lands to be surveyed into lots and blocks, according to the plans and surveys of said city, and shall file a plat showing such survey in his office, and he shall cause the portions thereof not specifically reserved herein to be sold at public auction to the highest bidder, upon such terms and under such regulations as he may direct; and upon the full payment of the purchase money, execute proper conveyances to the purchaser or purchasers thereof.

The funds arising from the sale of said lots shall be kept separate, and so much thereof as is necessary is hereby appropriated for the erection of an iron fence or stone fence around the lot reserved for the jail and hospital, and for the grading and paving of the sidewalks around the same with stone flagging or some other suitable material, and pay the expense thereof out of the fund; and the remainder, if any, to be turned into the Treasury to the credit of the United States.

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

Mr. PAYNE. Mr. Speaker, I observe that the amendment turns over all the proceeds for the purpose of building a fence around the jail and hospital and paving the streets around the jail, something that the United States does in no other city. I do not know why it should be done for this city.

Mr. LITTLE. When this old wall is torn down it will leave the jail without any surrounding fence. The objection to the bill heretofore, as I understood, was that it donated certain lots of land to the city, and, for the purpose of meeting that objection, the bill has been changed so that it simply authorizes the erection of this fence around the jail and the flagging on the sidewalk around the jail block.

Mr. PAYNE. Does this jail belong to the city, or is it a county jail?

Mr. LITTLE. It is a Federal jail. That is why I put in this provision. It is quite a costly building, and the bill as originally drawn practically donated these lots to the city on condition that the city should make certain improvements around the Government property. It was thought, however, by some gentlemen here that the value of the lots would far exceed the cost of the improvements, and I am willing, if the gentleman prefers, that the provision for the paving of the sidewalks may be stricken out, leaving simply the provision for the building of the fence.

Mr. PAYNE. I think the gentleman had better strike it all out, and if we are going to build a fence there, let us appropriate a specific sum for that purpose.

Mr. LITTLE. Well, if the gentleman prefers it that way, I will accept the amendment, but it would be much better for the Government's property to have these improvements made at once.

Mr. PAYNE. Now, if the gentleman will amend his bill so as to direct that the proceeds of this sale shall be turned into the Treasury, I shall not object to its consideration.

Mr. LOUD. Mr. Speaker, I would suggest that if the Government has any land, or any claim, left in Arkansas, we ought to turn it over immediately to the State or to the city. If there is anything left, I think Arkansas ought to have it. [Laughter.]

Mr. LITTLE. Arkansas is asking nothing in this case except the removal of an antiquated wall which has been there for fifty years, which blockades travel, and is an obstacle to good sanitary arrangements. Its removal has been recommended by all the court officials as well as by the city officials.

Mr. LOUD. About every week since I have been in Congress some gentleman from Arkansas has been asking for a United States reservation, or something of that kind. [Laughter.]

Mr. LITTLE. This "gentleman from Arkansas" has been asking for this bill quite persistently.

Mr. LOUD. And others.

Mr. LITTLE. No; not any donation.

Mr. LOUD. I think it would be much cheaper for us to turn over every claim the Government has in Arkansas to the State.

Mr. LITTLE. I will vote for that. [Laughter.]

Mr. PAYNE. If that had been done twenty years ago, it might have been the best course, but now it is too late. I have suggested an amendment to the bill, which I ask the Clerk to report.

The Clerk read as follows:

Amend the last paragraph of the amendment by striking out lines 15, 16, 17, 18, 19, 20, and 21, being the last paragraph, and insert the following:
"The fund arising from the sale of said lots shall be turned into the Treasury to the credit of the United States."

The amendment was agreed to.

The SPEAKER. The question is on the third reading of the Senate bill as amended.

Mr. RINAHER. Mr. Speaker, does that take out the provision for the paving?

Mr. LITTLE. It takes out the entire matter of improvements. The bill as amended was ordered to a third reading; and it was accordingly read the third time, and passed.

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

HOUSE BILLS WITH SENATE AMENDMENTS.

The SPEAKER laid before the House bills of the following titles, with amendments of the Senate thereto; which were severally read, and the Senate amendments concurred in:

A bill (H. R. 1104) granting a pension to Isaac M. Williams;

A bill (H. R. 1311) granting an increase of pension to Charles W. Sentman;

A bill (H. R. 5764) granting an increase of pension to Elizabeth D. Marthon;

A bill (H. R. 6789) granting a pension and for the relief of Dr. Harrison Wagner;

A bill (H. R. 8388) for the relief of William G. Buck;

A bill (H. R. 10040) granting a pension to George W. Ferree;

A bill (H. R. 5981) granting a pension to Elihu Jones; and

A bill (H. R. 5890) granting an increase of pension to Greenville Puckett.

ELIZABETH WELLANDS.

The SPEAKER also laid before the House a bill (H. R. 8898) to increase the pension of Elizabeth Wellands, with an amendment of the Senate thereto.

The bill was read.

The Senate amendment was read, as follows:

Line 5, after the words "widow of," insert "William S. Wellands."

Mr. CRISP. Mr. Speaker, I move to concur in the Senate amendment. Its effect is merely to better identify the beneficiary. The amendment was concurred in.

ORDER OF BUSINESS.

Mr. LOUD. If that completes the business on the Speaker's table, I call for the regular order.

The SPEAKER. The regular order is the call of committees for business in the morning hour, and the Clerk will proceed with the call.

The Committee on Patents was called.

INFRINGEMENT OF LETTERS PATENT.

Mr. MITCHELL. Mr. Speaker, I am instructed by the Committee on Patents to call up for consideration at this time the bill (H. R. 10202) defining the jurisdiction of United States circuit courts in cases brought for the infringement of letters patent.

The SPEAKER. The bill will be read.

The bill was read, as follows:

Be it enacted, etc., That in suits brought for the infringement of letters patent the circuit courts of the United States shall have jurisdiction, in law or in equity, in the district of which the defendant is an inhabitant, or in any district in which the defendant, whether a person, partnership, or corporation, shall have committed acts of infringement and have a regular and established place of business. If such suit is brought in a district of which the defendant is not an inhabitant, but in which such defendant has a regular and established place of business, service of process, summons, or subpoena upon the defendant may be made by service upon the agent or agents engaged in conducting such business in the district in which suit is brought.

Mr. DOCKERY. Mr. Speaker, is that bill reported by the Committee on Patents?

Mr. MITCHELL. It is. I would like to have the report read as a part of my remarks.

The SPEAKER. The Chair will state to the gentleman from Missouri that the bill is reported from the Committee on Patents.

Mr. DOCKERY. I would respectfully suggest to the Chair that the bill should have been considered by the Committee on the Judiciary. Evidently, from its reading, that committee would have had jurisdiction of it.

The SPEAKER. It is reported, however, by the Committee on Patents.

Mr. DOCKERY. Manifestly there was an improper reference of the bill.

The SPEAKER. The Chair has not examined the bill with ref-

erence to that fact, but, if the reference is improper, this is not the time to correct it.

Mr. DOCKERY. That may be true under the rule.

But a further query. I would like to ask whether or not this is called up by the direction of the committee?

The SPEAKER. The Chair would ask the gentleman from New York whether this is called up by direction of the Committee on Patents in the morning hour?

Mr. MITCHELL. I was directed at the first opportunity, on the call of committees, to bring the bill up for consideration. It is a bill relating specifically to the patent law.

I ask to have the report read as a part of my remarks.

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

The Committee on Patents, to whom was referred the bill (H. R. 10202) defining the jurisdiction of the United States circuit courts in cases brought for the infringement of letters patent, have carefully considered the same and report it favorably.

This bill seeks to define the jurisdiction of the courts in patent suits and to remove the uncertainty which now arises as to such jurisdiction by reason of the conflicting decisions of the various circuit courts. It further facilitates the bringing of suits in the place of business of the parties interested. It is in the interest of all and against the interest of none.

The committee therefore recommend its passage.

Mr. MITCHELL. I yield to the gentleman from Iowa [Mr. LACEY] such time as he may desire.

Mr. LACEY. Mr. Speaker, I introduced this bill at the suggestion of a number of gentlemen who live in the Northwest, and who have interest in patent rights that are frequently infringed in distant localities, and yet the sales of the patented articles so infringed are largely, or mainly, made in the vicinity where the owners of the patent happen to be located. For instance, the manufactory may be established at some distant point and the office where the goods are sold is opened in Chicago or in St. Louis or some other distant city. They have a permanent place of business at either city, and yet no relief can be had in the courts where the infringement is mainly carried on.

The main purpose of the bill is to give original jurisdiction to the court where a permanent agency transacting the business is located, and that business is engaged in the infringement of the patent rights of some one who has such rights anywhere in the United States.

Jurisdiction would be had thus in Chicago, St. Louis, or any Western city if the manufacturer is established there, or if there is a permanent agency there, but not otherwise. It provides that the court shall have jurisdiction in the district of which the defendant is an inhabitant, and that is the existing law now, or—

In any district in which the defendant, whether a person, partnership, or corporation, shall have committed acts of infringement and have a regular and established place of business.

That is all there is of it. Isolated cases of infringement would not confer this jurisdiction, but only where a permanent agency is established.

I yield back the remainder of the time to the gentleman from New York.

Mr. MITCHELL. Mr. Speaker, the necessity for this law grows out of the acts of 1887 and 1888 which amended the judiciary act. Conflicting decisions have even arisen in the different districts in the same States as to the construction of these acts of 1887 and 1888, and there is great uncertainty throughout the country as to whether or not the act of 1887 as amended by the act of 1888 applied to patent cases at all.

The bill is intended to remove this uncertainty and to define the exact jurisdiction of the circuit courts in these matters.

The committee have been extremely careful in the investigation of the matter before reporting the bill.

As the bill was referred to me, I wrote to a great many patent lawyers in different parts of the country, in order to get their views and objections, if any, and I find that they are all unanimously in favor of the bill as it is now reported, and state that it would tend not only to define the jurisdiction of the circuit courts not now defined, but also limit that jurisdiction and so clearly define it that in the future there will be no question with regard to the application of the acts of 1887 and 1888.

Mr. PAYNE. I should like to ask the gentleman what conflicting decisions there are that are to be remedied by this bill?

Mr. MITCHELL. We have in New York the case of Halstead vs. Manning, Bowman & Co., which was decided April 13, 1888 (34 Fed. Rep., 565), in which Judge Wallace renders a decision that prior to the act of 1887 the defendant could have been sued there "if found." In other words, that the foreign corporation could have been sued "if found" within the jurisdiction, but the defendant can no longer be sued outside of the district of which he is an inhabitant. Then we find, for instance, the case of Smith vs. The Sargent Manufacturing Company, May 18, 1895, where Judge Wheeler holds that the acts of 1887 and 1888 do not apply to suits for infringement of patent, and such suits may be brought wherever service can be had.

We also have in the district of Massachusetts decisions by Judge Colt in several cases holding that the act of 1888 applies to patent cases and that a foreign corporation can not be sued in his district,

and we have in the districts of Ohio and California decisions exactly to the contrary, namely, that in patent cases it is no objection to the jurisdiction that one of the defendants is a citizen of another State.

The following tables of cases show the conflict of decisions in detail:

Circuit courts holding that the laws of 1887, as amended by the laws of 1888 (giving jurisdiction to United States circuit courts), apply to patent cases.

FIRST CIRCUIT.

District of Massachusetts:
National Typewriter Company vs. Pope Manufacturing Company. July 5, 1893. 56 Fed. Rep., 849. Colt, circuit judge.
Holds: Under recent decisions of the Supreme Court, a foreign corporation can not be sued for infringement of patent in this district.
Donnelly vs. United States Cordage Company. March 16, 1895. 65 Fed. Rep., 613. Colt, judge.
Follows Shaw vs. Mining Company.
Gorham Manufacturing Company vs. Watson. May 20, 1896. 74 Fed. Rep., 418. Colt, circuit judge.
Follows Donnelly vs. United States Cordage Company, supra.

SECOND CIRCUIT.

Southern district of New York:
Halstead vs. Manning, Bowman & Co. April 13, 1888. 34 Fed. Rep., 565. Wallace, circuit judge.
*Prior to act of 1887 the defendant could have been sued here, if "found," but * * * defendant can no longer be sued outside the district of which he is an inhabitant.*
Northern district of New York:
Adriane Platt & Co. vs. McCormick Harvesting Manufacturing Company. October 13, 1892. 55 Fed. Rep., 287. Wallace, circuit judge.
Follows ruling Shaw vs. Mining Company, 145 U. S., 444.

SIXTH CIRCUIT.

Southern district of Ohio:
Miller Magee Company et al. vs. Carpenter. February 29, 1888. 34 Fed. Rep., 433. Jackson, judge.
Holds: Neither Revised Statutes United States, section 711 nor section 699, was repealed by act of 1875 nor by act of 1887, which only amends former acts.

SEVENTH CIRCUIT.

District of Illinois:
Gormully & Jeffery Manufacturing Company vs. Pope Manufacturing Company. May 14, 1888. 34 Fed. Rep., 818. Blodgett, judge.
Holds: No jurisdiction in patent case for infringement by Illinois corporation against Connecticut corporation doing business in Illinois.
Preston vs. Fire Extinguisher Company. November 5, 1888. 36 Fed. Rep., 721. Blodgett, judge.
Holds: New York corporation doing business in Illinois can not be sued in Illinois.
Bicycle Stepladder Company vs. Gordon. September 11, 1893. 57 Fed. Rep., 529. Jenkins, circuit judge.
Follows ruling in Shaw vs. Mining Company, 145 U. S., 446.

EIGHTH CIRCUIT.

Eastern district of Missouri:
Reinstadler vs. Reeves. December 30, 1887. 33 Fed. Rep., 308. Thayer, judge.
Holds: Bill to restrain infringements in Missouri against a citizen of Indiana can not be maintained.
Southern district of Iowa:
McBride vs. Grand de Tour Plow Company. October 18, 1889. 40 Fed. Rep., 163. Shiras, judge.
Holds: Had the defendant company (Illinois corporation), when it was first sued by Iowa complainant, raised the question of jurisdiction, "it may be its contention would have been sustained."

NINTH CIRCUIT.

Northern district of California:
Cramer vs. Singer Manufacturing Company. November 27, 1893. 59 Fed. Rep., 74. McKenna, circuit judge.
Quotes act of 1888 and follows Shaw vs. Mining Company, supra.
Circuit courts holding that the laws of 1887, as amended by laws of 1888 (giving jurisdiction to United States circuit courts), do not apply to patent cases.

SECOND CIRCUIT.

