

had first found courage to give it a voice and demand its rights. It had been suppressed and oppressed for a century, and nothing could now stay its course. The feeling was very intense, the danger of collision and riot always imminent. Dramatic situations, sharp personal colloquies, bitter sarcastic retorts, would first drive one side then the other into a frenzy of approval or angry dissent. General EARLE knew that he was beaten, but he never faltered or let up. He faced hostile audiences which sometimes refused at first to let him speak, but with calm dignity and courage he forced recognition and a hearing. He never relaxed his grasp upon my throat, but fought till the last. He pressed his arguments home with powerful logic and subtle reasoning.

A trained lawyer and debater, he had all the advantage, but the facts were against him. And while he made no impression upon the feelings or judgment of his audiences on the issues then pending, he yet won the admiration of all by his intrepidity and ability, and always under the most trying circumstances maintained his self-respect and commanded that of his opponents. There were 260 votes in the convention, and of these he received less than 50, carrying only four counties out of thirty-five. The county of his birth was against him, the county of his adoption was divided; but while he went down to defeat it was with every flag flying and no thought of asking quarter, and it was this canvass that won him his seat in the United States Senate six years later. I have always thought he entered the race under a misconception, but, being in, he was too proud and too brave to retire.

His line of fight during the campaign had been almost entirely personal. In other words, he did not dispute the justice of the demands which the reformers had set out in their platform, but he tried to get on the platform and shove its exponent off of it. He did not go far enough along that line to alienate the adherents of the oligarchy, who supported him with enthusiasm; but he was not their real choice, and he knew it, so he was careful to let the people see he was not opposing popular government and such reforms as were needed. When the result was known, after the nomination was over, he bowed submissively to the will of the people and loyally supported the ticket, advising against and antagonizing with all his might an independent ticket, which the defeated faction had set on foot to retain the government by the aid of the negroes.

After the last meeting at Colleton I approached General EARLE, and, extending my hand, I said:

General, we know each other better than we did at Greenville in June. If I have said anything in the heat of debate to wound your feelings, I desire to apologize, and to express the hope that if we can not be friends, we shall not become enemies.

He shook my hand heartily and disclaimed any feeling of hatred or sense of wrong, and offered a similar apology; and so we parted, as true men ought.

Two years later, when the reformers put me forward for reelection, there was another bitter contest, not so intense as that of 1890, but still very exciting, and in some respects dangerous. General EARLE refused to have anything to do with this and advised against it. He wrote a letter in which he gave credit where credit was due and warned his old supporters that they were doomed to defeat.

This enraged that element in the State at the time, but they learned later the wisdom of his advice and to appreciate the more his clear judgment, while at the same time General EARLE thus won the good will and forgiveness of thousands of those who voted against him in his candidacy for governor. The result was that the reform legislature elected him to the position of circuit judge in 1894, which he held up to the time of his election by popular vote at the primary and his entry to the Senate. Of this last race I shall not speak. Suffice it to say that I did not support him. But it was not because I did not know his worth and recognize his fitness for the position and his ability to adorn it.

After his entrance upon his duties here, our relations were friendly and promised to become cordial, for he had too much sense to bear malice and was too liberal minded not to know that my antagonism was political rather than personal. Had he lived so as to have given him an opportunity to have shown of what stuff he was made, I am sure every Senator here would have been impressed with his high character and chivalrous bearing and have recognized his worth and ability. He is gone, as all of us will have in a few years to follow, "to that undiscovered country from whose bourne no traveler returns," and his fame and good name must rest in the minds and hearts of those in his own State, who knew him best and loved him most.

There is something peculiarly pathetic in his death, coming as it did just after reaching the goal of his ambition. A ripe scholar, an eminent jurist, and a fluent speaker, he could not have failed to make his influence felt here had Providence permitted him to win additional honors. The Senate pauses in its labors for a brief while to pay respect to his memory. The tribute which I have paid him, coming from an old antagonist, may not be deemed the highest or most worthy, but it is at least sincere; and I feel that I have but added to rather than detracted from the luster of

his name by the recital of those events which first impressed him upon the people of his native State.

Mr. President, as we look around upon the Senate in our daily intercourse here, it is easy to be seen by everyone that with very few exceptions every man on this floor is on the sunset side of life and rapidly approaching the setting. We struggle here in the performance of our duties as we see them and understand them, and are often bitter and unreasonable in our contentions with one another, but I know Senators will join me with the utmost sincerity in the thoughts expressed in that beautiful poem by James Montgomery:

Time grows not old with length of years;
Changes he brings, but changes not;
New born each moment he appears;
We run our race, and are forgot.

Stars in perennial rounds return,
As from eternity they came,
And to eternity might burn;
We are not for one hour the same.

Spring flowers renew their glad perfume,
But ere a second spring they fly;
Our life is longer than their bloom,
Our bloom is sweeter—yet we die.

* * * * *
Lord God! when time shall end his flight,
Stars set, and flowers revive no more,
May we behold Thy face in light,
Thy love in Jesus Christ adore.

I ask for the adoption of the resolutions.

The VICE-PRESIDENT. The question is on agreeing to the resolutions submitted by the senior Senator from South Carolina.

The resolutions were unanimously agreed to; and (at 4 o'clock and 25 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, March 30, 1898, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

TUESDAY, March 29, 1898.

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 and approved.

PRINTING OF PRESIDENT'S MESSAGE, ETC.

Mr. GROSVENOR. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the Clerk's desk.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Resolved, That there be printed for the use of the House of Representatives 6,000 copies of the President's message, dated March 28, 1898, the report of the naval commission upon the explosion of the *Maine*, and the testimony reported by said commission.

The resolution was agreed to.

Mr. DOCKERY. I understand, Mr. Speaker, that the resolution which has been adopted provides for the printing of the testimony.

The SPEAKER. It does.

CHRISTINE C. BARNARD.

Mr. LOUDENSLAGER. Mr. Speaker, I move to take from the Speaker's table Senate bill 504, an act granting an increase of pension to Mrs. Christine C. Barnard, which has been returned by the Senate with the amendment nonconcurring in and a request for a conference. I move that the House further insist on its amendment and agree to the conference asked for by the Senate.

The motion was agreed to; and the Chair appointed as conferees on the part of the House Mr. LOUDENSLAGER, Mr. HOWE, and Mr. STALLINGS.

UNCOMPAGHRE INDIAN RESERVATION IN UTAH.

Mr. SHERMAN. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the Clerk's desk.

The Clerk read as follows:

Joint resolution (H. Res. 199) to postpone the opening of the Uncompahgre Indian Reservation in the State of Utah.

Resolved, etc., That the time fixed by the Indian appropriation act approved June 7, 1897, for opening to location and entry under all land laws of the United States the lands of the Uncompahgre Indian Reservation in Utah, under the limitations and exceptions as therein provided, be, and the same is hereby, extended six months from the 1st day of April, 1898.

Mr. BAILEY. Mr. Speaker, I desire to know if that whole matter is not pending in an appropriation bill at the present time?

Mr. SHERMAN. It is the same proposition pending in an appropriation bill, but unless it becomes operative before the 1st of April it is of no use.

Mr. BAILEY. I have no objection.

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

There was no objection.

The SPEAKER. The question is on the engrossment and third reading of the resolution.

Mr. KING. Mr. Speaker, I desire to offer an amendment which I think the gentleman from New York [Mr. SHERMAN] will not resist.

The Clerk read as follows:

Amend by adding: "Provided, That nothing herein shall extend to mineral lands other than gilsonite and kindred minerals."

Mr. SHERMAN. That is satisfactory.

The amendment was agreed to.