Southern district of New York:
Smith vs. Sargent Manufacturing Company. May 18, 1895. 67 Fed. Rep., 801. Wheeler, district judge.
Holds: That acts of 1887 and 1888 do not apply to suits for infringement of patents, and such suits may be brought wherever personal service can be had; and quotes In re Hohorst, 150 U. S., 633.
National Button Works vs. Wade. February 1, 1896. 72 Fed. Rep., 298. Lacombe, circuit judge.
Refers to act of 1887 and to In re Hohorst, 14 Superior Court, 221; 150 U. S., 633; and doubts whether distinction raised in re Hohorst can be sustained in view of later decision of United States court in re Keasbey vs. Matheson.
(Contra. Townsend, district judge, January 23, 1895.)

SIXTH CIRCUIT.

Southern district of Ohio:
Noonan vs. Chester Park Athletic Club. June 23, 1896. 75 Fed. Rep., 334. Sage, district judge.
Holds: In patent cases it is no objection to the jurisdiction that one of the defendants is a citizen of another State and district than that in which suit is brought, citing In re Hohorst and In re Keasbey.

NINTH CIRCUIT.

Northern district of California:
Earl vs. Southern Pacific Company. August 17, 1896. 75 Fed. Rep., 609. Morrow, district judge.
Acts of 1887-88 do not apply to patent suits, quoting In re Hohorst and In re Keasbey vs. Matheson.

Mr. PAYNE. That would be covered entirely by a law providing that suits might be brought wherever the defendant could be found or wherever he has a residence. In order to get rid of these conflicting decisions it would not be necessary to go further than that, but, as I understand the bill, it not only provides for that, but also that a suit may be brought in any jurisdiction where the defendant has an established place of business, by leaving the subpoena of the court at his place of business.

Mr. LACEY. Not unless the acts of infringement were also committed in that jurisdiction,

Mr. PAYNE. If these two things concur?

Mr. LACEY. Yes.

Mr. PAYNE. Of course that part of it is not necessary in order to avoid the conflicting decisions of the courts, but there seems to be some other object to be obtained by extending it to that class of cases. Now, if my colleague will allow me, I am not able to see why cases of infringement of patents should be taken out of the law and a special rule adopted as to them. I do not see but what the remedy that is good for one citizen in a particular class of cases should be good for all citizens in all classes of cases, so far as jurisdiction and the commencement of the action are concerned. If this bill simply went to the extent of providing that in all cases the courts might obtain jurisdiction by a personal service of the process of the court within the Territory, or in cases of attachment or cases of that kind, in the Territory where the person resided or was an inhabitant, I should not object to it, but the idea of going still further than that and giving the court jurisdiction where a man has a place of business at which it is claimed that he had sold some patented article which infringed the rights of some patentee, it seems to me is going too far and making an exception in patent cases that does not obtain in any other case, and to which it is not proposed to extend it in any other case of the violation of private rights. It seems to me that it is going too far.

Mr. MITCHELL. In answer to the remarks of my learned colleague from New York, I would state that I think he will find, on a careful examination of this bill as it is reported, that it does not extend, but on the contrary that it defines, the jurisdiction of the courts, and places all in the same category and clears an omission in the act of 1887-88.

Mr. PAYNE. Does the gentleman claim that under the present law an action could be brought where the defendant simply had a principal place of business and the act of infringement was committed in the same jurisdiction? Does the gentleman claim that an action would lie or could be brought there against the defendant without personal service of the process upon him within that jurisdiction?

Mr. MITCHELL. I do not think the gentleman clearly understands the effect of this bill. It says:

That in suits brought for the infringement of letters patent the circuit courts of the United States shall have jurisdiction, in law or in equity, in the district of which the defendant is an inhabitant, or in any district in which the defendant, whether a person, partnership, or corporation, shall have committed acts of infringement and have a regular and established place of business.

And further provided—

If such suit is brought in a district of which defendant is not an inhabitant, but in which such defendant has a regular and established place of business, service of process, summons, or subpoena upon the defendant may be made by service upon the agent or agents engaged in conducting such business in the district in which suit is brought.

Mr. PAYNE. They could not now commence an action within the jurisdiction named under the last clause.

Mr. MITCHELL. There was an amendment which was suggested, that the word "and," in line 8, should be stricken out and the word "or" substituted for it. We are not in favor of that, because then the reading of this would be that the defendant could be sued either where he committed the act of infringement or where he had a place of business.

Mr. PAYNE. I understand that the two things must concur now.

Mr. MITCHELL. So that in this case you have the party who is charged with committing the wrong sued in the district in which he has committed the act of infringement, and in which he has a place of business. Under the line of decisions which permit his being sued anywhere "if found," this act makes it easier for the defendant, and really limits to that extent the jurisdiction of the court; for instance, Halstead vs. Manning, Bowman & Co., Adriane Platt & Co. vs. McCormick Harvesting Company, supra.

Mr. PAYNE. In a decision up to date is it not held that he would not be amenable to the jurisdiction of a court in a territory in which he had a principal office and had committed an infringement of patent?

Mr. MITCHELL. Judge Wallace has held in this decision that the defendant may be sued wherever he may be found.

Mr. PAYNE. Certainly; that is a different thing. That is the personal service on him. You are extending it in this case.

Mr. MITCHELL. Well, I do not see that there is an extension of the provisions of the law. The trouble has arisen in this matter that under the act of 1888 some of the courts were uncertain whether or not the law did or did not apply to patent cases, and therefore this special bill relating to patents solely has been brought up because of the indefiniteness and uncertainty arising from different constructions of the act of 1888 as applied to patent cases.

Mr. PAYNE. Why, if you do not mean anything, why not have it wherever a man be found, by serving personal process upon him or in the territory where he resides. You go beyond that, and extend it to territory wherever he is found, not an inhabitant or a resident, but where he has a business office, and has committed, through agents or otherwise, an infringement.

Mr. MITCHELL. At the request of the gentleman from Iowa, I will yield to my friend from Iowa.

Mr. LACEY. Mr. Speaker, I understand the bill does mean something. It means that where there is an established place of business and an infringement—

Mr. PAYNE. I agree with you about that.

Mr. LACEY. Jurisdiction may be had there. That is one of the purposes of the bill. There is no question about that, and there ought to be a law of that character. We have now a law by which, if an insurance company shall have an agency and transact business in some other State, jurisdiction may be had in regard to business growing out of the transactions of that agency; and so as to carriers performing service in any State and having permanent place of business there, they may be sued there. There is no reason why as broad a jurisdiction should not be had in cases of patents, if infringers open up a permanent place of business—commence their business at that place. Why not give the court jurisdiction to try that case where the individual resides, where the witnesses are? Should not the local court have control of the matter, with the strong arm of the law on the one hand and the restraining power of a court of equity on the other? Because this necessity arose we have this bill. Very frequently an infringing agency is the principal place of business. When the party defendant who nominally infringes the patent lives in one place, but the real place where the business is carried on is at another, at present the place of the defendant's residence alone gives jurisdiction. Business is going West, and a little plant on the seaboard often grows into a tremendous institution when it goes to Chicago and the great interior places where the population resides; and to deprive the courts of that community of jurisdiction would work hardship by reason of the expense that it would cause of having to take depositions or transport witnesses a thousand miles in the trial of a case. Why not have the trial where the transaction occurs? The jurisdiction under this bill only applies to the permanent place of business, or where the business is in existence.

Mr. DALZELL. Why not have a man punishable at the place where he commits the wrong?

Mr. LACEY. Why not?

Mr. DALZELL. The same principle applies, precisely.

Mr. LACEY. The principle is the same. I reserve the balance of my time.

Mr. PAYNE. The gentleman from Iowa has withdrawn the principal argument raised by my colleague from New York, and also in the report, that this does not extend the present law, but was simply a little innocent bill, seeking to give right effect to a decision of a court. My friend from Iowa puts this on a higher ground, that this is a great contest of localities, the growing West against the East.

Mr. DALZELL. The "effete East."

Mr. PAYNE. Which is gradually becoming so and dying out, and all that sort of thing. The West is really the equal of the East in this matter.

Mr. DALZELL. You do not controvert that.

Mr. PAYNE. How can I controvert anything said by my friend from Iowa, after he has laid it down in the manner he has. I remember a contest in this House a few years ago, which was also a contest of the West against the East, in reference to patent matters; and there the West was trying to deprive the owner of the patent of any remedy whatever. I think the provision was that, unless the amount of damages awarded should exceed \$25 in each case, the unfortunate individual who owned the patent was to be mulcted in costs, so that in most cases the costs would probably be equal to or greater than the amount of damages. It appeared to be held then—I suppose it was a sort of wild Western idea—that a man who owned a patent was a kind of robber who was inflicting injury on his neighbors in the West, collecting money that he ought not to have, and that he ought to be deprived of all legal remedy.

Mr. DALZELL. Does the gentleman recollect whether our friend from Iowa [Mr. HENDERSON] had any part in that movement?

Mr. PAYNE. I think my friend [Mr. HENDERSON] was right in with those who took that ground. [Laughter.]

Mr. HENDERSON. Surely the statute of limitation runs on that. [Laughter.]

Mr. PAYNE. Now, I welcome this bill as evidence of a change of heart. I am glad to see that it recognizes the right of property in patents, and while I think the bill travels, perhaps, a little out of the way and puts the owner of a patent in a little better position than the owner of any other kind of property, yet, when I observe the change that has come over the spirit of our Western friends in this regard, on the whole I welcome this bill, and the last exception of the gentleman from Iowa, showing that this is a sectional matter, induces me to vote against my own section and in favor of his. [Laughter.]

Mr. MITCHELL. Mr. Speaker, I am very glad that I withdrew the demand for the previous question. I now ask for the previous

question, and I also ask leave to print further remarks in relation to the cases which I have here.

The previous question was ordered.

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

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

The call of committees was completed.

ORDER OF BUSINESS.

Mr. DOCKERY. Mr. Speaker, I am requested to ask unanimous consent of the House to consider the bill which I send to the desk.

The SPEAKER. The Chair does not recognize the gentleman for that purpose. [Laughter.] The gentleman from New York [Mr. DANIELS] is recognized.

DIGEST OF ELECTION CASES.

Mr. DANIELS. Mr. Speaker, the Committee on Elections No. 1 have unanimously adopted the resolution which I send to the desk and recommend its adoption by the House. I have here and will send to the desk what is substantially a repetition of it, a resolution to be adopted by the House providing for the publication of a digest of the election cases heard and decided in the Fifty-third and Fifty-fourth Congresses. It is estimated that about two fair-sized volumes will be required to contain all the cases. Some very important questions have been disposed of from time to time by the House in these cases, and such a digest can not fail to be of great value hereafter in the determination of election cases where similar principles will be involved, as they necessarily must be in such contests. I now send to the desk the resolution which I propose to have adopted by the House to carry into effect the resolution of the Committee on Elections.

The Clerk read the resolution, as follows:

Resolved, That the resolution by the Committee on Elections No. 1 for digesting the election cases heard and decided by the House of Representatives of the Fifty-third and Fifty-fourth Congresses, and reported by the Election Committees to the House of Representatives, be, and the same is hereby, adopted.

Mr. DANIELS. Now, I ask the Clerk to read the resolution therein referred to.

The Clerk read as follows:

Resolved, That there be made, printed, and bound, a digest of the election cases heard and decided by the Fifty-third and Fifty-fourth Congresses of the United States, consisting of a concise statement of each case, the report made by the Committee on Elections thereon, and the final action of the House thereon, together with an accurate and complete index of the same, to be prepared by William A. Martin, clerk to the Committee on Elections No. 1, for which, and for the necessary preparation and superintendence thereof, there shall be paid said William A. Martin, by the Clerk of the House, out of the contingent fund, the sum of \$2,000; said sum to be paid when the manuscript of the work shall have been delivered to the Public Printer, who shall furnish for the use of the House the usual number, viz, 1,607 copies for each of the above-named Congresses.

This resolution was adopted by the Committee on Elections No. 1, and its adoption by the House was unanimously recommended.

CHARLES DANIELS, *Chairman*.

Mr. BAILEY. Mr. Speaker, I think that would be a complete waste of the public money.

Mr. RICHARDSON. I suggest to the gentleman from New York that his resolution would not accomplish the object anyway. It is a simple House resolution, and the House alone can not order printing to exceed \$500 in cost, so that the resolution, if passed, would be void.

Mr. BAILEY. And if the work were done it would be worse than void.

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

Mr. BAILEY. I object.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows: At the request of Mr. ANDREWS, to Mr. HAINER of Nebraska, on account of sickness.

At the request of Mr. MOODY, to Mr. GILLET of Massachusetts, on account of sickness.

ORDER OF BUSINESS.

Mr. PAYNE. Mr. Speaker, I move that the House do now take a recess until 8 o'clock this evening, to meet then under the special order.

Mr. MILNES. Mr. Speaker, I suppose the motion to take a recess is with the idea of having a pension session this evening.

Mr. PAYNE. Yes.

Mr. MILNES. Well, I believe it will be entirely impossible to do anything this evening. We accomplished nothing last evening. I move, therefore, that the House do now adjourn.

The question being taken on the motion to adjourn, the Speaker declared that the noes seemed to have it.

Mr. MILNES. I ask for a division.

The House divided; and there were—ayes 51, noes 72.

So the House refused to adjourn.

Mr. PAYNE. Mr. Speaker, pending the motion for a recess, I ask unanimous consent that the business under special order for

this evening commence now and run until 5 o'clock p. m., and that the order for the evening session be vacated.

There was no objection, and it was so ordered.

[Applause.]

The SPEAKER. The regular order is the unfinished business.

HANNAH E. RODGERS.

The first unfinished business was the bill (H. R. 1832) granting a pension to Hannah E. Rodgers.

Mr. CROWTHER. I ask unanimous consent that this bill be passed over without prejudice, retaining its place on the Calendar.

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

There was no objection.

ELLEN DAY.

The next unfinished business was the bill (H. R. 6803) granting a pension to Ellen Day, stepmother of Albert L. Day.

The bill was read.

The SPEAKER. This is a bill laid aside on a previous day upon a demand for the engrossed copy of the bill. The engrossed bill has now been read. The question is on its passage.

The bill was passed.

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

CAROLINE WILKINSON.

The next unfinished business was the bill (H. R. 1513) granting a pension to Caroline Wilkinson.

The bill was read.

Mr. LOUDENSLAGER. I ask that this bill be laid aside.

There being no objection, it was so ordered.

RACHEL WADDELL.

The next unfinished business was the bill (H. R. 9683) granting a pension to Rachel Waddell, of Newport, Tenn.

The bill, together with the amendments reported by the Committee of the Whole, was read.

Mr. MILNES. This bill belongs to the same class as the one just laid aside. I ask that this also be laid aside.

Mr. ANDERSON. I object.

Mr. LOUDENSLAGER. Then I move that the bill be laid aside.

The motion was agreed to.

WILLIAM N. WELLS.

The next unfinished business was the bill (H. R. 6268) to increase the pension of William N. Wells.

The bill was read.

The SPEAKER. This is an engrossed bill which has been read. The question is on its passage.

The bill was passed.

JOHN J. CROSS.

The next unfinished business was the bill (H. R. 2321) to increase the pension of John J. Cross.

The bill was read.

The SPEAKER. This is an engrossed bill which has been read. The question is now on its passage.

The bill was passed.

MARY L. TWEDDLE.

The next unfinished business was the bill (H. R. 5793) granting a pension to Mary L. Tweddle.

The bill was read.

Mr. TALBERT. I ask for the reading of the report.

The report was read.

Mr. TALBERT. Mr. Speaker, as has been shown by the reading of the report, the husband of this woman was not considered as having any pensionable rate at the Pension Bureau. Then, again, this woman married after the act of June 29, 1890, which specially provided that no marriage after that act should entitle the widow to a pension. It seems, therefore, that the passage of this bill would be in direct violation of specific and definite law. The question is whether this House will abide by the law in this case or override it. I move that the bill be laid on the table.

The motion was agreed to.

ANTON ERNST.

The next unfinished business was the bill (H. R. 8075) to remove the charge of desertion from the military record of Anton Ernst.

The bill was read.

The SPEAKER. The question is on ordering this bill to be engrossed and read a third time.

The bill was ordered to be engrossed and read a third time; and it was accordingly read the third time.

The question being taken on the passage of the bill, there were, on a division (called for by Mr. TALBERT)—ayes 50, noes 2.

Mr. TALBERT. No quorum.

The SPEAKER proceeded to count the House.

Mr. TALBERT (before the result of the count was announced).

Mr. Speaker, I have no disposition to block business. If the gentleman in charge of this bill will allow it to be passed over without prejudice, I am perfectly willing. This is not a meritorious bill.

The SPEAKER. There is a quorum present. The ayes have it; and the bill is passed.

HARRIET M. KNOWLTON.

The next unfinished business was the bill (S. 719) to restore a pension to Harriet M. Knowlton.

The bill was read.

The SPEAKER. This is a Senate bill, and the question is on ordering it to a third reading.

Mr. ERDMAN. I ask for the reading of the report.

The report was read.

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

The SPEAKER. The question is now on the passage of the bill.

Mr. TALBERT. I move that the bill be laid on the table. One similar to this—the case of a remarried widow—was laid on the table.

The question being taken on the motion to lay the bill on the table, it was rejected; there being—ayes 27, noes 49.

The bill was then passed.

PETER ANDERSON.

The next unfinished business was the bill (H. R. 2035) granting an increase of pension to Peter Anderson, of Strong City, Kans.

The bill, with the amendments reported from the Committee of the Whole House, was read.

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

The SPEAKER. Without objection, the amendment to the title of this bill, as recommended by the committee, will be agreed to.

There was no objection.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed without amendment bill and joint resolution of the following titles:

A bill (H. R. 10278) to reorganize the judicial districts of Arkansas, and for other purposes; and

Joint resolution (H. Res. 252) authorizing the Secretary of War to deliver to the mayor of Buffalo tents, in loan, for the convenience of the Grand Army of the Republic at its annual encampment, to be held this year at that city.

The message also announced that the Senate had disagreed to the amendments of the House of Representatives to the bill (S. 3614) to aid in the improvement of the navigable channel of the South Pass by closing the existing crevasse in Pass a Loutre, in the Mississippi River, asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. CAFEY, Mr. NELSON, and Mr. VEST as the conferees on the part of the Senate.

The message also announced that the President of the United States having returned to the Senate, in compliance with its request, the bill (S. 3328) to amend an act entitled "An act to repeal the timber-culture laws, and for other purposes," the Senate had proceeded to reconsider said bill, and had resolved that it had disagreed to the amendments of the House of Representatives to said bill, asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. PETTIGREW, Mr. BERRY, and Mr. CARTER as the conferees on the part of the Senate.

WASHINGTON BAKER.

The next unfinished business was the bill (H. R. 4517) granting a pension to Washington Baker, reported from the Committee of the Whole with amendments.

Mr. ERDMAN. Mr. Speaker, I ask that the report in that case be read.

The report was again read.

The amendments were concurred in, and the bill as amended ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

JOHN M. LAUGHLIN.

The next unfinished business was the bill (H. R. 7688) for the relief of John M. Laughlin, reported from the Committee of the Whole with an amendment.

The amendment was read and agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

HENRY O. HYRE.

The next unfinished business was the bill (H. R. 7079) to increase the pension of Henry O. Hyre, reported from the Committee of the Whole with an amendment.

The amendment was read and agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

SOLOMON KLINE.

The next unfinished business was the bill (H. R. 7073) to increase the pension of Solomon Kline, reported from the Committee of the Whole with an amendment.

Mr. ERDMAN. I ask for the reading of the report in that case. The report was again read.

The amendment recommended by the committee was agreed to, and the bill as amended ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

WILLIAM C. ESTILL.

The next business reported from the Committee of the Whole was the bill (H. R. 6497) granting a pension to William C. Estill, with the recommendation that the bill do lie on the table.

The question was taken; and the recommendation of the committee was concurred in.

The bill was accordingly laid on the table.

GEORGE F. MILLER.

The next unfinished business was the bill (H. R. 2153) to amend the military record of George F. Miller, reported from the Committee of the Whole with an amendment.

Mr. TALBERT. I would ask to have the report in that case read.

The report was read at length.

Mr. TALBERT. I move that that bill lie on the table.

The question was taken; and on a division (demanded by Mr. TALBERT) there were—yeas 9, nays 50.

Mr. TALBERT. No quorum.

The SPEAKER (having counted the House). One hundred and seventy-four members are present; not a quorum.

Mr. TALBERT. I am not trying to block legislation. If the committee will withdraw the bill, I will withdraw the point.

The SPEAKER. It is not possible for the gentleman to withdraw it after the count.

Mr. TALBERT. I am only desirous of getting rid of these outrageous bills—

The SPEAKER. The gentleman is not in order.

Under the rules, the previous question will be considered as ordered, and the yeas and nays will be taken. The Clerk will call the roll.

The Chair will state that members who are present and desire to vote either for or against the proposition will be so recorded. Those who desire to be simply recorded as present will so respond. The doors will now be closed, and the Clerk will call the roll.

Mr. TALBERT. I wish to submit a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. TALBERT. I would like to ask if the vote is not now to be taken on the motion to lay on the table?

The SPEAKER. That is the question.

The question was taken; and there were—yeas 51, nays 143, not voting 161; as follows:

YEAS—51.

Table of names for YEAS: Abbott, Adams, Allen, Miss., Avery, Bailey, Bankhead, Bartlett, Ga., Bartlett, N. Y., Bell, Tex., Clardy, Cobb, Cooper, Tex., Cox, Crisp, Culberson, Cummings, Dinsmore, Dockery, Erskine, Harrison, Howard, Huff, Kleberg, Kyle, Latimer, Linney, Little, Maddox, Maguire, Martin, McCreary, Ky., McCulloch, McLaurin, McMillin, McKee, Money, Neill, Ogden, Owens, Pendleton, Richardson, Robertson, La., Shuford, Steele, Strowd, N. C., Talbert, Tate, Terry, Williams, Woodard, Yoakum.

NAYS—143.

Table of names for NAYS: Aldrich, T. H., Aldrich, W. F., Anderson, Andrews, Apsley, Atwood, Baker, N. H., Barham, Barney, Barrett, Bell, Colo., Bishop, Blue, Brewster, Bromwell, Burrell, Burton, Mo., Burton, Ohio, Calderhead, Chickering, Clark, Iowa, Clark, Mo., Codding, Comolly, Cook, Wis., Cousins, Crowther, Dalzell, Danford, Daniels, De Witt, Dovenor, Draper, Eddy, Ellis, Evans, Fenton, Fischer, Fletcher, Fowler, Gamble, Gardner, Gibson, Gillet, N. Y., Griffin, Griswold, Grows, Hart, Hatch, Heatwole, Henry, Conn., Henry, Ind., Hermann, Hilborn, Hill, Hopkins, Howell, Hubbard, Hulick, Hunter, Hurley, Jenkins, Kerr, Kirkpatrick, Knox, Lacey, Layton, Lefever, Leighty, Leisenring, Lewis, Linton, Lorimer, Loudenslager, Low, Mahany, McClellan, McKean, McLachlan, Meiklejohn, Mercer, Miller, Kans., Milnes, Mitchell, Mondell, Moody, Mozley, Murphy, Murray, Newlands, Noonan, Parker, Payne, Pearson, Perkins, Phillips, Poole, Prince, Pugh, Quigg, Robinson, Pa., Royse, Russell, Conn., Scranton, Shafer, Sherman, Simpkins, Snover, Sorg, Southard, Spalding, Sperry, Stable, Stephenson, Stewart, N. J.

Table of names: Stewart, Wis., Stone, W. A., Strode, Nebr., Strong, Sulloway, Sulzer, Taft, Tawney, Taylor, Tracey, Updegraff, Van Horn, Van Voorhis, Wadsworth, Walker, Mass., Walker, Va., Warner, Watson, Ohio, Wellington, Willis, Wilson, Idaho, Wilson, N. Y., Wilson, Ohio, Wood, Woodman, Woomey, Wright.

NOT VOTING—161.

Table of names for NOT VOTING: Acheson, Aitken, Aldrich, Ill., Allen, Utah, Arnold, Pa., Arnold, R. I., Babcock, Baker, Kans., Baker, Md., Bartholdt, Beach, Belknap, Bennett, Berry, Bingham, Black, Boatner, Boutelle, Bowers, Broderick, Brosius, Brown, Brumm, Buck, Bull, Cannon, Catchings, Clarke, Ala., Cockrell, Coffin, Colson, Cooke, Ill., Cooper, Fla., Cooper, Wis., Corliss, Cowen, Crowley, Crump, Curtis, Iowa, Curtis, Kans., Curtis, N. Y., Dayton, De Armond, Denny, Dingley, Dolliver, Doolittle, Ellett, Fairchild, Faris, Fitzgerald, Foote, Foss, Gillett, Mass., Goodwyn, Graff, Grosvenor, Grout, Hadley, Hager, Hainer, Nebr., Hall, Halterman, Hanly, Hardy, Harmer, Harris, Hartman, Heiner, Pa., Hemenway, Henderson, Hendrick, Hepburn, Hicks, Hitt, Hooker, Huling, Hull, Hutcheson, Hyde, Johnson, Cal., Johnson, Ind., Johnson, N. Dak., Jones, Joy, Kem, Kendall, Kiefer, Kulp, Lawson, Leonard, Lester, Livingston, Long, Loud, Mahon, Marsh, McCall, Mass., McCall, Tenn., McCleary, Minn., McClure, McCormick, McDearmon, Meredith, Meyer, Miles, Miller, W. Va., Milliken, Miner, N. Y., Minor, Wis., Morse, Moses, Northway, Odell, Otey, Otjen, Overstreet, Patterson, Pickler, Pitney, Powers, Price, Raney, Ray, Reeves, Reyburn, Rinaker, Rusk, Russell, Ga., Sauerhering, Sayers, Settle, Shannon, Shaw, Skinner, Smith, Ill., Smith, Mich., Southwick, Sparkman, Spencer, Stallings, Stone, C. W., Stokes, Strait, Swanson, Thomas, Thorp, Towne, Tracewell, Treloar, Tucker, Turner, Ga., Turner, Va., Tyler, Wanger, Washington, Watson, Ind., Wheeler, White, Wilber, Wilson, S. C.

So the motion that the bill lie on the table was rejected. The Clerk announced the following additional pairs:

Until further notice:

Mr. MCCALL of Massachusetts with Mr. JONES.

For the remainder of this day:

Mr. HULING of West Virginia with Mr. MOSES.

The following members were recorded as present:

Messrs. BAKER of Kansas, BELKNAP, BOATNER, BRODERICK, COFFIN, COOPER of Florida, DENNY, FOWLER, HANLY, HEMENWAY, JOHNSON of Indiana, JOHNSON of North Dakota, KEM, KENDALL, LAWSON, LEIGHTY, LOUD, MCCALL of Massachusetts, MCCALL of Tennessee, MINOR of Wisconsin, PRICE, SMITH of Illinois, MILLER of West Virginia, SPARKMAN, and WASHINGTON.

The result of the vote was announced as above recorded.

The amendment recommended by the committee was agreed to. The bill as amended was ordered to be engrossed and read a third time.

Mr. TALBERT. Mr. Speaker, I demand the reading of the engrossed copy of the bill.

The SPEAKER pro tempore. The gentleman from South Carolina demands the reading of the engrossed copy. The bill will have to be laid aside, and the Clerk will report the next bill.

NATHAN MITCHELL.

The next business considered was the bill (H. R. 5612) granting a pension to Nathan Mitchell.

The bill was read.

Mr. TALBERT. Let us have the report read.

The report (by Mr. HARDY) was read.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

Mr. LOUD. I should like to ask if this is one of those bills to pension a teamster. That is what it seems to be.

Mr. LOUDENSLAGER. Oh, no; I beg the gentleman's pardon—

Mr. LOUD. Well, perhaps there is even some question about his having been a teamster. I will admit that.

Mr. LOUDENSLAGER. He accompanied General Taylor's army from Corpus Christi to the Rio Grande, I will say to the gentleman from California [Mr. LOUD].

Mr. LOUD. Of course the records show that this man never had any service, and all that the report claims is that he had charge of a body of teamsters, and some individual states that he served in a battle somewhere, but he does not seem to know where. That is about the substance of the report, is it not?

Mr. LOUDENSLAGER. The report sets forth his service as given by General Prevost, and also other affidavits which are on file. There is a letter of F. V. Britton, late an officer of the United States Army, dated Rancho, near Corpus Christi, Tex., January 7, 1859, in which he certifies that Mr. Mitchell was reported to him (Britton) at Fort Brown as having been placed in

command of all unattached teamsters, convalescents, etc., for service in the defense of the fort, and that he (Mitchell) served faithfully in battle, as well as in every other situation his duties to the Government placed him.

Gen. D. E. Twiggs, late of the Army, also certifies, under date of December 18, 1858, to the fact of claimant's participation in the defense of Fort Brown. There is other evidence of the service.