Mr. KING. I desire to offer another amendment—to strike out the word "six" and insert "three;" so as to read "three months," instead of "six months."

Mr. SHERMAN. I hope the gentleman will not press that amendment. The resolution in its present form follows precisely the provision of the appropriation bill.

Mr. KING. Very well; I withdraw the amendment.

The SPEAKER. The Clerk will report the proposition as now amended.

The Clerk read as follows:

Resolved, etc., That the time fixed by the Indian appropriation act of June 7, 1897, for opening to location and entry under all land laws of the United States the lands of the Uncompahgre Indian Reservation in Utah, under the limitations and exceptions as therein provided, be, and the same is hereby, extended six months from the 1st day of April, 1898: *Provided*, That nothing herein shall extend to mineral lands other than gilsonite and kindred minerals.

Mr. McRAE. As I understand, this proposition is simply to allow more time for the allotment of agricultural lands.

Mr. SHERMAN. That is the purpose of the resolution.

Mr. McRAE. The Department, as I understand, will not be able to complete the allotments within the time fixed.

Mr. SHERMAN. The Secretary of the Interior has stated that fact, with the reasons therefor, in a communication which is embraced in House Document No. 335.

Mr. UNDERWOOD. This resolution as read excepts, I believe, mineral lands other than gilsonite lands.

Mr. SHERMAN. The gentleman is referring to an amendment offered by the gentleman from Utah [Mr. KING] and adopted by the House, which was not a part of the original resolution.

Mr. UNDERWOOD. I wish to ask the gentleman from New York [Mr. SHERMAN] what effect this provision will have on gilsonite lands after the expiration of the six months designated?

Mr. SHERMAN. It has no effect on gilsonite lands. Gilsonite is not affected. No legislation has ever been enacted in regard to gilsonite. That and kindred minerals have expressly been excepted in this and former legislation.

Mr. UNDERWOOD. Then I understand that the amendment offered by the gentleman from Utah does not affect gilsonite lands under the law.

Mr. SHERMAN. It does not.

Mr. GROSVENOR. It emphasizes the exclusion, that is all.

Mr. LACEY. Allow me just one moment. A question which occurs to me is whether the amendment proposed by the gentleman from Utah in its present form will not have the effect of limiting the limitation embraced in the resolution. That resolution includes two propositions. The first is to extend the time for six months; the next is a provision that the time be extended under the limitations of an act already in force which excludes gilsonite. It seems to me that in view of the additional language that the resolution shall not extend to gilsonite or like minerals the question might arise whether that language may not nullify the limitation of the original provision.

Mr. SHERMAN. The effect of the amendment is that the resolution shall not extend to minerals "other than gilsonite and kindred minerals."

Mr. LACEY. I ask that the amendment adopted on motion of the gentleman from Utah [Mr. KING] be again read, so that we may fully understand its effect.

The amendment was again read.

Mr. McRAE. It strikes me, Mr. Speaker, that the amendment will put the gilsonite lands upon the same footing as agricultural lands.

Mr. SHERMAN. Oh, no; I think the gentleman is in error. According to my understanding, the only effect of the amendment is to provide that this resolution shall not exclude from entry lands, for instance, containing gold and silver.

Mr. McRAE. The amendment provides, as I understand, that the resolution shall not apply to mineral lands other than gilsonite and kindred minerals.

Mr. KING. The object of the amendment is to provide that any mineral lands containing gold, silver, lead, copper, or other minerals shall be subject to entry, and that gilsonite lands or lands containing minerals of kindred nature shall not be open to entry. The statute now in force prevents entry upon gilsonite lands, and reserves the title thereto in the United States. This resolution does not affect them. Under the act now in force gilsonite lands are not subject to entry and will not be thrown open to entry on the 1st of April this year.

Mr. SHERMAN. Or at any other time under this legislation.

Mr. KING. The title to such lands is reserved to the Government of the United States. This resolution as originally reported simply extends the operation of the existing law with reference to agricultural lands for a period of six months. But upon those agricultural lands there may be certain minerals—gold, silver, lead, etc.—though none such have been discovered, so far as I am advised. The object of the amendment is not to exclude from entry after the 1st day of next month mineral lands containing gold, silver, lead, or minerals of that character, while at the same time not throwing open to entry lands containing gilsonite. I think that is clearly the construction of the amendment.

Mr. DOCKERY. Then, as I understand the gentleman from Utah, neither the original resolution nor the amendment which he has offered contemplates the opening up of the gilsonite lands?

Mr. KING. I answer the gentleman no, it does not.

Mr. McRAE. I would like to ask the gentleman from Utah if, under this resolution, he proposes to go ahead and allot mineral lands to the Indians?

Mr. KING. Certainly not.

Mr. McRAE. Do you, then, propose to work the mines before the allotment of the lands to the Indians?

Mr. KING. Under the resolution it permits entries of mineral lands which do not contain gilsonite.

Mr. McRAE. Before allotment?

Mr. KING. Before allotment.

Mr. McRAE. It seems to me that we had better open no lands at all, neither the gilsonite nor any other mineral lands, until the Indians are given their allotments in severalty, to which they are entitled under the law.

Mr. KING. Permit me to say to the gentleman from Arkansas that there is no opposition to this matter. I am advised by the Senators from Utah that it meets their approval. I do not know, of course, whether or not there are other minerals on this reservation than the gilsonite. But, in any event, this meets our approval and has been agreed upon as a sort of compromise measure. If there are any other minerals than gilsonite upon any of these lands, they are located at points remote from the agricultural lands.

And further, I will say to the gentleman that the agricultural lands are not being allotted to the Indians. As a matter of fact, this legislation is a work of supererogation, because the lands allotted to the Indians are being assigned from the Uintah Reservation and not the Uncompahgre; and even if we extended the time indefinitely for the allotment of lands upon this reservation the Indians would not take them, so that any submission to this legislation is simply a concession on the part of the representatives from Utah to the committee and the Secretary of the Interior. There is no probability of the Indians taking allotments on this other reservation.

Mr. LACEY. Mr. Speaker, and there may be some misconception with respect to the language of this bill; and there are two negatives. In order to avoid any confusion or misconception, I offer the amendment I send to the desk.

The Clerk read as follows:

Add to the amendment just adopted the words: "And such gilsonite and similar minerals, shall continue to be reserved."

Mr. LACEY. That would leave no doubt on the question.

Mr. KING. I do not think that would meet the object. Would not that exclude the entry of lead or coal mines?

Mr. LACEY. I do not think they are similar to gilsonite.

Mr. KING. Do you desire to add that as an amendment to my amendment?

Mr. LACEY. Yes, sir; in order to leave no question of doubt.

Mr. KING. I have no objection to it.

The amendment of Mr. LACEY was agreed to.

The joint resolution as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

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

ORDER OF BUSINESS.

Mr. GIBSON. Mr. Speaker, I ask for the regular order.

The SPEAKER. The Chair will lay before the House the business in order at this time, coming over from the Senate.

The Clerk read as follows:

A bill (H. R. 2235) granting a pension to Mary J. Hart, of Quincy, Ind.

The bill was read at length.

The SPEAKER. The Clerk will report the amendment of the Senate proposed to the bill.

The Clerk read as follows:

Amend the title to read: "An act granting a pension to Mary J. Hart."

The SPEAKER. The question is on concurring in the Senate amendment, which simply changes the title.

The Senate amendment was concurred in.

Mr. GIBSON. I ask for the regular order.

The SPEAKER. The Chair is trying to give the House the

regular order. The Clerk will lay before the House the unfinished business.

MRS. HANNAH LETCHER STEVENSON.

The Clerk read as follows:

A bill (S. 439) granting a pension to Mrs. Hannah Letcher Stevenson, widow of the late Brig. Gen. John D. Stevenson.

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 Hannah Letcher Stevenson, widow of the late Brig. Gen. John D. Stevenson, at the rate of \$50 per month.

Amend the title so as to read: "An act granting an increase of pension to Hannah Letcher Stevenson."

The Clerk read the following amendments to the bill, as recommended by the Committee of the Whole:

In line 6, strike out the word "Mrs." before "Hannah."

In line 7, after the word "Stevenson," add the words "and pay her a pension."

In line 8, strike out "fifty" and insert "thirty," and after the word "month" insert the words "in lieu of the pension she is now receiving."

Mr. COOPER of Texas. Mr. Speaker, I wish to submit a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. COOPER of Texas. Was not this day set apart by unanimous consent, instead of Friday last, for the consideration of bills on the Private Calendar?

Mr. RICHARDSON. It was.

The SPEAKER. The Journal reads:

That Tuesday, March 29, be substituted for Friday, March 26, for the consideration of business under the rule which shall include the Friday evening session.

Mr. COOPER of Texas. Then the bill being considered is the unfinished business which should be considered on Friday?

The SPEAKER. It is business which is proper at Friday's session.

Mr. RAY of New York. Mr. Speaker, I move an amendment.

Mr. RICHARDSON. I should like to ask the gentleman, who is familiar with this, how much time he thinks this bill will take?

Mr. RAY of New York. Why, it ought not to take more than fifteen minutes, but it may take a little longer.

Mr. RICHARDSON. I ask the gentleman if he will not consent that it go over until we dispose of the war-claim bill which is pending? I hope the gentleman will do that.

Mr. RAY of New York. Until we dispose of what?

Mr. RICHARDSON. The war-claim bill that is now pending.

Mr. GIBSON. I think we had better go on in the regular order. We will waste more time talking about it.

Mr. RAY of New York. This will not take long, and then you will have your time.

Now, Mr. Speaker, I move the committee amendment on that bill, to strike out "fifty," in line 8, and insert in lieu thereof "thirty."

The SPEAKER. The gentleman from New York [Mr. RAY] moves an amendment, which the Clerk will report.

The Clerk read as follows:

In line 8 strike out "fifty" and insert "thirty."

Mr. RAY of New York. Now, Mr. Speaker, in behalf of this amendment I desire, without wearying the patience of the House, to state the situation and the proposition or principle involved.

The House is undoubtedly aware of the fact that by general law we have provided that in case a general officer dies, leaving a widow, his death being the result of his army service, the widow may be pensioned at \$30 per month. That is the maximum sum allowed by law.

We have also provided by general law that in case a general officer dies, leaving a widow, his death not being caused by or due to his army service, the widow may be pensioned at the rate of \$8 per month. This is the law written upon the statute books, and it is the result of the deliberation of Congresses heretofore. It has never been changed. In the case of the widows of privates, in the first case mentioned they get \$12 per month and in the latter case \$8, if dependent.

General Stevenson was a brave and efficient officer, but he was not specially distinguished in any line of duty. He served in the Mexican war and in the late civil war. He rose to the rank of brigadier-general, but his service was neither arduous nor specially distinguished. He always did his duty and did it well. He died recently and left a widow, Hannah Letcher Stevenson. Under the law, as written upon the statute books, she is entitled to a pension of \$8 per month, which she is now drawing. That is the maximum permitted her by any general law upon the statute books.

Evidence was presented to the Committee on Invalid Pensions showing that she is now 77 years of age, and that she is poor. Her husband left her without property, and we were asked to increase this pension, the Senate having already passed a bill to that effect.

The Committee on Invalid Pensions, after deliberate consideration, after careful investigation all along the line, after considering the principle involved, determined that in the case of a gen-

eral officer leaving a widow now in destitution, where his death was not occasioned by or due to his army service, we would increase the pension of the widow to \$30 per month, which is giving \$22 a month more than any law upon the statute books will permit, and we regarded this as a wise and judicious increase.

Mr. HENDERSON. What is the pension allowed to the widow of a brigadier-general killed in the service?

Mr. RAY of New York. Thirty dollars per month is permitted by general law, and no more.

Now, in addition to that, Mr. Speaker, we considered, in connection with it, the cases of widows of general officers whose deaths have been caused by reason of army service—that is, disease contracted or wounds received in the service of their country. We determined that in those cases, where the widow is without property and in necessitous circumstances, we would increase the pension to a sum not exceeding \$50 per month.

We have pursued the same course in dealing with privates and lieutenants and officers of all grades when we came to deal with their widows and have found those widows in necessitous circumstances. We believe that the distinction made by the general law is a wise one, and we believe that that distinction should be maintained in all cases, so that the action of this House and the action of the committee might not only be wise and conservative, but consistent as well. In other words, we treat all in the same circumstances precisely alike.

Mr. LENTZ. Will the gentleman permit a question?

Mr. RAY of New York. I shall be pleased to.

Mr. LENTZ. I have heard several gentlemen say that the reason the \$50 a month was voted in this case the other evening was because in all similar cases that amount had been allowed to widows. I only ask for information, to know whether that is the case, whether heretofore we have been allowing \$50 and are now making a reduction, or whether this case is on a different footing from the others.

Mr. RAY of New York. I will answer that. I was just coming to that point. Those gentlemen who make that statement are mistaken. If any gentleman who knows the facts makes that statement, then he designs to mislead the House. But if any gentleman does not know the facts and makes that statement, then all I can say is he is mistaken, and I will proceed to state the history of this legislation in this House during this session and the action of the Committee on Invalid Pensions, because we have been perfectly consistent in this matter. Now, Mr. Speaker, the Committee on Invalid Pensions reported this Senate act to this House and recommended this amendment reducing it to \$30 a month.

The question came up a week ago last Friday night in the Committee of the Whole, and when a vote was taken on that question the committee amendment was voted down, on a division, by 1 majority. Thirty-nine members present voted for the \$30 and 40 of the members present voted for the \$50; so that it was left at \$50 by a majority of 1 in the Committee of the Whole with only 80 members of the House present. Now, what have we done heretofore in committee, and what has this House done? Let me call your attention.

The gentleman from California [Mr. BARLOW] is here and can bear me out in my statement, and the gentleman from Illinois [Mr. WARNER] is here and can bear me out in my statement, because they both have had bills reported to this House and passed by it; and those two bills illustrate this principle as well as anything possibly can. The first bill reported to this House to pension the widow of a general officer was that of Weltha Post-Leggett, and it was reported to the House on the 5th day of February, 1898. You will find it accompanying the bill H. R. 2349 (House Report No. 636).

General Leggett was a brilliant and magnificent officer, who served throughout the war of the rebellion. He commanded a division; he was in many battles; he was shot down on the field of battle at five different times, and still on two of those occasions remounted his horse and went through to the end without leaving the field. He also contracted disease in the service; and from the effect of those wounds and from those disabilities incurred in the service he died about four years ago, leaving a widow in destitute circumstances.

A bill was introduced in this House to give that widow \$75 a month pension. The Committee on Invalid Pensions cut it down to \$50 a month, and at \$50 a month it passed this House. General Leggett, with his brilliant record, died of disease contracted and wounds received in the service. That is the first of these bills that passed in the House. Now, as to the second one on this line. The next report made by the Committee on Invalid Pensions to pension the widow of a general officer was in the case of Brig. Gen. William A. Pile, a man who served all through the war of the rebellion. He had a most brilliant and magnificent record. He did his duty faithfully and fearlessly throughout the war, and he died leaving his widow without property or without money; in other words, leaving her in necessitous circumstances.