While I can not recall all the affidavits on file, yet I know that the examination was full and satisfactory to the committee, and his war record was clearly made out.

Mr. LOUD. Does it not seem very strange to the gentleman who is chairman of a committee that deals with these cases, that there should be no record of a man who, it is claimed, was regularly enlisted and regularly discharged? Is not that assuming that there is no record of such an event, and that we must come here and present to Congress simply the affidavit of some individual whom nobody knows anything about to testify to the service?

Mr. LOUDENSLAGER. It may appear strange to the gentleman from California [Mr. LOUD]—

Mr. LOUD. Well, yes, it does.

Mr. LOUDENSLAGER. The gentleman from Texas [Mr. NOONAN] introduced this bill. Perhaps he is more conversant with the facts than I am.

Mr. NOONAN. The bill, as presented, is, in my judgment, a meritorious one. I think the report of the committee can be verified and has been verified in many ways. This man is entitled to the pension that he asks. He really acted as an officer in that campaign. The gentleman from California [Mr. LOUD] asks why the records do not show that. Now, I have no personal experience in the matter; but I am told by those who were there that in the time of the Mexican war, and especially on the frontier of Texas, they were not always so particular about the keeping of records. He was at Fort Brown as a clerk in the first instance, and afterwards was designated to perform duty as a ranger, which he did. All those who are familiar with the condition of affairs there at that time verify what I have stated about the difficulty of obtaining precise records. I think gentlemen are hypercritical when they ask that these things be verified at this late day. It is true that he was not upon the muster roll; but he was designated to perform this duty and did perform it as directed by his superior officer, and his action was considered meritorious at that time by the officer in command. I think the House, in its discretion, which we are compelled to exercise in cases of this character, ought to grant what is asked for in this case. It is only \$8 a month. The man is now nearly blind, and he performed the duty to which he was assigned by his superior. The man was a soldier and is entitled to this relief.

Mr. LOUD. I have not yielded the floor. I find in the report that in the spring of 1846 this man accompanied General Taylor's army from Corpus Christi, Tex., to the Rio Grande, in the capacity of forage master. Subsequently—and this is the only specially meritorious service that I find referred to in the report—it is stated that he had command of a lot of teamsters somewhere when the Mexican war was going on. Anybody who knows anything about the records of Government service knows that where a man was properly enlisted and properly discharged there must be a record of that event.

Now, even the War Department states emphatically that there is no record as to this man's service. The gentleman assumes to say that is not very strange, because that was a long time ago; yet permit me to say to-day that there is a most perfect record of any man who ever was legitimately in the service during the Revolutionary war. It is true that many cases are presented to Congress where men were called out for five or ten days in some imaginary emergency and that there is no record of their service; but I say it is a matter of impossibility, which the gentleman himself must well know, to erase by time any of the official records of the War Department. I do not know but what this is about as good a case as the average. I think, perhaps, it has a little more merit in the sympathetic line, because the gentleman is old; but that is the only merit—that this man wants it, and is old.

Mr. LOUDENSLAGER. Mr. Speaker, I am sure that the gentleman from California would not desire to mislead the House.

Mr. LOUD. No; I want to be perfectly frank and take the evidence we have.

Mr. LOUDENSLAGER. Still I am inclined to think that the selection by the gentleman of that portion of the report which he has read might mislead the House. It is true the beneficiary was connected with the Quartermaster's Department as forage master, but in the report, and but a few lines below, it makes a statement that he was mustered into the service as a private.

Mr. LOUD. But you can not prove that. That is simply a statement of your committee. You offer no evidence to prove that; and I say if he was mustered into the service, that it is impossible that the records of the War Department should not show that fact.

Mr. LOUDENSLAGER. If the gentleman will pardon me, I

was about to show him how much proof was on file in regard to that statement.

Mr. LOUD. That is what I want.

Mr. LOUDENSLAGER (reading):

He was mustered into the service as private of Capt. Sam H. Walker's company of scouts.

That company was ordered out on the bombardment of Fort Brown and entered into that eight days' engagement. Now, that statement of the committee and the report of the committee as made by the gentleman from Indiana [Mr. HARDY] are based upon the facts set forth in the letters of F. V. Britton, an officer of the United States Army, and are based upon his statement of the fact that that soldier was there.

Mr. LOUD. Do you know this officer?

Mr. LOUDENSLAGER. I do not know him.

Mr. LOUD. That is simply a statement of some individual that you know nothing about.

Mr. LOUDENSLAGER. Not at all.

Mr. LOUD. And you place against the most perfect records of the War Department simply the unsubstantiated statement of a person whom you do not know and have no knowledge of his existence.

Mr. LOUDENSLAGER. This is a declaration that he was an enlisted man. It does say he was mustered into the service at that special time and did perform service for his Government at the bombardment of that fort.

Mr. LOUD. That is, this eight days?

Mr. LOUDENSLAGER. That eight days' engagement.

Mr. LOUD. That would not entitle him to a pension in any event.

Mr. LOUDENSLAGER. I beg leave to state that he did more and longer service than that in that company of scouts.

Mr. NOONAN. Mr. Speaker, I am not familiar with the rules that prevailed at that time or the regulations of the War Department; but I do know, from my association with this man and those who acted with him, that he was a soldier and acted in that capacity. There was at that time an exigent necessity for some man to take command of these troops. This man was specially called upon, and this man did serve and receive the commendation of his officers. Every man who discharges duty of that kind in such an emergency is entitled to consideration when he applies for a pension.

Mr. LOUD. Where are those commendations? They do not seem to appear here.

Mr. NOONAN. The report is probably not as full as it might have been; but I know the man. He is an old, substantial citizen and was a soldier at that time. He discharged many arduous duties on that frontier. Now he is totally blind and he ought to have this pension. To refuse him \$8 a month I think is getting hypercritical upon the question of pensions. I know him personally, and saw him.

Mr. LOUDENSLAGER. I desire to say to the gentleman from California that this statement is backed up by Gen. D. E. Twiggs.

Mr. LOUD. Who is he?

Mr. NOONAN. The gentleman, if he is familiar with the military records of the country, ought to know General Twiggs. At one time he commanded that department.

Mr. LOUD. I know, but he died a great many years ago, if I remember correctly.

Mr. LOUDENSLAGER. And his statement was made a great many years ago.

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

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

MRS. JULIA JONES DUNCAN.

The next unfinished business was the bill (S. 1975) granting a pension to Mrs. Julia Jones Duncan, reported from the Committee of the Whole.

Mr. ERDMAN. Mr. Speaker, if the report in that case is not very long, I desire to have it read.

The report was read.

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

WESLEY A. PLETCHER.

The next unfinished business was the bill (H. R. 5183) granting an increase of pension to Wesley A. Pletcher, reported from the Committee of the Whole with an amendment.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

ALBERT BROWN.

The next unfinished business was the bill (H. R. 7647) granting a pension of \$30 per month to Albert Brown, reported from the Committee of the Whole with amendments.

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

MRS. HELEN A. DE RUSSY.

The next unfinished business was the bill (H. R. 6159) to increase the pension of Mrs. Helen A. De Russey, reported from the Committee of the Whole with amendments.

The amendments were agreed to.

The question being taken on ordering the bill to be read a third time, the Speaker pro tempore declared that the ayes seemed to have it.

Mr. MILNES. I ask for a division.

The House divided; and there were—ayes 44, noes 2.

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

GROTIUS N. UDELL.

The next unfinished business was the bill (H. R. 3605) granting a pension to Grotius N. Udell, reported from the Committee of the Whole with amendments.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Grotius N. Udell, late of Company B, Sixth Regiment Iowa Infantry, and pay him a pension of \$50 per month from and after the passage of this act, in lieu of the pension he is now receiving, for total inability to perform manual labor.

Mr. ERDMAN. I call for the reading of the report.

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

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 3605) granting a pension to Grotius N. Udell, late a private in Company D, Sixth Iowa Volunteer Infantry, having carefully examined all the facts and circumstances in evidence, submit the following report:

Soldier served from July 17, 1860, until January 5, 1863. He filed claim and was pensioned from January 6, 1863, at \$8 per month, for seven gunshot wounds in right shoulder, right lung and arm, and results. His pension was increased to \$18 per month from April 15, 1874, and increased to \$24 a month from March 3, 1883, and increased to \$36 a month commencing September 7, 1892. His claim for \$50 a month was rejected January 23, 1896, for failure to show a degree of disability which would entitle him to \$50 a month.

The evidence shows that the injuries from which the claimant suffers were received at the battle of Shiloh, April 6, 1862.

Drs. John W. Webb, A. W. Coleman, and W. A. Boyden, reputable citizens and excellent physicians of Denver, Colo., testify that claimant is totally disabled and helpless, and that he requires the constant attention of one person; and the board of examining surgeons, under date of September 7, 1892, say, after describing the wounds: "The claimant is so disabled from his three gunshot wounds and other injuries described as to be incapacitated for any manual labor. He requires the aid of another person in feeding and dressing himself. He requires frequent and periodical, though not regular and constant, aid and attendance of another person, and we recommend a rating of \$50 intermediate between first and second grade."

In view of all the facts we believe him entitled to a pension of \$50 per month. We therefore recommend that the bill be amended by inserting the word "private" between the words "late" and "of," in line 6, and by striking out the words "from and after the passage of this act," in line 8, and by striking out all words after the word "receiving," in the ninth line of said bill, and as so amended that the bill do pass.

The SPEAKER pro tempore. The question is on the amendments.

Mr. SHAFROTH. Mr. Speaker, I would like to ask to move that this bill be amended so as to grant a pension of \$72 per month instead of \$50 per month. Since the bill was reported by the committee this man has been stricken with paralysis so that his body and limbs are paralyzed and he requires the care and attendance of some person all the time. I have here two affidavits which substantiate these facts. Therefore I move that the bill be amended by striking out the word "fifty," in the seventh line, and inserting "seventy-two" in lieu thereof.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Strike out the word "fifty," in line 7, and insert in lieu thereof the words "seventy-two."

The SPEAKER pro tempore. The question is on the amendment.

Mr. RICHARDSON. Mr. Speaker, I would like very much, before the vote is taken, to hear the affidavits read.

The affidavits were read, as follows:

STATE OF COLORADO, County of Arapahoe, ss:

On this, 10th day of February, 1897, personally appeared before me, R. Lee Bert, clerk and recorder within and for the county and State aforesaid, Joseph Anderson, a resident of Denver, in the county and State aforesaid, who, being duly sworn according to law, declares in relation to Grotius N. Udell, late first sergeant Company D, Sixth Regiment Iowa Infantry, as follows: I have been a regular practicing physician and surgeon during the past forty-four years, a larger portion of which time has been passed in practicing medicine and surgery in the vicinity of Denver, Colo., where I am now a regular practitioner in good standing. I was first called to make a professional examination of the claimant, Grotius N. Udell, on the 15th day of February, 1895, at Denver, Colo. I found a scar between the third and fourth ribs, front, and one back, just at the lower point of the scapula, on right side, with emphysema of right lung. I also found a scar between seventh and ninth ribs, right side, back of the million line, with point of exit, from the appearance, just below the ninth rib on left side, about one-quarter inch from spinal column, said scars said to have been caused by gunshot wounds received at the battle of Shiloh, Tenn. I also found partial paralysis of right arm, with

considerable atrophy of the same; also partial paralysis of both legs, being unable to dress or undress himself, or to cut his food, the aforesaid paralysis being the result of said injuries, there being no other apparent cause. I also found two scars in the right nates, only flesh, the bone not being injured. I attended him professionally until on or about the 8th day of November, 1896. I was called and found the patient suffering from total paralysis of body and limbs, with brain badly affected, and totally helpless. He was unable to move, could swallow with extreme difficulty, and scarcely able to articulate. His condition has somewhat improved, but he is still unable to care for himself in any way, and at times his mind wanders and his brain becomes clouded. He requires the constant attendance of other persons, being wholly confined to his bed, except at brief intervals, when he is removed therefrom for sanitary purposes. I have attended him constantly since his last attack, and can say professionally that his case, that has been fully explained, is one that has required my constant attention, and one which seems to me to indicate that the patient will never again be able to use his limbs without the aid of crutches or other assistance, if at all. My post-office address is 3147 Race street, and I have no interest direct or indirect in this claim, nor am I in any way related to the claimant.

JOSEPH ANDERSON, M. D.

Sworn to and subscribed before me this day, and I certify that the affiant was fully acquainted with the contents of the foregoing declaration before he executed the same, and that I have no interest direct or indirect in the prosecution of this claim.

[SEAL]

R. LEE BERT,

County Clerk.

By M. HEWITT, Deputy.

STATE OF COLORADO, County of Arapahoe ss:

In the matter of claim for special pension for Grotius N. Udell, late first sergeant Company D, Sixth Regiment Iowa Infantry, on this 10th day of February, 1897, personally appeared before me, R. L. Bert, clerk and recorder within and for the county and State aforesaid, H. H. Hamer, aged 56 years, a resident of Denver, in the county and State aforesaid, a person whom I certify to be reputable and entitled to credit, who, being duly sworn according to law, declares as follows, to wit: I am a constant daily attendant and nurse to Grotius N. Udell, who was formerly a soldier in the war of the rebellion. He had a stroke of paralysis on or about the 8th day of November, 1896, at which time I was present and assisted in caring for him, I at that time being employed by him to attend to his horse, cow, and chickens; he was perfectly helpless and could not move hand or foot, and unconscious; a physician was called, Dr. Joseph Anderson, under whose care he has since been, sometimes being assisted by another physician, an uncle of the patient; at no time since has he been able to help himself at all, and at times is out of his head; whenever he is moved it is necessary to use the force of another person, as the patient is wholly and entirely helpless, and can not aid himself in any manner. I have been relieved a portion of the time at night by the assistance of another man sent for that purpose by some of the societies to which the patient belongs. I have also been materially assisted by the wife and mother of the patient, as it would be almost impossible for one person to attend him alone. My post-office address is 2150 State street, Denver, Colo., and I am in no way related to claimant, and not interested in his claim in any way.

H. H. HAMER.

Sworn to and subscribed before me this day, and I certify that the affiant was fully acquainted with the contents of the foregoing declaration before he executed the same, and that I have no interest, direct or indirect, in the prosecution of this claim.

[SEAL.]

R. L. BERT,

County Clerk.

By J. S. HUGHES,
Deputy.

Mr. SHAFROTH. Under this state of facts this man would be entitled by the general law to a pension of \$72 per month, and inasmuch as these increased disabilities have arisen from injuries received during the war and have culminated in paralysis since the report of the committee has been filed, I ask that the amendment be adopted.

Mr. LOUD. If there is any evidence which this applicant can produce to substantiate this state of facts set forth by the gentleman here, why can he not get \$72 a month from the Pension Office?

Mr. SHAFROTH. I think he could, but the difficulty is the long delay. This man received seven gunshot wounds, and the office is allowing him at present \$36 a month for disability incurred in the service; but where paralysis of both limbs has set in, so that the man needs the constant care and attendance of another person, it seems to me that the case is clear for a pension of \$72 a month. This applicant had his claim here, it was reported upon by the committee, and now, since the report of the committee was made, this increased disability has occurred.

Mr. LOUD. I did not pay very close attention to the reading of the affidavits. Do these physicians certify that the paralysis is the result of disability incurred in the service?

Mr. SHAFROTH. There can be no doubt about it from the affidavits.

Mr. LOUD. Oh, there might be. Men are sometimes paralyzed who never were in the service.

Mr. SHAFROTH. There might be, but in this case there seems to be none.

The amendment of Mr. SHAFROTH was agreed to.

The amendments recommended by the committee were then adopted.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

ELIZA CRAIG HECKMAN.

The next unfinished business was the bill (S. 1816) granting a pension to Eliza Craig Heckman, widow of Brig. Gen. Charles A. Heckman, reported from the Committee of the Whole.

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

BENJAMIN F. YOUNG.

The next unfinished business was the bill (H. R. 2395) granting a pension to Benjamin F. Young, late private of Company G, First Regiment Ohio Volunteer Cavalry.

The bill, with the amendment reported from the Committee of the Whole, was read.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

CATHARINE HARRIS.

The next unfinished business was the bill (H. R. 6922), to pension Catharine Harris.

The bill, with the amendment reported from the Committee of the Whole House, was read.

Mr. ERDMAN. I call for the reading of the report.

The report was read.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

EDWARD VUNK.

The next unfinished business was the bill (H. R. 3842) to increase the pension of Edward Vunk.

The bill, with the amendments reported from the Committee of the Whole House, was read.

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

ZOLMAN TYRRELL.

The next unfinished business was the bill (H. R. 4539) granting a pension to Zolman Tyrrell, late Company A, First New York Engineers.

The bill, with the amendments reported from the Committee of the Whole House, was read.

Mr. ERDMAN. I call for the reading of the report.

The report was read.

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

CAROLINE A. GROSHON.

The next unfinished business was the bill (H. R. 7489) granting a pension to Caroline A. Groshon.

The bill was read.

The SPEAKER pro tempore. The recommendation of the Committee of the Whole House is that this bill be recommitted to the Committee on Pensions. The question is on agreeing to that report.

The report was agreed to.

WILLIAM SHEPPARD.

The next unfinished business was the bill (H. R. 3402) granting a pension to William Sheppard, late of Company A, Sixteenth Regiment Indiana Volunteer Infantry.

The bill, with the amendments reported from the Committee of the Whole House, was read.

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

LYDIA W. HOLLIDAY.

The next unfinished business was the bill (H. R. 7432) for the relief of Lydia W. Holliday, of Wheeling, Ohio County, W. Va.

The bill, with the amendment reported by the Committee of the Whole House, was read.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

The SPEAKER pro tempore. In the absence of objection, the proposed amendment to the title will be considered as agreed to. There was no objection.

JOSEPH S. BUNKER.

The next unfinished business was the bill (H. R. 649) granting a pension to Joseph S. Bunker.

The bill, with the amendment reported from the Committee of the Whole House, was read.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

DANIEL T. TOLLETT.

The next unfinished business was the bill (S. 2832) for the relief of Daniel T. Tollett.

The bill, having been read, was ordered to a third reading, read the third time, and passed.

The next unfinished business was the bill (H. R. 7501) for the relief of Daniel T. Tollett.

The SPEAKER pro tempore. The recommendation of the Com-

mittee of the Whole House is that this bill lie upon the table. Without objection, it will be so ordered.

There was no objection.

CORYDON WINKLER.

The next unfinished business was the bill (H. R. 2974) to correct the military record of Corydon Winkler, late private Eighth Company, First Battalion, First Ohio Sharpshooters.

The bill, with the amendment reported from the Committee of the Whole House, was read.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

JAMES W. DUNN.

The next unfinished business was the bill (S. 321) granting a pension to James W. Dunn.

The bill, with the amendment reported from the Committee of the Whole House, was read.

Mr. ERDMAN. I ask for the reading of the report.

The report was read.

Mr. ERDMAN. I want to call the attention of the House to this extended report. It is drawn in accordance with the principle enunciated years ago and adopted by the committee, that "it is better not to know so many things than to know so many things that are not true." One short paragraph upon a bill granting a pension like this!

The question being taken, the amendment was agreed to.

The bill as amended was ordered to a third reading, read the third time, and passed; there being—ayes 56, noes 14.

JANE H. VANDEVER.

Mr. HENDERSON. Mr. Speaker, does that complete the unfinished business?

The SPEAKER. It does.

Mr. HENDERSON. If I may be permitted, I should like to make a brief statement, and to ask unanimous consent for the consideration of a bill.

The SPEAKER. The gentleman will proceed.

Mr. HENDERSON. Mr. Speaker, when the war broke out William Vandever was a member of this body, representing the district I now represent. He resigned his seat in Congress and went to the front, serving until 1865, when he returned a brevet major-general. Subsequently he represented the Los Angeles district in this body for four years. He died, leaving a widow, who is now about 75 years of age, with one daughter, who as a stenographer and clerk, supported her mother. In October this daughter died. Senator ALLISON, who became General Vandever's successor in Congress, presented and secured the passage of a bill granting to the widow of the general \$50 per month. That bill has been favorably reported by the House Committee on Pensions, but the amount cut down to \$30. I would be glad to see it put back to \$50, but will not persist. But I will ask unanimous consent that this woman, without a dollar to support her, with no child or relative to help her, may have this favorable consideration of the House.

The SPEAKER. The Clerk will report the bill, after which the Chair will submit the request for unanimous consent.

The bill was read, as follows:

A bill (S. 2645) granting a pension to Jane H. Vandever.

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jane H. Vandever, widow of Gen. William Vandever, late of Ninth Regiment Iowa Infantry, and late brigadier-general United States Volunteers, at the rate of \$30 a month.

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

There was no objection.

Mr. HENDERSON. Mr. Speaker, I thank the House very much for the courtesy.

Now I will ask unanimous consent—I will not make the motion unless it is agreeable to the House—but I ask unanimous consent to make this amount \$50 per month. If the Chair will kindly submit that request to the body, I shall be very much gratified. That is the same amount that is fixed in the Senate bill.

Mr. LOUD. Mr. Speaker, I would like to say that I can not anticipate the reason why the gentleman should not make the motion himself; and in this connection I would be glad to make a suggestion—a word or two—in regard to this whole question.

I would not make the motion myself because I oppose the system of granting large pensions. But here is another illustration of either favoritism or persistency. A few days ago I called the attention of the House to the action of the Committee on Pensions, or Invalid Pensions—I do not now recall which, and I do not desire to make any invidious distinction—I called the attention of the House to the case of the widow of General Stoneman, where a bill was reported carrying \$30 per month, the widow of a most gallant and meritorious officer, from the standpoint on which you pension the widows of officers—a full general officer. Here comes the case of the widow of General Vandever, a sometime member

of this body, having resigned his seat here to go into the service. It comes from the Committee on Invalid Pensions with the recommendation of \$30 per month. And yet, permit me to say that this House to-day has passed three or four or five pension bills where I could not see for my part any more special merit than is involved in this case, and allowed \$50 a month in each case.

If there be a representative of the Pension or Invalid Pension Committee present, it seems to me that this is a moment, sir, for him to rise and explain to the House what method of procedure they do pursue in that body. If there are reasons why this woman should not have a pension, if there is anything in her life or the record of General Vandever that would debar her from receiving the amount you give to others, the House should be in possession of the information. And the gentleman from Iowa ought not to ask unanimous consent, but to make a motion. He is an advocate of pensions of this character. I am not. If the House is to act on these pension cases, let us endeavor to pursue a course of equity, and along the line that if we are to give a pension of \$50 a month to the widow of one brigadier-general or major-general, we should give it to all similarly situated, unless good reason is shown to the contrary.

I hope the gentleman will make the motion and not ask unanimous consent.

Mr. ANDREWS. Mr. Speaker, responding to the suggestion just offered by the gentleman from California [Mr. LOUD], I desire to submit a few words in reference to the rate of pension allowed on private bills coming from the Committee on Invalid Pensions. I understand the nature of this case. I understand the nature of the case of the widow of General Stoneman, to which he refers. I understand many other cases of a similar character that have been under consideration before the committee.

Some of the members of the committee believe that it is proper to recommend pensions ranging from \$50 to \$75 or even \$100 per month in these cases, while others believe that the thirty-dollar pension, as indicated by the general law, should be the rule observed so long as that general law is in force.

Many of these cases have been referred to me as a subcommittee-man for the bills originating in the territory embraced by the States of California, Utah, Idaho, Wyoming, Colorado, and Nebraska. I believed and still believe that these bills should be held within the range of the provisions of the general law, and that outside of these provisions we have no just anchorage for our deliberations.

Very much of the time of the House is worse than wasted in the discussions arising here day after day, but rather than deny these bills a place on the general Calendar, I have reported them to the committee at \$30 per month, even in those cases where widows were already receiving that rate directly through the Pension Office. I considered it fair and proper to the Members and Senators in the States named that they should have an opportunity before the House for presenting their cases as they might see proper, and leave the House to decide on the amount. I did not consider it fair that I, a subcommittee-man, should deny consideration of these bills when others were receiving larger ratings than I thought proper. Accordingly, I favored the placing of the bills on the Calendar for such action as the House might deem proper.

Mr. HENDERSON. Mr. Speaker, I would ask my friend from Nebraska [Mr. ANDREWS] if the widow of General Stoneman received \$30 or \$50?

Mr. ANDREWS. The report from the committee was for \$30 a month, and the bill was so passed in the House. It has gone to conference, and I understand that the conferees have not yet reported on that question.

Mr. HENDERSON. Mr. Speaker, I myself have not favored giving the large pensions which have been frequently reported to the House. My friend from California [Mr. LOUD] misstates my position when he classes me as one of those favoring large pensions.

Mr. LOUD. Well, I will use the word "liberal." I do not wish to say anything offensive.

Mr. HENDERSON. Yes, I believe in liberal pensions, but I do not believe in fancy pensions or unjust discriminations. Now, I made this request because I had understood that a great many similar bills had been passed at \$50 per month where the claimant had not as much reason for asking it as Mrs. Vandever has. In addition to what I have stated, Mrs. Vandever was one of a band of women who, from 1861 to 1865, stood on the banks of the Mississippi to receive the wounded and furloughed men brought home from the front, taking them to churches and hotels, where they were fed, clothed, and bedded; and while her husband was fighting at the front she was fighting in the rear, looking after those who came home wounded. I myself received her warm grasp when, coming home from Donelson, we crossed the Mississippi at Dubuque. I speak of her with feeling, for I believe she was braver and more noble and deserving even than General Vandever himself. When I asked unanimous consent I stated the situation, and I only ask for unanimous consent now to make it

\$50 because I would not take advantage of the courtesy of the House, after it has given me unanimous consent for the consideration of the bill.

Mr. CROWTHER. I should like to ask my friend a question. He says he is in favor of equitable pensions. I will ask him if he did not vote for a pension for the widow of General Gibson a few days ago at \$100 a month?

Mr. HENDERSON. I do not remember casting any such vote. I have voted against some of these larger pension bills myself during this session. I submit the request for unanimous consent.

The SPEAKER. The gentleman asks unanimous consent that \$50 be substituted for \$30.

Mr. HENDERSON. Yes, as in the Senate bill.

The SPEAKER. Perhaps the way to get it would be to vote down the amendment.

Mr. HENDERSON. I should like to put it in the form of unanimous consent. I want to treat the House fairly.

The SPEAKER. The gentleman asks unanimous consent that the amendment be considered as disagreed to. Is there objection?

Mr. WILLIAMS. I object.

Mr. HENDERSON. Then, Mr. Speaker, let it go at thirty.

The SPEAKER. The question is on agreeing to the amendment recommended by the committee.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. STEELE. Let us have a division on that.

The SPEAKER. A division is demanded.

Mr. MILNES. Mr. Speaker, I do not think the House knows what it is voting on.

The SPEAKER. As the bill has passed the Senate it grants a pension of \$50 per month. The House committee recommend that the word "fifty" be stricken out and the word "thirty" be substituted. The question is on agreeing to the amendment.

The House divided; and there were—ayes 31, noes 62.

Accordingly the amendment was rejected.

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

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

Mr. HENDERSON. I want to thank this House as I never did before for this action.

GEORGE W. FERREE.

Mr. ANDREWS. Mr. Speaker, a short time ago a message was received from the Senate announcing that it had passed the bill (H. R. 10040) granting an increase of pension to George W. Ferree with an amendment. I failed to catch the number of the bill when it was reported by the Senate clerk. A motion was made by the gentleman from Kansas [Mr. BLUE] to concur in that amendment, and the motion was agreed to. I desire now to move to reconsider the vote whereby the House concurred in the Senate amendment to the bill H. R. 10040. My purpose is to move that a committee of conference be appointed.

The SPEAKER. The gentleman moves to reconsider the vote whereby the House concurred in the Senate amendment.

Mr. STEELE. Let us know what the amendment was.

Mr. ANDREWS. I will state that the bill passed the House at \$30 per month. This soldier was totally disabled as the result of disease contracted in the service. The Senate amended the bill to \$20 per month. I am satisfied that the case clearly warrants a fifty-dollar rating. The House passed it at \$30 a month. My desire is to secure, if possible, concurrence in the House bill.

The question was taken on the motion to reconsider; and it was agreed to.

The SPEAKER. The question now is on concurring.

Mr. ANDREWS. I move that the House nonconcur in the Senate amendment and request a conference.

The SPEAKER. The original motion was a motion to concur. If the House votes in the negative, that will be nonconcurrence, and will reach the same point.

The question was taken on concurring in the Senate amendment, and the motion was rejected.

The SPEAKER. The gentleman from Nebraska moves that the House ask for a conference with the Senate on the disagreeing votes of the two Houses.

The motion was agreed to.

The SPEAKER. The Chair will appoint as conferees Mr. ANDREWS, Mr. CROWTHER, and Mr. BAKER of Kansas. [Cries of "Regular order!"] The Chair does not know who calls for the regular order.