He was a general officer with a more brilliant record than General Stevenson. He took part in more battles; he endured more, suffered more, having had diseases of service origin; and he had wounds received in battle, which almost showed that he, too, died of disease contracted in the service. A bill was introduced for the relief of this widow by my distinguished friend from California [Mr. BARLOW]. He introduced a bill asking for a pension of only \$25 a month for that widow in her necessitous circumstances.

Your committee when they looked into the matter and found that she was equally deserving with the others in regard to whom we were to act and had acted, and when we found that she was in necessitous circumstances, reported that bill one week ago at \$30 per month, \$5 more than the distinguished gentleman asked, and we did that in order that we might maintain a principle, in order that the action of this committee might be consistent and just to all these widows, and the House in the early hours of the session in Committee of the Whole last week (Monday) passed that bill giving that old widow, upward of 60 years of age, without a penny in the world and with no one on whom she could depend for support, \$30 a month, and no one objected, and no one proposed an increase beyond that which was made by the decision of the committee.

The increase was confined to \$30 per month because her husband, General Pile, had not died of disease contracted in the service or from the effect of wounds received in battle. Later on the same evening we reached the case of Mrs. Stevenson, the third case of the widow of a general officer reported from the Committee on Invalid Pensions.

The Committee, following its plan, acting on principle, endeavoring to act so as to be consistent in all of these cases, had investigated the facts and found that there was no pretense that General Stevenson died of disease contracted in the service or from the effect of wounds received in the service. He died at a ripe old age—upward of 80 years of age—and there is not a particle of evidence anywhere alleging the cause of death to be different. His widow filed her claim in the Pension Office asking for a pension, and she did not allege or claim or intimate, even, that her husband's death was due to army service.

Therefore, acting upon principle, and acting, as we think, wisely and conservatively, and, above all, consistently, we had reported a bill providing for that widow a pension at \$30 per month. When the matter came to a vote in the Committee of the Whole, we found that this widow had some active friends at work on the floor of this House, and so they moved to disagree with the report of the Committee on Invalid Pensions, and voted that amendment down; and it was done, as I have said, by a majority of 1, 39 voting for the \$30 a month, and thereby sustaining the committee, and 40, a bare majority of 1, in Committee of the Whole voted to keep in the \$50 per month.

Because of this action I bring this matter here to-day. I desire to know whether this committee, of which I am chairman, is to be sustained or condemned; whether our work is approved or disapproved by the House. It is my desire to merit the approval of the country and of every old soldier and soldier's widow in it.

The bill therefore comes here for action by the House, and I ask the House to sustain the Committee on Invalid Pensions. I trust the House will maintain the distinction. I request this House to be consistent in its legislation in regard to these pension bills.

If we do that, then our action will commend itself to the country, and to the whole country. If we so act, then whatever we do will commend itself to all the old soldiers and to all the widows of old soldiers throughout the length and breadth of this land. We may, if we do that, enact special legislation, give merited relief in special cases, and go to our homes without criticism; but if we act otherwise, in my judgment we will be criticised as a committee and as a House, and justly criticised.

Mr. RIDGELY. Will the gentleman allow me an interruption?

Mr. RAY of New York. Certainly.

Mr. RIDGELY. The bill now pending comes to us from the Senate?

Mr. RAY of New York. It does.

Mr. RIDGELY. They passed it allowing \$50 a month. If we cut it down by amendment it will have to run the gantlet of the Senate again.

Mr. RAY of New York. The Senate will pass it. We have sent several bills to the Senate on this line, where captains, majors, and privates were concerned, and they have acted on them and sustained our action. We have amended their bills, and they have accepted our amendments without question—

Mr. RIDGELY. It will have to take its place on the Calendar.

Mr. RAY of New York (continuing). And they have amended our bills and we have generally accepted their action without question.

Mr. RIDGELY. It will have to take its place on the Calendar again.

Mr. RAY of New York. It will not delay the bill twenty-four hours.

Mr. RIDGELY. My experience is somewhat different. It will have to take its place on the Senate Calendar, and may not get back to the House during this session.

Mr. RAY of New York. Oh, no; the Senate will take it up and move to concur or nonconcur without its going on the Calendar, and in that event it will be acted upon immediately. If the Senate disagrees, it will go to conference.

Mr. DOCKERY. Will the gentleman from New York permit me a question?

Mr. RAY of New York. I will, with pleasure.

Mr. DOCKERY. Has it been the practice of the Committee on Invalid Pensions at this session to fix the pension of widows of brigadier-generals at \$30 a month?

Mr. RAY of New York. To fix at \$30 a month the pension of the widow of a general officer, whether a brigadier or major general, it makes no difference; to fix at the rate of \$30 a month where the death of the soldier was not due to wounds or disease contracted in the service, and not to go above \$50 a month in the case where the husband's death, a general officer, was caused by disease contracted or wounds received in the service. In that there is a broad and wide distinction, as I have explained.

The general law makes a difference. Where a general officer dies and leaves a widow, and his death is caused by reason of wounds and disabilities incurred in the service, the widow draws \$30 per month as a matter of law, and an increase to \$50 in all those cases is given to relieve her necessities. The general law now gives to the widow of a general officer only \$8 per month where death was not due to service. In this bill we are giving the widow \$32 per month increase because of her age, because of her poverty. I think the gentleman catches the idea.

Mr. DOCKERY. I see your point.

Mr. PEARCE of Missouri. Is not the pension of \$8 a month a Mexican war pension?

Mr. RAY of New York. It is entirely immaterial whether it is a Mexican war pension or a civil war pension.

Mr. PEARCE of Missouri. It comes under a different law.

Mr. RAY of New York. It does not come under a different head or principle at all. In the case of the Mexican war widows and in the case of civil war widows, where the death of the husband is not due to service, the law gives the widow \$8 per month; it gives that to the Mexican war widow and to the civil war widow. It gives \$8 per month to the widow of a soldier who served in the civil war, regardless of the question whether he was a private or a general, when death was not of disease or wounds of service origin.

Mr. DOCKERY. That is a service pension.

Mr. RAY of New York. Yes; in effect that.

Mr. DOCKERY. I am satisfied the gentleman from New York [Mr. RAY] means to deal justly with all these claimants. I am not sufficiently advised to say that his position is incorrect in this case, but knowing of this officer, as I did in Missouri, knowing of his gallantry, ability, and humanity, I had indulged the hope that the gentleman from New York might find it consistent with the rules of his committee to allow this bill to pass as reported.

Mr. HENDERSON. Will the gentleman from New York allow me a question?

Mr. RAY of New York. Certainly.

Mr. HENDERSON. I would like to ask the gentleman from New York if the committee has adopted any rule in regard to the widows of colonels, field officers, and officers of the line?

Mr. RAY of New York. When we have granted an increase in the case of the widows of line officers, colonels, and majors, we have maintained the same distinction pro rata, and so when we have dealt with the privates we have maintained the same distinction.

We must do it, because it is absolutely unjust to place the soldier who was shot to pieces in battle on the same footing with the man who served in the Army and now is disabled to an equal degree, but who received his disabilities from some cause accruing since the war closed.

Mr. HENDERSON. Does the widow of a captain get \$20 a month if he was killed in the Army?

Mr. RAY of New York. The widow of a captain would receive \$20 per month. Widows of lieutenant-colonels and of all above that grade receive \$30 a month as a maximum.

Mr. JOY. Will the gentleman from New York allow me a question?

Mr. RAY of New York. Certainly.

Mr. JOY. Does the report in the case of General Leggett show that he died from diseases or wounds contracted in the service?

Mr. RAY of New York. It does, and the report of the case of General Stevenson shows that he did not die of disease contracted in the service.

Now, Mr. Speaker, I hold in my hand the report in the case of Welthy Post-Leggett. I examined that case personally with the greatest care, with this point in view, in order that we might make no mistake; that we might not be accused in this House of

doing an improper thing, of acting unadvisably, or of being inconsistent in our action. I read now from the report in that case:

These services were especially distinguished and meritorious. He was wounded five times in as many different battles, and also suffered from disease contracted in the service. And this caused his death.

Mr. LOUD. How old was he when he died?

Mr. RAY of New York. How old was General Leggett?

Mr. LOUD. I believe he lived thirty years after the close of the war.

Mr. RAY of New York. He was upward of 70 years of age when he died.

Mr. LOUD. That is to say, he died of wounds received in the service thirty years after the close of the war!

Mr. RAY of New York. Now, mark! He was shot down five times in five different battles. The evidence shows that at one time he lay all day on the battlefield, wounded. At another time, when shot from his horse by a bullet, he got up, and although seriously wounded, remounted, and rode in front of his men until the victory was won.

Mr. LOUD. That was a test of his gallantry, but—

Mr. RAY of New York. And he died of diseases contracted in the service.

Not so with General Stevenson. Let me call attention to one fact in the case of General Stevenson, and then I desire to yield a few minutes of my time.

General Stevenson was in the service for more than a quarter of a century, and for over twenty years he drew a salary from the Government, all the way from \$3,000 to \$5,000 a year. Of course we pity his widow in her poverty; but she will not suffer. She has friends to care for her and to see to her wants. And when this Government gives her an increase of \$23 a month of the pension she has been receiving, I say we are generous. Above all, we should be consistent in our actions and treat all these cases alike if they are of equal merit.

Mr. JOY. Where in this report does the gentleman find the statement that General Stevenson drew from \$3,000 to \$5,000 a year from the Government?

Mr. RAY of New York. Every man on the floor of this House with ordinary intelligence knows the salary of a brigadier-general, counting in his rations, under the law; and when it is stated that he held such an office for such a length of time, we do not need to say in exact figures what he received.

Mr. JOY. That was while he was in the Army—not after he came out of the Army.

Mr. RAY of New York. Does not the gentleman know that he was on the retired list?

Mr. JOY. He did not receive from \$3,000 to \$5,000 while on the retired list, as every gentleman knows.

Mr. RAY of New York. Many gentlemen here know that he received about \$4,000 per year if on the retired list, and the gentleman would know it if he knew anything about the law on the subject.

Mr. PEARCE of Missouri. Do I understand the gentleman to say that the longer a man is in the service of his country the more it detracts from his pensionable rights?

Mr. RAY of New York. The gentleman has not understood me to say any such thing, and he knows it. When he asks that question it is for "buncombe" merely.

Mr. PEARCE of Missouri. That is the inference I drew from the statement of the gentleman.

Mr. RAY of New York. "The gentleman" has not said any such thing. What "the gentleman" does say is this: That when an officer is educated at West Point—when he is taken in early life into the service of his country and remains there until the end of his days, receiving the large pay that this man received, and when he dies and leaves a widow, all that can be expected from this Government for her is a reasonable amount of help—a reasonable pension to afford her a comfortable living during the remainder of her days.

We should treat this as a business proposition, in order that we may be just to all the old soldiers and to all the widows of old soldiers all over the land; because, Mr. Speaker, there are hundreds, yea thousands, of widows of private soldiers and widows of officers of minor rank who are clamoring for an increase of their pensions. And many meritorious cases—hundreds of them—demand and receive favorable action.

Some gentleman will say there is no danger that this Government will not be able to pay all the pensions that Congress may vote. That may be true. But we must remember that it requires \$150,000,000 each year to pay the pensioners now on the rolls; and while we should be generous, while we should take care of all these deserving people to a reasonable extent, we should be conservative, and above all we should so act that no one can say, "You have treated my neighbor better than you have treated me."

Now, Mr. Speaker, I think that on this amendment and on the bill I will ask for the previous question.

Mr. JOY. Mr. Speaker—

Mr. RAY of New York. Mr. Speaker, I demand the previous question.

Mr. JOY. I trust the gentleman will not do that. There are two sides to this question, and we certainly ought to be heard.

The SPEAKER. The gentleman from New York has consumed thirty-one minutes of the hour. Does the gentleman yield to the gentleman from Missouri?

Mr. RAY of New York. How much time does the gentleman want?

Mr. JOY. Well, I want to be heard, and other gentlemen may desire to be heard on this question. Thirty-five minutes have been occupied on your side, and there are certainly two sides to this question.

The SPEAKER. The gentleman from New York has occupied thirty-one minutes.

Mr. RAY of New York. I will yield to the gentleman from Missouri ten minutes.

Mr. JOY. I trust that will not be all that will be yielded to this side of the question.

Mr. PEARCE of Missouri. Mr. Speaker, are there not two sides to this question?

The SPEAKER. The Chair is unable to say. [Laughter.]

Mr. PEARCE of Missouri. Does the gentleman from New York propose to consume the time for both sides?

The SPEAKER. The gentleman in charge of the bill always has control over it.

Mr. RAY of New York. If the gentleman does not desire to occupy the time given to him, I demand the previous question.

Mr. JOY. Mr. Speaker, I must confess that I am somewhat surprised to hear the statements which have been made by the chairman of the Committee on Invalid Pensions with reference to General Stevenson, whose widow is the beneficiary of this bill. I now state that Gen. John D. Stevenson was never on the retired list of the United States Army—never at any minute of time. The record shows that to be a fact.

In the second place, the report in this case is not in accord or in harmony with other reports from that committee. And the determination of the gentleman from New York to-day to cut this pension down from \$50 a month, which was granted not later than last Monday night, to \$30 a month simply arises from the fact that the committee—or not the committee, but one member, or possibly two, as far as we have been able to determine—want their action supported by the House at this time, when on last Monday evening, in the consideration of this very bill, when the question was taken there passed between the tellers to my own knowledge at that time not less than three Republican members of the Committee on Invalid Pensions. They voted for \$50 a month for this old lady.

Now, what are the facts in the case? This old lady is 78 years of age and past. She served with her husband through two wars—was with him during the larger part of two of these campaigns; she is to-day absolutely helpless, absolutely dependent on the charity of the good people of my own State and city; and I will say now that she will not suffer if she does not get a dollar of pension from the United States Government, for the old Union soldiers and the old Confederate soldiers will see that she is amply provided for.

But we only ask this pension in a sense of justice and right and equity to her. She has, in all human probability, only from two to five years to live, and we ask for her what other people occupying similar positions, with reference to the Government, have received at the hands of Congress. It is not much to give under the circumstances.

Of course it is unpleasant to the committee to be defeated on a measure of this kind, because the House in Committee of the Whole voted against their recommendation, and I could say, if I felt disposed, that on the day before this bill was reported I was promised that I should get a report at \$40 a month, which would have been satisfactory. But it came in at \$30 a month, which is entirely inadequate.

With reference to the necessitous condition of Mrs. Stevenson, we have affidavits here; one from Gen. John W. Noble, asking that proper provision be made for her, and showing that this old lady is past 78 years of age, absolutely dependent, weak, and frail in mind and body, dependent on charity in our great city and State; and now I insist that to vote down the provision of the bill and adopt the amendment cutting off \$50 and substituting \$30 a month would be absolutely unjust and inequitable.