PATRICK HANLEY.

Mr. COOK of Wisconsin. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 8706) to correct the military record of Patrick Hanley.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of War be, and he hereby is, authorized and directed to remove the charge of desertion standing against Patrick Hanley, late a private in Company H, Twenty-eighth Regiment Wisconsin Infantry Volunteers, and to issue to him an honorable discharge, to date December 19, 1862.

Mr. ERDMAN. Mr. Speaker, let us hear the report in this case.

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

The Committee on Military Affairs, to whom was referred the bill (H. R. 8706) to correct the military record of Patrick Hanley, having considered the same, would respectfully report such bill back to the House with the recommendation that the same do pass.

The facts upon which your committee rely for the clemency sought to be extended by this bill are briefly as follows: The soldier ran away from home and enlisted, without bounty, in Company H, Twenty-eighth Wisconsin, on the 20th day of August, 1862. He was then about 17 years old. He remained with his company in camp within his own State until December 19, 1862, when he obtained leave to visit his home, and while absent on such leave his regiment was ordered to the front, leaving the soldier behind. When he learned that the regiment had left, he followed them to Chicago. When he arrived there, the regiment had left. Not being able to learn of its whereabouts, he enlisted in the Mercantile Battery, but was rejected on account of physical defects.

On the 10th day of June, 1863, he again tendered his services to his country, and was assigned to the Navy, where he served faithfully for the full term of his enlistment, and was honorably discharged. Had he been accepted when he enlisted in the Mercantile Battery, the soldier could have been relieved under the general law.

It is apparent the soldier never did intend to desert, and although he had to enter the service against the wishes of his parents, when he was fairly in the service and beyond the influence of his parents he served faithfully during his full term.

The total bounty paid him for his entire enlistment was \$25.

The record of such soldier, Army and Navy, is hereto attached and made a part hereof.

DEPARTMENT OF THE NAVY, Washington, D. C., May 7, 1896.

SIR: Referring to your letter of the 6th instant to the honorable Secretary of the Navy, I have the honor to state that one Patrick Hanley enlisted in the Navy at Chicago, Ill., June 15, 1863, as seaman for one year. Served on board of the *Covington*, *Fairy*, and hospital *Pinckney*, and was discharged June 25, 1864.

Respectfully,

F. M. RAMSAY,
Chief of Bureau.

Hon. S. A. COOK,
House of Representatives.

RECORD AND PENSION OFFICE, WAR DEPARTMENT,
Washington City, April 17, 1896.

SIR: * * * It is shown by the records that Patrick Hanley was enrolled August 20, 1862, and was mustered into service October 14, 1862, in Company H, Twenty-eighth Wisconsin Infantry, to serve three years. He appears to have served faithfully to December 19, 1862, when he deserted. He never returned thereafter, although his company remained in service to August 31, 1865. No evidence has been found showing he was a minor at the date of his enlistment or was enlisted without the consent of his parents, or that he was released or discharged from such service by the order or decree of any court of competent jurisdiction on habeas corpus or other proper judicial proceedings.

It does not appear from the files of this office that an application for removal of the charge of desertion has been presented to this Department, and in the absence of testimony the status of the soldier can not be determined under the provisions of the act of Congress approved March 2, 1889, the only law now in force governing the removal of charges of desertion.

Very respectfully,

F. C. AINSWORTH,

Colonel, United States Army, Chief Record and Pension Office.

Hon. S. A. COOK,
House of Representatives.

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none. The question is on the engrossment and third reading of the bill.

Mr. TALBERT. Mr. Speaker, I do not care to enter objection to the consideration of this bill, for I objected a while ago and then agreed to withdraw it, but I am opposed to its passage. It seems to me that the time has passed, or at least ought to have passed, when deserters shall come to this House to have charges of desertion removed. It does seem to me they have had ample opportunity to do that in thirty-odd years. Take the legislation that has been passed by Congress in regard to the removal of the charge of desertion. Take the general laws, I mean, that have been passed. In the first place, after the war there was a general amnesty proclamation, issued by President Lincoln at the close of the war, allowing all deserters in such a time to come in and have the charge of desertion removed. As a matter of course, a great many of them availed themselves of that opportunity; and it was right that they should do so. It was an opportunity extended to them that ought to have been extended, because numbers had the charge of desertion entered against them who did not deserve to have such a stigma attached to their names.

I do not recollect the date of a number of the acts passed by Congress opening the door again to these men who had deserted their colors. I think there was a bill passed in 1832, or thereabouts, extending an invitation again to all soldiers who had deserted their flag and whose military record needed correction to come forward and avail themselves of that opportunity and have the privilege of having the charge of desertion removed from their record. Then, possibly, something was done in 1834. When that bill was passed, there was a proviso attached saying that all who did not avail themselves of the provisions of the act within five years after its passage should be forever debarred of the privilege. Then, I believe, in 1836 or 1837 there was another bill passed, after that time had elapsed. Many availed themselves of that opportunity.

The last act passed, according to my recollection, was in 1889, again opening the doors and inviting those men in to have the charge of desertion removed, and attached to that act was a proviso that to all who did not avail themselves of that act within three

years the door would again be barred. That was the last act passed by Congress on that subject, if my memory serves me right.

These are the reasons why the time should cease, when there should be some statute of limitations for these outrageous claims, giving an opportunity to have the charge of desertion removed from men who were not true to their flag, cowards who turned their backs on the field of battle. I am opposed to the passing of any such bill. For these reasons I hope this bill will not pass this House.

Some gentlemen have said to me, "Why not object?" I do not like that way of fighting. I dislike to exercise the authority given one man in that way. I believe that if these bills must come in we should have an opportunity to discuss them. I do not like to take advantage of a man who has introduced a bill by objecting. I do not like to object; but if I can not prevent their passage in any other way, I shall have to do that. I hope this House will set a precedent and show by their votes that there shall not be introduced or considered in this House such outrageous claims. I hope the House will act promptly for once in its life in regard to such measures, and that this bill will be killed. I have great respect for the gentleman who introduced the bill. He has talked with me about it time and again. I have looked over the report of the committee; but I am unwilling as a member of this House to cast my vote at this time to remove a charge of desertion against a soldier unless it is a case with mitigating circumstances, unless it is an exceptional case, and if it can be shown that this is an exceptional case, why, then, possibly it ought to pass.

Mr. WILSON of Ohio. Will the gentleman allow me to ask him a question?

Mr. TALBERT. Certainly.

Mr. WILSON of Ohio. I want to refer the gentleman to page 814 of the laws, where the law is named, approved March 2, 1895, whereby the authorization to remove the charge of desertion was extended, and it is now in existence.

Mr. TALBERT. In 1895?

Mr. WILSON of Ohio. Yes, sir. You evidently have not kept up with the legislation on this subject.

Mr. TALBERT. Possibly not. I stated that the act of 1889 was the last, if my memory serves me right. I am like the preacher who sometimes made mistakes. He was asked by a young lawyer if he always corrected them. He said, no, not always; sometimes he did and sometimes he did not. For instance, he said, when he was preaching once, he intended to say that Og was King of Bashan, but by a slip of the tongue he said that "hog was king of bacon," but he did not correct it because it was true. [Laughter.] So, in another case, when he intended to say that the devil was the father of all liars, he happened to say that "the devil was the father of all lawyers," but he let that stand also, because it was correct in a sense. [Laughter.] So, Mr. Speaker, I may be mistaken about the legislation on this subject, but I understand that the act of 1895, to which the gentleman refers, only allowed these claimants to go to the Pension Bureau, not to come here. However that may be, still I have made no mistake, and I am still opposed to these bills removing charges of desertion from the records of men who ran away from their duty. And now, if nobody has anything more to say or wants to ask me to correct any other mistakes, I move that the bill lie on the table.

The question being taken on the motion of Mr. TALBERT, the Speaker declared that the yeas seemed to have it.

Mr. TALBERT. I ask for a division.

The House divided; and there were—ayes 30, yeas 80.

So the motion was rejected.

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

EMMA WEIR CASEY.

Mr. WHEELER. Mr. Speaker, I ask unanimous consent for the present consideration of Senate bill No. 2729, granting a pension to Emma Weir Casey.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the general pension laws, the name of Emma Weir Casey, widow of the late Brig. Gen. Thomas Lincoln Casey, Chief of Engineers, United States Army, at the rate of \$75 a month.

Mr. ERDMAN. Mr. Speaker, a parliamentary inquiry. Under the order adopted this afternoon, must the House adjourn at 5 o'clock?

Mr. PAYNE. I do not think, Mr. Speaker, that the order requires the House to adjourn at that hour. It simply provides, according to my recollection, that this order of business shall continue until that hour.

Mr. ERDMAN. Then, Mr. Speaker, I demand the regular order until that time arrives, which I believe is to go into Committee of the Whole.

Mr. BLUE. Mr. Speaker, reserving the right to object to the bill presented by the gentleman from Alabama, I will say to him that unless the amount of that pension is reduced to \$50, I will object.

Mr. ERDMAN. I withdraw the demand.

Mr. LOUD. Mr. Speaker, I move that the House do now adjourn.

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

A division was called for.

The House divided; and there were—ayes 57, noes 41.

So the motion to adjourn was agreed to.

LEAVE OF ABSENCE.

Pending the adjournment, by unanimous consent, leave of absence was granted as follows:

To Mr. THOMAS, for ten days, on account of important business.

To Mr. BAKER of Maryland, indefinitely, on account of sickness.

To Mr. WELLINGTON, for two days, on account of important business.

To Mr. LEISENRING, for one day, on account of important business.

To Mr. BARTHOLDT, indefinitely, on account of sickness.

LEAVE TO WITHDRAW PAPERS.

Pending the adjournment, Mr. SNOVER, by unanimous consent, obtained leave to withdraw from the files of the House the papers in the case of J. Seymour Taylor, on condition that copies of the originals be left in the files of the House.

The House then (at 4 o'clock and 53 minutes p. m.) adjourned.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Biscayne Bay, Florida—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Arkansas River, Arkansas—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, inclosing a letter from the Chief of Engineers, transmitting a compilation of the general laws relating to the maintenance, preservation, and protection of the navigable waters of the United States, with a draft of a proposed act embodying such revision and enlargement of said laws as will be advantageous to the public interest—to the Committee on Revision of the Laws, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. HULL, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 10304) to repeal chapter 1061, Fiftieth Congress, approved October 1, 1888, being an act to grant right of way through the military reservation at Fort Morgan to the Birmingham, Mobile and Navy Cove Harbor Railway Company, and for other purposes, reported the same without amendment, accompanied by a report (No. 2951); which said bill and report were referred to the House Calendar.

Mr. KLEBERG, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 10213) selling to the State of Kansas part of the abandoned Fort Hays Military Reservation in said State, for the purpose of establishing western branches of the Kansas Agricultural College and of the Kansas State Normal College thereon, and for a public park, reported the same without amendment, accompanied by a report (No. 2962); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MEIKLEJOHN, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 10314) to amend an act entitled "An act to repeal the timber-culture laws, and for other purposes," reported the same without amendment, accompanied by a report (No. 2963); which said bill and report were referred to the House Calendar.

Mr. SHERMAN, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 6656) to authorize the Montgomery, Hayneville, and Camden Railroad Company to construct and maintain a bridge across the Alabama River between Lower Peachtree and Prairie Bluff, Ala., reported the same with amendment, accompanied by a report (No. 2964); which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

By Mr. LESTER, from the Committee on War Claims: The bill

(H. R. 523) for the relief of Charles V. Neidlinger. (Report No. 2948.)

By Mr. DANIELS, from the Committee on Elections No. 1: The bill (H. R. 4114) for the relief of W. E. Judkins, executor of Lewis McKenzie. (Report No. 2949.)

By Mr. RICHARDSON, from the Committee on the District of Columbia: The bill (H. R. 10321) authorizing the Commissioners of the District of Columbia to accept the bequest of the late Peter Von Essen for the use of the public white schools of that portion of said District formerly known as Georgetown. Reported as a substitute for H. R. 8098. (Report No. 2950.)

By Mr. PARKER, from the Committee on Military Affairs: The bill (H. R. 6797) to remove the charge of desertion against Levi Maxted, Lawrence, Kans. (Report No. 2952.)

By Mr. WOOD, from the Committee on Invalid Pensions:

The bill (H. R. 9031) to increase the pension of George Gaylord. (Report No. 2953.)

The bill (H. R. 1947) to grant a pension to Margaret Wolverton, child of Jacob Wolverton, Company K, Seventy-seventh Illinois Volunteer Infantry. (Report No. 2954.)

The bill (H. R. 9796) granting a pension to Turner J. Bowling. (Report No. 2955.)

By Mr. BAKER of Kansas, from the Committee on Invalid Pensions:

The bill (H. R. 10227) granting a pension to Milton Iserman, of Thirty-third New Jersey Volunteers (unassigned). (Report No. 2956.)

The bill (H. R. 2223) to pension Hiram C. Rogers, of Allerton, Iowa. (Report No. 2957.)

By Mr. SULLOWAY, from the Committee on Invalid Pensions: The bill (H. R. 10137) granting a pension to Miss Delphne P. Baker for expenses incurred during the late war and for services performed in originating and founding the National Home for Disabled Soldiers and Sailors of the Army and Navy of the United States. (Report No. 2958.)

By Mr. KIRKPATRICK, from the Committee on Invalid Pensions: The bill (H. R. 3795) granting a pension to Mary Cochrane. (Report No. 2959.)

By Mr. GRAFF, from the Committee on Claims: The bill (H. R. 7343) for the relief of the estate of William P. Burrough. (Report No. 2960.)

By Mr. MINOR of Wisconsin, from the Committee on Claims: The bill (H. R. 6386) for the relief of the heirs at law of Edward N. Oldmixon. (Report No. 2961.)

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills; which were referred as follows:

Evidence to accompany H. R. 1793, for the relief of Michael Bassett—Committee on Military Affairs discharged, and referred to the Committee on Pensions.

Evidence to accompany H. R. 4952, for the relief of Jubal Grant—Committee on Military Affairs discharged, and referred to the Committee on Invalid Pensions.

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. SCRANTON: A bill (H. R. 10319) providing for the election of a Delegate from the District of Alaska to the House of Representatives of the United States—to the Committee on the Territories.

By Mr. CLARK of Iowa (by request): A bill (H. R. 10320) relating to practice in the Federal courts—to the Committee on the Judiciary.

By Mr. HOWELL: A resolution (House Res. No. 544) for the relief of William Richardson—to the Committee on Accounts.