This same amount was granted to General Leggett a few days ago, a man who, it is said, died from disease contracted in the service. He died thirty-two years after the war was over, and General Stevenson thirty-three years after the close of the war. Who can say, when at 80 years of age, that either of these men died of disease contracted in the service—that General Leggett died from any such cause? It is the period of life when it is appointed for all to die. It is the ultimate term of human life as a rule; and

there is no man living, be he physician or layman, who can say with any degree of certainty, or even reasonable possibility, that a man of 72 or of 80 years of age died of disease contracted forty years before.

I trust, therefore, Mr. Speaker, that the action of the committee, well taken, after full and mature consideration of this measure, will be sustained by this House and that the amendment will be voted down. This old lady, as I have said, has but two or three years remaining to live, and I trust that the House will do justice at last to the widow of General Stevenson. She is not now drawing a pension, and has never applied for a pension for the service of her husband in the late war.

Less than two months ago, at my request, she was granted a pension of \$8 per month because her husband was a Mexican veteran. He was a gallant soldier through the Mexican war, as well as through the civil war. I trust, my friends, that we shall stand up, even against the chairman of the committee [Mr. RAY of New York] and vote what is right—only what is right, what is just, what is in accordance with all precedents—a paltry \$50 per month to Mrs. Stevenson. [Applause.]

Mr. SIMPSON. Has it not been the custom to grant to widows of generals this \$50 per month?

Mr. JOY. It has for twenty-five years.

Mr. SIMPSON. Is not this a radical departure?

Mr. JOY. Yes. Frequently a larger sum than \$50 a month has been granted, but not less than fifty.

Mr. SIMPSON. A few days ago we voted liberal provision for the survivors of the *Maine*, men who never saw actual service. Is not this a small thing to haggle over and take the time of the House, in opposing the giving to this widow of this old general the pension that has been given to widows of generals heretofore?

Mr. JOY. I think so.

Mr. SIMPSON. It is picayune work.

Mr. JOY. How much time have I remaining?

The SPEAKER. The gentleman has five minutes remaining.

Mr. JOY. I yield the remainder of my time to my colleague [Mr. PEARCE of Missouri].

Mr. PEARCE of Missouri. Mr. Speaker, the gentleman from New York [Mr. RAY] has proposed consistency in this legislation. All I want this House to vote for is consistency. I hold in my hand the record of every single special pension bill that has been passed by Congress for twenty-two years in cases of this kind, and what does it show? It shows that the widows of six major-generals have been pensioned at \$2,000 a year. They were the widows of Gen. George H. Thomas, Gen. Winfield S. Hancock, Gen. John A. Logan, Gen. Frank P. Blair, Gen. George Crook, and Gen. John C. Frémont. The widows of 22 brigadier and major generals receive \$100 a month. The widows of 111 brigadier and major generals of full rank and of major-generals by brevet receive \$50 per month and less than \$100 per month. That is the record of your pension legislation. I incorporate the full list and dates of these bills, as follows:

An examination of the special pension acts which have been passed during the last twenty-two years shows that the widows of 6 major-generals receive \$2,000 per annum, viz: Maj. Gen. George H. Thomas, Maj. Gen. Winfield S. Hancock, Maj. Gen. John A. Logan, Maj. Gen. Frank P. Blair, jr., Maj. Gen. George Crook, Maj. Gen. John C. Frémont.

The widows of 22 brigadier and major generals receive \$100 per month.

The widows of 111 brigadier and major generals of full rank and of rank of major-general by brevet receive \$50 and less than \$100 per month.

Forty-fourth Congress, first session.

Elizabeth B. Dyer, widow of Brig. Gen. Alexander B. Dyer (approved March 25, 1876)	\$50
Elizabeth B. Thomas, widow of Brig. Gen. Lorenzo Thomas (approved April 13, 1876)	50
Mrs. L. H. Rousseau, widow of Lovell H. Rousseau, brigadier-general and brevet major-general, United States Army (approved April 13, 1876); increase from \$30 to	50
Hannah W. Sumner, widow of Maj. Gen. Edwin V. Sumner (approved August 14, 1876)	50

Forty-fifth Congress, second session.

Mary Kirby Smith Eaton, widow of Gen. Amos B. Eaton (approved June 18, 1878)	30
Margaret J. Lovell, widow of Brig. Gen. Charles S. Lovell (approved June 19, 1878); increase	50

Forty-fifth Congress, third session.

Georgine Thomas, widow of Gen. Charles Thomas (approved March 1, 1879)	30
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Forty-sixth Congress, first session.

Mrs. James Shields, widow of Gen. James Shields, brigadier-general, United States Volunteers (approved June 28, 1879)	100
Caroline S. Webster, widow of Fletcher Webster, colonel Twelfth Massachusetts Regiment (approved June 28, 1879); increase to	100

Forty-sixth Congress, second session.

Belinda Curtis, widow of Maj. Gen. Samuel R. Curtis (approved June 16, 1880)	50
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Forty-seventh Congress, first session.

Jennie S. Mitchell, widow of Brig. Gen. Robert B. Mitchell (approved June 27, 1882)	50
Caroline French, widow of Bvt. Maj. Gen. William H. French (approved August 5, 1882)	50
Eliza H. Ramsey, widow of Brig. Gen. George D. Ramsey, brevet major-general, United States Army	50

Forty-seventh Congress, second session.

Orphia Meacham, widow of Col. Alfred B. Meacham (approved March 2, 1883)	\$50
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Forty-eighth Congress, first session.

Elizabeth H. Lawler, widow of Gen. Michael K. Lawler (approved July 3, 1884)	50
Margaret Steedman, widow of Maj. Gen. James B. Steedman (approved July 5, 1884)	50
Mary T. Barnes, widow of Brig. Gen. Joseph K. Barnes (approved July 5, 1884)	50
Sarah Nicoll Crane, widow of Brig. Gen. Charles H. Crane (approved July 5, 1884)	50
Anna J. Foster, widow of Maj. Gen. John G. Foster (approved July 5, 1884)	50
Virginia Zeilin, widow of Brig. Gen. Jacob Zeilin, United States Marine Corps (approved July 5, 1884)	50

Forty-eighth Congress, second session.

Abby P. Arnold, widow of Gen. Richard Arnold, United States Army (approved January 26, 1885); increase to	50
Sally Rodman, widow of Isaac P. Rodman, brigadier-general, United States Volunteers (approved February 10, 1885); increase to	50
Margaret G. Halpine, widow of Charles G. Halpine, lieutenant-colonel and brevet brigadier-general, United States Volunteers, subject to the provisions and limitations of the pension laws (approved February 14, 1885)	50
Sarah Denny Ripley, widow of Brig. Gen. James W. Ripley (approved February 19, 1885)	50
Mrs. Frances L. Thomas, widow of Maj. Gen. George H. Thomas (approved February 20, 1885); increase from \$30 a month to, per annum	2,000
Sophia A. Morgan, widow of Charles H. Morgan, brevet brigadier-general and brigadier-general of volunteers (approved March 3, 1885)	50
Eliza W. Thornburgh, widow of Maj. Thomas T. Thornburgh, of the Fourth Regiment of Infantry, United States Army (approved March 3, 1885)	50
Emily L. Alvord, widow of Brig. Gen. Benjamin Alvord (approved March 3, 1885)	50

Forty-ninth Congress, first session.

Almira Russell Hancock, widow of Winfield Scott Hancock, major-general United States Army (approved March 29, 1886); per year	2,000
Mrs. E. A. Benham, widow of Gen. Henry W. Benham (approved April 5, 1886)	50
Miss Rebecca Miller, daughter of Brigadier-General Miller (approved May 3, 1886)	50
Elizabeth K. Gallagher, widow of Bvt. Brig. Gen. Thomas F. Gallagher, colonel of the Eleventh Regiment Pennsylvania Reserve Corps, subject to the provisions and limitations of the pension laws (approved May 7, 1886)	50
Charlotte D. Crocker, widow of Brig. Gen. Marcellus M. Crocker (became a law without the President's approval); increase from \$30 to	50
Hattie A. Burnett, widow of Maj. Gen. Ward B. Burnett (approved June 1, 1886); increase to	50
Maria A. Birney, widow of Maj. Gen. David B. Birney (approved June 24, 1886); increase from \$30 to	50
Louisa Weitzel, widow of Godfrey Weitzel, lieutenant-colonel in the Corps of Engineers, United States Army, and major-general of United States Volunteers (approved July 6, 1886); increase to	50
Margaret Hunter Hardie, widow of Bvt. Maj. Gen. James A. Hardie (approved July 8, 1886); increase to	50
Rebecca Hollingsworth Humphreys, widow of Brig. Gen. Anderson Atkinson Humphreys, late Chief of Engineers and brevet major-general, United States Army (approved July 31, 1886)	50

Forty-ninth Congress, second session.

Clara B. Davidson, widow of Gen. John W. Davidson (approved January 27, 1887); increase to	50
Elizabeth Ward, widow of Gen. Durbin Ward (approved January 27, 1887)	50
Elizabeth M. J. Meagher, widow of Thomas Francis Meagher, brigadier-general, United States Volunteers (approved February 22, 1887)	50

Fiftieth Congress, first session.

Mary S. Logan, widow of John A. Logan, major-general United States Volunteers (approved April 5, 1888); per annum	2,000
Appoline A. Blair, widow of Francis P. Blair, jr., major-general United States Volunteers (approved April 6, 1888); increase from \$50 a month to, per annum	2,000
Mary K. Taylor, widow of Gen. W. Taylor, brigadier-general, United States Army (approved April 20, 1888); increase to	50
Mrs. Eliza B. Anderson, widow of Robert Anderson, brigadier-general, United States Army (approved April 23, 1888); increase to	100
Jennie Stone, widow of Gen. Charles P. Stone (approved June 9, 1888)	50
Frances Anne Pyne Ricketts, widow of James B. Ricketts, major-general, United States Army, retired (approved July 19, 1888)	100
Sallie R. Alexander, widow of Lieut. Col. Thomas L. Alexander, United States Army (approved July 24, 1888); increase from \$30 to	50
Emily J. Stannard, widow of George J. Stannard, brevet major-general of volunteers (became a law August 2, 1888, without President's approval); increase to	100
Louise Paul, widow of Brig. Gen. Gabriel R. Paul, United States Army (became a law August 2, 1888, without President's approval); increase to	100
Betsey A. Mower, widow of Joseph A. Mower, major-general United States Volunteers (approved October 9, 1888); increase to	75
Mary M. Ord, widow of Gen. E. O. C. Ord (approved October 19, 1888); increase to	75

Fiftieth Congress, second session.

Laura L. Wallen, widow of Henry D. Wallen, colonel Second Infantry, United States Army (approved January 15, 1889); increase to	50
Elizabeth G. Scott, widow of Robert N. Scott, lieutenant-colonel Third United States Artillery (approved January 22, 1889); increase to	50
Margaret S. Heintzelman, widow of Maj. Gen. Samuel P. Heintzelman (approved January 22, 1889); increase from \$50 to	100
Mary A. Bedell, widow of Brig. Gen. John Bedell (approved February 21, 1889); increase from \$30 to	50