By Mr. SOUTHARD: A resolution (House Res. No. 545) providing for survey of Straight Channel in Maumee River and Bay—to the Committee on Rivers and Harbors.

By Mr. ROBERTSON of Louisiana: A resolution (House Res. No. 546) authorizing the Clerk of the House to make certain disbursements out of the contingent fund of the House—to the Committee on Accounts.

Also, a resolution (House Res. No. 547) to print 1,000 copies of the report of the surveyor-general of Louisiana, dated February 19, 1880, to the Commissioner of the General Land Office—to the Committee on Printing.

By Mr. KIEFER: A memorial of the legislature of the State of Minnesota, in favor of the bill (H. R. 1) to reclassify salaries of railway-mail clerks—to the Committee on the Post-Office and Post-Roads.

By Mr. BELKNAP: A memorial of the legislature of the State of Illinois, in favor of the bill (H. R. 4339) to establish a national military park to commemorate the campaign, siege, and defense of Vicksburg—to the Committee on Military Affairs.

By Mr. HENDERSON: A memorial of the legislature of the State of Iowa, opposing the removal of the pension agency from Des Moines, Iowa, to St. Louis, Mo.—to the Committee on Appropriations.

By Mr. RINAKER: A memorial of the legislature of the State of Illinois, in favor of the bill (H. R. 4339) to establish a national military park at Vicksburg, Miss.—to the Committee on Military Affairs.

PRIVATE BILLS, ETC.

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

By Mr. LEWIS: A bill (H. R. 10322) to remove the charge of desertion against Nathan Stewart—to the Committee on Military Affairs.

By Mr. McCLELLAN: A bill (H. R. 10323) for the relief of the Rev. William J. Larkin—to the Committee on Military Affairs.

By Mr. McEWAN: A bill (H. R. 10324) to remove the charge of desertion from the military record of John J. Waterkeyn, of Jersey City, N. J., and grant him an honorable discharge—to the Committee on Military Affairs.

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. ADAMS: Resolution of the Mechanics, Dealers, and Lumbermen's Exchange of New Orleans, favoring the passage of House bill No. 10090, prohibiting ticket scalping—to the Committee on Interstate and Foreign Commerce.

By Mr. ALDRICH of Illinois: Petition of Thomas Collins and 94 other citizens of Chicago; also of A. N. Hitchcock, secretary of the American Board of Foreign Missions, of Chicago, Ill., favoring the passage of the Sherman bill, prohibiting ticket brokerage—to the Committee on Interstate and Foreign Commerce.

By Mr. AVERY: Petition of E. D. Palmer, Robert Bailey, W. A. Strong, Edward Gilmore, H. W. Loomis, and 40 other citizens of Osceola County, Mich., favoring the passage of House bill No. 10090, known as the antiscalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. BAKER of New Hampshire: Petition of Albert B. Woodworth and other citizens of Concord, N. H., and residents of other cities in the State, praying for the passage of the Cullom and Sherman bills, for the prevention of railroad ticket scalping—to the Committee on Interstate and Foreign Commerce.

By Mr. BISHOP: Petition of 34 residents of Saginaw and Custer and Chase, Mich., in favor of the Sherman bill, abolishing ticket brokerage—to the Committee on Interstate and Foreign Commerce.

By Mr. BLUE: Petition of citizens of Kansas, protesting against the passage of House bill No. 10090, prohibiting ticket brokerage—to the Committee on Interstate and Foreign Commerce.

By Mr. BREWSTER: Petition of citizens of Rochester, N. Y., in favor of the passage of House bill No. 10090 and Senate bill No. 3545, prohibiting ticket brokerage—to the Committee on Interstate and Foreign Commerce.

By Mr. BROSIUS: Petition of the Indian Rights Association of Philadelphia, Pa., relating to certain property rights—to the Committee on Indian Affairs.

By Mr. BURTON of Ohio: Resolution of Boiler and Blacksmith Helpers' Assembly, No. 410, Knights of Labor, of Cleveland, Ohio, indorsing bill establishing minimum rate of wages to be paid for manual and unskilled labor of employees of the Government—to the Committee on Labor.

Also, petition of T. A. Giberson and others, of Cleveland, Ohio, protesting against the passage of House bill No. 10090, to prevent trafficking in railway tickets—to the Committee on Interstate and Foreign Commerce.

By Mr. CANNON: Sundry petitions of citizens of Danville, Rankin, and Momenee, State of Illinois, asking for the passage of House bill No. 10090, prohibiting the trafficking in railroad tickets—to the Committee on Interstate and Foreign Commerce.

By Mr. CLARK of Iowa: Petition of Frank N. White, of Burlington; W. C. Williamson, of Keokuk, and W. L. Byrn, of the State of Iowa, in favor of the passage of House bill No. 10090, to prevent trafficking in railway tickets—to the Committee on Interstate and Foreign Commerce.

By Mr. CLARK of Missouri: Petition of citizens of the State of Missouri, asking for the passage of House bill No. 10090 and Senate bill No. 3545, relating to ticket brokerage—to the Committee on Interstate and Foreign Commerce.

By Mr. COOK of Wisconsin: Petition of B. T. Rogers, of Fond du Lac; also of Rev. Samuel Lugg and 15 other citizens of Ripon; also of T. H. Rumsey and 21 other citizens of Berlin; also of Rev. S. T. Kidder and members of the Congregational church of Menasha; also of the Menasha Wooden Ware Company and 12 other business firms of Menasha; also of Rev. J. E. Chapin, representing the members of the First Presbyterian Church of Neenah, State of Wisconsin, in support of House bill No. 10090, to prevent the

unlawful traffic in railway tickets—to the Committee on Interstate and Foreign Commerce.

By Mr. CURTIS of Iowa: Petition of E. L. Fowler and 65 other business and professional men of Maquoketa, Iowa, favoring the passage of the Cullom and Sherman bills, for the prevention of illicit trafficking in railway tickets—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of Maquoketa (Iowa) High School, protesting against Spanish outrages to the American flag—to the Committee on Foreign Affairs.

By Mr. DANFORD: Petition of Joseph Neigand and others, of Bridgeport, Ohio, asking for the passage of House bill No. 10090, to prohibit ticket scalping—to the Committee on Interstate and Foreign Commerce.

By Mr. DRAPER: Petition of J. Q. Hennigan and 99 other citizens of the Eleventh Congressional district of Massachusetts, favoring the passage of the Sherman bill, abolishing ticket brokerage—to the Committee on Interstate and Foreign Commerce.

By Mr. FENTON: Petition of Rev. John H. Redmon, of South Webster, Ohio, urging the passage of House bill No. 10090 and Senate bill No. 3545, prohibiting ticket scalping—to the Committee on Interstate and Foreign Commerce.

By Mr. FAIRCHILD: Petition of J. W. Oliver, of Yonkers, N. Y., praying for the passage of House bill No. 4566, to amend the postal laws relating to second-class mail matter—to the Committee on the Post-Office and Post-Roads.

By Mr. GAMBLE: Petition of W. T. Fritts and 26 other citizens of Beresford, S. Dak., in favor of the passage of House bill No. 10090, abolishing ticket brokerage—to the Committee on Interstate and Foreign Commerce.

By Mr. GROUT: Petition of O. J. Walker & Bros., of Burlington, Vt., objecting to a duty on gypsum rock plaster—to the Committee on Ways and Means.

Also, petition of the wholesale and retail harness and saddle makers of the United States, favoring a duty on harness and saddlery, including harness in either sets or parts, etc.—to the Committee on Ways and Means.

Also, petition of A. F. Roegseau, president of Branch No. 521, National Association of Letter Carriers, Burlington, Vt., favoring the passage of H. R. 2920, to increase the pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

Also, petition of Mrs. S. E. Moulton, president of the Woman's Christian Temperance Union of Lunenburg, Vt., urging the passage of the McMillan and Linton bills (S. 3589 and H. R. 10108)—to the Committee on the District of Columbia.

By Mr. HAINER of Nebraska: Petition of S. B. Niehaus and other citizens of Fairmont, Nebr., praying for the passage of the McMillan and Linton bills (S. 3589 and H. R. 10108)—to the Committee on the District of Columbia.

By Mr. HARTMAN: Petition of George W. Vennum and 260 other citizens of the State of Montana, favoring reduction of fees for public lands—to the Committee on the Public Lands.

Also, petition of Rev. George W. Jenkins and others, favoring an amendment to the preamble of the Constitution of the United States—to the Committee on the Judiciary.

Also, petition of S. W. Robertson, of Boulder, Mont., urging the passage of the Loud bill (H. R. 4566)—to the Committee on the Post-Office and Post-Roads.

By Mr. HATCH: Petition of 120 citizens of Logansport, Ind., praying for the passage of House bill No. 10090 and Senate bill No. 3545, relating to ticket brokerage—to the Committee on Interstate and Foreign Commerce.

By Mr. HENDERSON: Petition of the publisher of Der Deutsch-Amerikaner, of Waterloo, Iowa, praying for the passage of House bill No. 4566, to amend the postal laws relating to second-class mail matter—to the Committee on the Post-Office and Post-Roads.

By Mr. HEPBURN: Petition of Rev. S. E. Martin and 72 other citizens of College Springs, Iowa, and citizens of the United States, praying for an amendment to the Constitution acknowledging Almighty God as the source of all power, authority, etc.—to the Committee on the Judiciary.

Also, sundry petitions of citizens of the State of New York, viz: B. Wood and 10 others, of Rondout; D. Delehaul and 9 others, of Niagara Falls; George Cooley and 14 others, of Niagara Falls; M. Pendergast and 20 others, of Niagara Falls; Albert Culver and 9 others, of Rockland; Rev. B. D. Durbin and 15 others, of Creston; J. E. Carmichael and 22 others, of Corning; Thomas Wilson and 16 others, of New York City; John O. Connor and 3 others, of Saranac Lake; S. W. Levis and 8 others, of Rochester; D. H. Hoffman and 8 others, of Chatham; S. C. Dibble and 9 others, of La Salle; L. M. Weller and 15 others, of Fort Plain; Edward Phillips and 12 others, of Fort Plain; C. B. Briggs and 9 others, of East Titusville; James Pratt, of Moons; G. Roden and 6 others, of South Lockport; A. L. Schofer and 5 others, of Sharon Station; R. D. Wilson and 18 others, of Medina; and D. C. Case and 14 others, of Sennett, and also of S. H. King and 14 others, of Seymour, Iowa; praying for the passage of House bill No. 10090, to abolish ticket scalping—to the Committee on Interstate and Foreign Commerce.

By Mr. HITT: Petition of the Indian Rights Association of Philadelphia, Pa., protesting against the rider in the Indian appropriation bill for the coming fiscal year relating to the rights and privileges of children born of a marriage between a white man and an Indian woman—to the Committee on Indian Affairs.

Also, petition of J. B. Parkinson and 65 other citizens of Savannah, Ill.; also of James R. Cowley and 53 others of Freeport, Ill., favoring the passage of the Cullom and Sherman bills, to abolish ticket brokerage—to the Committee on Interstate and Foreign Commerce.

By Mr. HOWELL: Petition of E. S. Walling, of Keyport, N. J., and others residing on the line of the New York and Long Branch Railroad and Central Railroad of New Jersey, asking for the passage of House bill No. 10090, to prohibit ticket scalping—to the Committee on Interstate and Foreign Commerce.

By Mr. HULLICK: Petitions of Rev. J. C. Ely, Rev. A. N. Spahr, W. P. Wolf and others; Rev. G. T. Austin, Prof. J. E. Ockerman and others; Rev. T. T. Carpenter and others; Mechanics, Dealers and Lumbermen's Exchange of New Orleans, in favor of the Sherman bill, abolishing railroad ticket brokerage—to the Committee on Interstate and Foreign Commerce.

By Mr. HULL: Petition of F. M. Hoeye and 60 other citizens of Perry, Iowa, in favor of the bill H. R. 10090, known as the antiscaling bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of James Humphrey Post, No. 81, Grand Army of the Republic, for the passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. HURLEY: Petition of Charles T. Bainbridge's Sons, Brooklyn, N. Y., in relation to duties on imported crepe tissue paper—to the Committee on Ways and Means.

Also, petition of Newark Lime and Cement Manufacturing Company, of Newark, N. J., and other firms in the States of New Jersey and New York, protesting against import duty on gypsum—to the Committee on Ways and Means.

By Mr. JENKINS: Petition of Rev. E. J. Evans and 14 other citizens of Chippewa Falls, Wis., favoring the Sherman bill (H. R. 10090), prohibiting ticket brokerage—to the Committee on Interstate and Foreign Commerce.

By Mr. KIRKPATRICK: Petition of R. A. Maxey and 23 other business men of Arkansas City; also of J. B. Fogg and 17 other business men of Coffeyville; also of S. Whitlock and 33 other citizens of Howard; also of A. J. Chapel and 14 other business men of Arkansas City, State of Kansas, in favor of the passage of the Sherman bill (H. R. 10090), for the suppression of ticket scalping—to the Committee on Interstate and Foreign Commerce.

By Mr. KLEBERG: Petition of Frank Sobey and other citizens of Karnes City; W. H. Smith and others, of Rockport, and Homer D. Wade and others, of Rockdale, Tex., favoring the passage of the Sherman bill, to abolish ticket brokerage—to the Committee on Interstate and Foreign Commerce.

By Mr. LAYTON: Petition of H. W. Thompson and 39 other leading citizens of Sidney, Ohio, protesting against the passage of the Sherman bill, known as the antiscaling bill—to the Committee on Interstate and Foreign Commerce.

By Mr. LEISENRING (by request): Petition of the Wilkesbarre Society of Good Fellows, asking for the passage of the McMillan and Linton bills (S. 3589 and H. R. 10108)—to the Committee on the District of Columbia.

Also, resolution of Robinson Post, No. 20, Grand Army of the Republic, of Hazleton, Pa., indorsing House bill No. 9209, for service pension—to the Committee on Invalid Pensions.

Also, petition of Conyngham Post, No. 97, Grand Army of the Republic, of Wilkesbarre, Pa., in favor of the Pickler pension bill—to the Committee on Invalid Pensions.

By Mr. LESTER: Petition of J. P. Williams & Co. and other merchants of Savannah, Ga., for the favorable consideration of the antiscalers bill—to the Committee on Interstate and Foreign Commerce.

By Mr. LEWIS: Papers to accompany House bill to remove the charge of desertion against Nathan Stewart—to the Committee on Military Affairs.

By Mr. LONG: Petition of R. W. Porter and 17 other citizens of Geneseo, Kans.; also petition of the Commercial Club of Newton, Kans., in favor of the passage of House bill No. 10090, abolishing ticket brokerage—to the Committee on Interstate and Foreign Commerce.

By Mr. McCALL of Massachusetts: Petition of George E. Nelson, of the Indian Territory, presenting the claims of said Territory to representation by a Delegate in the House of Representatives—to the Committee on Elections No. 1.

By Mr. McCALL of Tennessee: Sundry petitions relating to the antiscalers bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of B. C. Simmons, of Jackson, Tenn., favorable to the Loud bill (H. R. 4556)—to the Committee on the Post-Office and Post-Roads.

By Mr. MINOR of Wisconsin: Petition of citizens of Depere,

Greenbay, West Greenbay, Centralia, Grand Rapids, and other cities in the State of Wisconsin, asking for the passage of House bill No. 10090, relating to ticket brokerage—to the Committee on Interstate and Foreign Commerce.

By Mr. MORSE: Petition of the Taunton Assembly, No. 121, Royal Society of Good Fellows, Taunton, Mass., urging the passage of the McMillan-Linton bill (H. R. 10108)—to the Committee on the District of Columbia.

By Mr. NOONAN: Numerous petitions of citizens of the State of Texas, viz: Petition of T. V. Gentry and 27 others, of Port Lavaca; J. W. Allen and 12 others, of Edna; Cliff A. Adams and 9 others, of Bryan; M. Peine and 6 others, of Hungerford; W. I. Moody and 5 others, of Sartartia; Ed de Montel and 17 others, of Hondo; John H. Davis and 8 others, of D'Hanis; D. W. Bamhill, editor Uvalde News, and 8 others, of Uvalde; Henry Klappenbach and 16 others, of Eagle Pass; C. H. Larkin and 4 others, of Marathon; E. A. Burns and 28 others, of Giddings; F. H. Holloway and 25 others, of Llano; S. A. Drewry and 8 others, of Wharton; W. E. Barry and 21 others, of Navasota; C. M. Curtis and 17 others, of Lancaster; N. P. Peterson and 31 others, of Kinney County, favoring the passage of House bill No. 10090, to prohibit ticket brokerage—to the Committee on Interstate and Foreign Commerce.

By Mr. NORTHWAY: Sundry petitions of citizens of the State of Ohio, viz: Rev. W. P. Gibson, of Huntsburg; P. H. Dougherty and 22 others and B. C. Ely and 30 others, of Kingsville; H. L. French and 14 others, of Jefferson; W. B. Colson and 8 others, of Conneaut; J. W. Hayes and 15 others, of Coalburg; D. A. Wilson and 41 others, of Trumbull and Mahoning counties; Rev. Elwell O. Mead, of Burton; J. H. Bayless and 7 others, of Geneva; H. A. Davis and 14 others, of Trumbull County; E. S. Bullard and 7 others, of West Williamsfield; Rev. W. Corbyn, of East Plymouth; W. D. Stevens, of Colebrook; A. T. Phipps and 59 others, M. E. Miller and 28 others, A. A. Strong and 56 others, all of Ashtabula County, Ohio, urging the passage of House bill No. 10090 and Senate bill No. 3545, abolishing ticket brokerage—to the Committee on Interstate and Foreign Commerce.

By Mr. OTJEN: Petition of E. P. Bacon and 110 other citizens of Milwaukee, Wis., favoring the passage of the Sherman bill, to abolish ticket brokerage—to the Committee on Interstate and Foreign Commerce.

By Mr. PARKER: Petition of W. T. Sopers, of Newark, N. J., and 103 other citizens of New Jersey, praying for the passage of House bill No. 10090, to prevent ticket scalping—to the Committee on Interstate and Foreign Commerce.

By Mr. PENDLETON: Petition of citizens of Killeen, Tex., in favor of the bill (H. R. 10090) known as the antiscaling bill—to the Committee on Interstate and Foreign Commerce.

By Mr. PERKINS: Petitions of Rev. George H. Kennedy, of Spencer; Rev. J. C. McClintock, of Sioux City; 35 citizens of Mapleton, and 67 citizens of Sanborn, all of the State of Iowa, praying for the passage of House bill No. 10090, relating to ticket brokerage—to the Committee on Interstate and Foreign Commerce.

By Mr. RICHARDSON: Petition of A. E. Redstone, asking for the passage of Senate bill No. 2118, in reference to public lands—to the Committee on the Public Lands.

Also, petition of J. W. Davis and 30 others, citizens of Lincoln County; E. P. Bell and 6 others, and W. W. Wright and 16 others, all of Rutherford County, and R. C. Ogilvie and 20 others, of Bellbuckle, State of Tennessee, favoring the passage of the Sherman bill, abolishing ticket brokerage—to the Committee on Interstate and Foreign Commerce.

By Mr. RINAKER: Petition of M. P. Ayers and 50 other citizens of Jacksonville, Ill., favoring the passage of the Cullom and Sherman bills, for the prevention of illicit trafficking in railway tickets—to the Committee on Interstate and Foreign Commerce.

By Mr. SAYERS: Sundry petitions of citizens of Brenham, Caldwell, and Yellow Prairie, of the State of Texas, praying for the passage of the Cullom and Sherman bills, for the prevention of railroad ticket scalping—to the Committee on Interstate and Foreign Commerce.

By Mr. SHERMAN: Petition of officers and members of the government and of the senate and assembly of the State of California, asking for the passage of House bill No. 10090, to prohibit ticket scalping—to the Committee on Interstate and Foreign Commerce.

By Mr. SIMPKINS (by request): Petition of citizens of New Bedford, Mass., praying for the passage of House bill No. 10108 and Senate bill No. 3589, relating to fraternal societies and orders—to the Committee on the District of Columbia.

By Mr. SOUTHARD: Petition of J. L. Pray and others, of Whitehouse, Ohio, in favor of the passage of House bill No. 9209, granting a pension to honorably discharged soldiers of the late war—to the Committee on Invalid Pensions.

Also, petition of Rev. Lyman H. Johnson, of Toledo, Ohio; also of B. W. Wilson and other citizens of Port Clinton and Catawba Island, Ohio; also of William G. Roberts and 11 other citizens of

Sylvania, Ohio, in favor of the passage of House bill No. 10090, to prohibit ticket scalping—to the Committee on Interstate and Foreign Commerce.

By Mr. STRODE of Nebraska (by request): Petition of 49 citizens of Auburn, Nebr., favoring the passage of House bill No. 10090, to prohibit ticket brokerage—to the Committee on Interstate and Foreign Commerce.

By Mr. CHARLES W. STONE: Resolutions of the select and common councils of the city of Bradford, Pa., asking for the passage at this session of the bill for a public building at Bradford, Pa.—to the Committee on Public Buildings and Grounds.

By Mr. TRACEY: Petitions of R. F. Bibb and others, of Centralia, Mo., and T. J. Johns and others, of Sweet Springs, Mo., in favor of the passage of House bill No. 10090, prohibiting ticket brokerage—to the Committee on Interstate and Foreign Commerce.

By Mr. TYLER: Petition of the publishers of the Public Ledger, Norfolk, Va., urging the passage of the Loud bill (H. R. 4566)—to the Committee on the Post-Office and Post-Roads.

By Mr. WATSON of Ohio: Protest of J. E. Russell and others, of George Brown and others, and of J. R. Bailey and others, against the passage of the bill to abolish ticket brokerage—to the Committee on Interstate and Foreign Commerce.

By Mr. WILLIS: Petition of Melford Grange, of the State of Delaware, asking investigation of the election methods in the State of Delaware—to the Committee on the Election of President, Vice-President, and Representatives in Congress.

By Mr. WILSON of Ohio: Petition of John J. Hopper and 100 other citizens; also of R. N. Lantz and 41 others, all of Springfield, Ohio, protesting against the passage of the Sherman bill, relating to ticket brokerage—to the Committee on Interstate and Foreign Commerce.

Also, petition of Rev. E. P. Hickey and 7 other citizens of Piqua, Ohio, favoring the passage of the Sherman bill, relating to the sale of railroad tickets—to the Committee on Interstate and Foreign Commerce.

By Mr. WOOD: Petitions of J. B. Galway, J. H. Green, and others, of Edgar County, Ill., favoring the passage of the Sherman bill, abolishing ticket brokerage—to the Committee on Interstate and Foreign Commerce.

By Mr. WOOMEY: Petition of C. J. Kephart, of Annville, Pa., favoring the passage of House bill No. 10090, prohibiting ticket scalping—to the Committee on Interstate and Foreign Commerce.

SENATE.

WEDNESDAY, February 17, 1897.

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

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. SHERMAN, and by unanimous consent, the further reading was dispensed with.

PROPOSED SITE FOR HALL OF RECORDS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, pursuant to the act of Congress approved June 11, 1896, a report upon the suitability of the public reservation at the intersection of Ohio and Louisiana avenues with Tenth and Twelfth streets, in the city of Washington, as a site for the proposed hall of records, and stating that the reservation mentioned is conveniently located for the construction of such a building, but that he is not prepared to make a final report upon the subject at this time, etc.; which, with the accompanying papers, was referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

GEORGETOWN BARGE, DOCK, ELEVATOR, AND RAILWAY COMPANY.

The VICE-PRESIDENT laid before the Senate the annual report of the Georgetown Barge, Dock, Elevator, and Railway Company for the year ended December 31, 1896; which was referred to the Committee on the District of Columbia, and ordered to be printed.

ENROLLED BILLS SIGNED.

The VICE-PRESIDENT announced his signature to the following enrolled bills and joint resolutions; which had previously been signed by the Speaker of the House of Representatives:

A bill (S. 3603) to extend the time for the completion of the St. Paul, Minneapolis and Manitoba Railway Company through the White Earth, Leech Lake, Chippewa, and Fond du Lac Indian reservations, in the State of Minnesota;

A bill (H. R. 5764) granting an increase of pension to Elizabeth D. Marthon;

A joint resolution (S. R. 121) to amend an act granting to the Duluth and Winnipeg Railroad Company a right of way through the Chippewa and White Earth Indian reservations, in the State of Minnesota; and

A joint resolution (S. R. 204) authorizing the Secretary of the Navy to transport contributions for the relief of the suffering poor of India.

HOUSE BILLS REFERRED.

The following bills, received yesterday from the House of Representatives, were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (H. R. 6845) granting an increase of pension to Maj. John H. Georkee; and

A bill (H. R. 9785) granting a pension to Rebecca A. Kirkpatrick.

CREDENTIALS.

Mr. PROCTOR presented the credentials of JUSTIN SMITH MORRILL, chosen by the legislature of Vermont a Senator from that State for the term beginning March 4, 1897; which were read, and ordered to be filed.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a petition of the legislative assembly of the Territory of Arizona, praying that relief be granted the Supai tribe of Indians in the northern part of Coconino County, Ariz., on account of the almost entire destruction of their crops during the months of July and August, 1896; which was referred to the Committee on Indian Affairs, and ordered to be printed in the RECORD, as follows:

OFFICE OF THE SECRETARY, Phoenix, February 11, 1897.

SIR: Herewith I have the honor to transmit a certified copy of council memorial No. 1, of the Nineteenth legislative assembly of Arizona.

Respectfully,

CHARLES M. BRUCE,
Secretary of Arizona.

The PRESIDENT OF THE SENATE,
Washington, D. C.

TERRITORY OF ARIZONA, Office of the Secretary.

UNITED STATES OF AMERICA, Territory of Arizona, ss:

I, Charles M. Bruce, secretary of the Territory of Arizona, do hereby certify that the annexed is a true and complete transcript of the council memorial No. 1, of the Nineteenth legislative assembly of Arizona, which was filed in this office the 10th day of February, A. D. 1897, at 2.30 o'clock p. m., as provided by law.

In testimony whereof I have hereunto set my hand and affixed my official seal.

Done at the city of Phoenix, the capital, this 11th day of February, A. D. 1897.

CHARLES M. BRUCE,
Secretary of the Territory of Arizona.

Memorial.

To the honorable members of the Senate and House of Representatives of the United States in Congress assembled:

Your memorialists, the legislative assembly of the Territory of Arizona, respectfully represent:

That the Supai tribe of Indians, consisting of about 300 souls, in the northern part of Coconino County, Ariz., are in need of assistance by reason of the almost entire destruction of their crops last July and August.

That these Supais are virtuous and industrious, but need help now to tide them over their misfortunes, as a starving time is inevitable in the spring.

Therefore your memorialists earnestly request that immediate steps be taken to provide for these people in their present emergency and for the five years which the game law contemplates. We think that 70,000 pounds of dressed beef and 40,000 pounds of flour would tide over the present emergency and save these people from disease and death.

Resolved, That the secretary of the Territory be, and is hereby, directed to forward copies of this memorial, under seal of the Territory, to the Honorable President of the Senate and the Honorable Speaker of the House of Representatives of the United States, to be by them laid before their respective bodies; and

Be it further resolved, That the secretary of the Territory is hereby directed to forward an enrolled copy of this memorial, duly attested under his hand and seal, to the Hon. N. O. MURPHY, Delegate to Congress for Arizona Territory.

FRED G. HUGHES,
President of the Council.
D. G. CHALMERS,
Speaker of the House.

Approved February 10, 1897.

B. J. FRANKLIN, Governor.

Mr. SHERMAN presented a petition of the Cincinnati (Ohio) Furniture Exchange, praying for the passage of the so-called Torrey bankruptcy bill; which was ordered to lie on the table.

He also presented petitions of sundry citizens of Cincinnati, Savannah, Madison, Port Clinton, Brilliant, Cleveland, Wooster, Sandusky, Brownhelm, Bellevue, Plymouth, Oberlin, McComb, Eaton, and Washington Court-House, all in the State of Ohio, and a petition of sundry citizens of Lexington, Mo., praying for the passage of the antiscalping railroad ticket bill; which were ordered to lie on the table.

Mr. BURROWS. I present resolutions of the Detroit (Mich.) Credit Men's Association, in the nature of a memorial, praying for the passage of the so-called Torrey bankruptcy bill, and also giving the action of that organization. I will not ask to have the resolutions read, but I move that they lie on the table and be printed as a document.

The motion was agreed to.

Mr. FRYE presented a petition of the board of managers of the National Temperance Society and Publication House, of New York City, praying for the ratification of the pending arbitration treaty with Great Britain; which was ordered to lie on the table.

He also presented a petition of E. P. Hill Command, No. 20, Union Veteran Union, Department of Maine, praying for the enactment of legislation correcting the military record of John Mooney, of the First Maine Heavy Artillery; which was referred to the Committee on Military Affairs.

Mr. MURPHY presented resolutions adopted by the Association