Matilda Wilkins Emory, widow of Brig. Gen. William H. Emory, United States Army (approved February 23, 1889); increase to.....	50	Julia E. Lock, widow of Brig. Gen. Daniel McCook, United States Volunteers (approved February 13, 1895).....	50
Frances H. Plummer, widow of Brig. Gen. Joseph B. Plummer, United States Army (approved February 23, 1890); increase to.....	75	Josephine P. Kelton, widow of Brig. Gen. John C. Kelton, late Adjutant-General United States Army (approved February 13, 1895).....	50
Irene Rucker Sheridan, widow of Gen. P. H. Sheridan (approved February 27, 1889); per annum.....	2,000	Alice K. Potter, widow of Gen. Joseph H. Potter, United States Army (approved March 2, 1895); increase.....	50
Sue B. Johnson, widow of Gilbert M. L. Johnson, colonel Thirteenth Indiana Cavalry and brigadier-general by brevet (approved March 1, 1889); increase to.....	50	<i>Fifty-fourth Congress, first session.</i>	
Mary B. Hunt, widow of Bvt. Maj. Gen. Henry J. Hunt (approved March 2, 1889).....	50	Mrs. Eva Davis Cogswell, widow of Brigadier-General Cogswell (became a law without the President's signature February 8, 1896).....	75
Maria A. Rosseau, widow of Lovell H. Rosseau, brigadier-general, United States Army (approved March 2, 1889).....	100	Jane Dulaney, widow of Col. William Dulaney (approved March 4, 1896); increase to.....	75
<i>Fifty-first Congress, first session.</i>			
Matilda C. King, widow of Col. John H. King, brevet major-general, United States Army (approved April 30, 1890).....	50	Catherine R. Jardine, widow of Brig. Gen. Edward Jardine (approved April 18, 1896).....	50
Sallie T. Ward, widow of the late Gen. W. T. Ward (approved May 24, 1890).....	50	Sophia J. Hamilton, widow of Charles S. Hamilton, major-general of volunteers (became a law April 24, 1896, without the President's signature).....	50
Sophia Schimmefenning, widow of Alexander Schimmefenning, brigadier-general and major-general by brevet (approved May 24, 1890).....	50	Mary Doubleday, widow of Bvt. Maj. Gen. Abner Doubleday (became a law April 27, 1896, without the President's signature).....	100
Mary B. Hook, widow of James H. Hook, lieutenant-colonel and assistant commissary-general of subsistence (approved May 27, 1890); increase to.....	50	Helen Morrell Carroll, widow of Samuel Sprigg Carroll, major-general (became a law May 27, 1896, without the President's signature).....	50
Amelia McAllister, widow of Col. Julian McAllister, United States Army (approved May 28, 1890).....	50	Sophia D. Clendenin, widow of Col. David B. Clendenin (approved May 28, 1896).....	50
Juliet Opie H. Ayers, widow of Romeyn Ayers, late colonel in the Second Regiment Artillery, United States Army, and brigadier-general United States Volunteers (approved June 3, 1890); increase to.....	75	Nancy Carson Blount, widow of Maj. Gen. James G. Blount (approved May 29, 1896); increase from \$30 to.....	75
Margaret A. Blake, widow of George H. Blake, colonel First Cavalry and brigadier-general United States Army (approved June 20, 1890); increase to.....	50	Matilda Gresham, widow of Brig. Gen. Walter Q. Gresham (approved May 30, 1896).....	100
Sallie H. Michler, widow of Bvt. Brig. Gen. Nathaniel Michler, United States Army (approved July 11, 1890); increase from \$30 to.....	50	Mary Clare Kelly, widow of Bvt. Maj. Gen. Benjamin F. Kelly (approved May 30, 1896).....	50
Henrietta O. Whittaker, widow of Gen. Walter C. Whittaker (approved August 15, 1890); increase to.....	50	Martha McNeil, widow of John McNeil, brigadier general and brevet major general, United States Volunteers (approved May 30, 1896).....	50
Mary E. Harney, widow of William S. Harney, brigadier general and brevet major-general United States Army (approved August 29, 1890).....	50	Eugenia R. Sweeney, widow of Brig. Gen. Thomas W. Sweeney, United States Army (approved May 30, 1896); increase to.....	50
Miss Margaret Stafford Worth, dependent daughter of Maj. Gen. William J. Worth (approved August 29, 1890).....	100	Ellen C. Ewing, widow of Bvt. Maj. Gen. Thomas Ewing (approved June 2, 1896).....	75
Anne Rodgers Macomb, widow of Col. John N. Macomb, Engineer Corps, United States Army (approved August 29, 1890).....	50	Mrs. Annis H. Enochs, widow of Lieut. Col. and Bvt. Brig. Gen. William H. Enochs (approved June 6, 1896); increase from \$20 to.....	50
Theodora M. Piatt, widow of Benjamin M. Piatt, late a captain and assistant adjutant-general, United States Volunteers (approved August 30, 1890).....	50	Mrs. Eleanor Carroll Poe, widow of Col. Orlando M. Poe (approved June 6, 1896).....	50
Mary J. Milroy, widow of Robert H. Milroy, major-general, United States Volunteers, and soldier in the Mexican war (approved September 2, 1890).....	75	Elizabeth W. Sutherland, widow of Surg. Gen. Charles Sutherland; increase to.....	50
Laura J. Wallen, widow of Henry D. Wallen, late colonel Second Infantry, United States Army (approved September 25, 1890); increase to.....	100	Mrs. H. J. Kiernan, widow of Gen. James L. Kiernan (approved June 6, 1896); increase to.....	50
Mary Crook, widow of George Crook, late a major-general, United States Army (approved September 27, 1890); per annum.....	2,000	Harriet C. Gregg, widow of Col. and Bvt. Gen. John Irving Gregg (approved June 6, 1896); increase from \$30 to.....	50
Jessie Benton Fremont, widow of the late John C. Fremont, major-general, United States Army (approved September 27, 1890); per annum.....	2,000	Elmira E. Dustin, widow of Gen. Daniel Dustin (approved June 6, 1896).....	50
Betsey A. Mower, widow of Gen. Joseph A. Mower, United States Army (approved September 30, 1890).....	100	Julia A. Jamison, widow of Brig. Gen. Charles D. Jamison (approved June 6, 1896); increase from \$30 to.....	50
Sallie Douglas Hartranft, widow of Bvt. Maj. Gen. John F. Hartranft, United States Volunteers (approved September 30, 1890).....	100	Emily M. Van Derveer, widow of Brig. Gen. Ferdinand Van Derveer (approved June 8, 1896).....	50
Amanda M. Smyth, widow of Brig. Gen. Thomas A. Smyth, United States Army (approved September 30, 1890); increase from \$30 to.....	100	Mrs. William Loring Spencer, widow of Col. George E. Spencer, First Alabama Cavalry Volunteers; increase to.....	50
Emily F. Warren, widow of G. K. Warren, major-general, United States Army (approved September 30, 1890).....	100	Martha N. Gibson, widow of Col. and Bvt. Brig. Gen. William H. Gibson (approved June 11, 1896).....	50
Katherine W. Howell, widow of Brig. Gen. Joshua B. Howell, United States Army (approved September 30, 1890); increase to.....	50	<i>Fifty-fourth Congress, second session.</i>	
Mary A. Blaisdell, widow of Gen. William Blaisdell (approved October 1, 1890).....	50	Charlotte O. Van Cleve, widow of Brig. and Bvt. Maj. Gen. Horatio P. Van Cleve (approved January 13, 1897).....	50
<i>Fifty-first Congress, second session.</i>			
Margaret Proctor Noyes, widow of Gen. Edward F. Noyes, late colonel Thirty-ninth Ohio Volunteer Infantry and brevet brigadier-general (approved February 14, 1891).....	50	Helen M. Mallery, widow of Garrick Mallery, late captain and brevet lieutenant-colonel, United States Army, lieutenant-colonel Thirteenth Pennsylvania Cavalry, and brevet colonel, United States Volunteers (became a law without the President's signature); increase to.....	50
Mrs. Rochie Brien Buell, widow of Gen. George P. Buell, United States Army (approved February 14, 1891).....	50	Fanny Moale Gibbon, widow of Maj. Gen. John Gibbon, United States Army (approved January 27, 1897).....	100
Caroline E. Duryee, widow of Abraham Duryee, late brigadier-general, retired (approved February 14, 1891).....	50	Celeste A. Boughton, widow of Bvt. Brig. Gen. Horace Boughton, United States Army, retired (approved January 30, 1897); increase to.....	50
Elizabeth C. Custer, widow of Gen. George A. Custer (approved February 19, 1891); increase to.....	100	Lena D. Smith, widow of Green Clay Smith, late colonel, Fourth Kentucky Cavalry, and brigadier-general, United States Volunteers (approved January 30, 1897).....	50
Mary Condy Ringgold, widow of George H. Ringgold, late lieutenant-colonel and deputy paymaster-general, United States Army (approved February 28, 1891); increase to.....	50	Elise Blenker, widow of Gen. Louis Blenker, late brigadier-general, United States Army (approved February 2, 1897); increase from \$30 to.....	50
Ellen L. Pelouze, widow of Lewis H. Pelouze, brigadier-general, United States Army (approved February 28, 1891); increase to.....	50	Priscilla R. Burns, widow of Brig. Gen. William W. Burns, United States Army (approved February 2, 1897); increase to.....	50
Louisa A. Starkweather, widow of John C. Starkweather, late colonel First Wisconsin Infantry and brigadier-general of volunteers (approved March 2, 1891).....	50	Isabella Morrow, widow of Henry A. Morrow, colonel, Twenty-first United States Infantry, colonel and brevet major general, United States Army (approved February 3, 1897).....	50
Mary C. Hoffman, widow of Gen. William Hoffman (approved March 2, 1891).....	50	Anna M. Newton, widow of John Newton, major-general, volunteers, and brigadier-general, United States Army (approved February 4, 1897).....	75
Louisa V. Kilpatrick, widow of Maj. Gen. Judson Kilpatrick, United States Volunteers (approved March 3, 1891); increase to.....	50	Marion McKibben, widow of David B. McKibben, late colonel One hundred and fifty-eighth and Two hundred and fourteenth Pennsylvania Infantry and brevet brigadier-general, United States Army (became a law without the President's approval); increase to.....	50
Elizabeth R. Lee, widow of Samuel Perry Lee, late major Third Regiment Maine Volunteer Infantry, brevet-colonel United States Volunteers, and major and brevet lieutenant-colonel United States Army (approved March 3, 1891).....	50	Caroline A. Hough, widow of Brig. Gen. John Hough (became a law without the President's approval); increase from \$17 to.....	50
Floriday G. Casey, widow of Maj. Gen. Silas Casey, United States Army (approved March 3, 1891); increase to.....	100	Clara L. Nichols, widow of Bvt. Maj. Gen. W. A. Nichols (approved February 20, 1897).....	50
(None in the Fifty-second Congress.)			
<i>Fifty-third Congress, second session.</i>			
Frances Corse, widow of Bvt. Maj. Gen. John M. Corse (approved August 4, 1894).....	100	Mary O. H. Stoneman, widow of Geo. Stoneman, major-general, United States Volunteers (approved February 27, 1897); increase to.....	50
<i>Fifty-third Congress, third session.</i>			
Mary Palmer Banks, widow of Nathaniel P. Banks, major-general United States Army (approved January 9, 1895).....	100	Emma Weir Casey, widow of Brig. Gen. Thomas Lincoln Casey, chief of engineers, United States Army (approved February 27, 1897).....	50
Katherine Todd Crittenden, widow of Thomas L. Crittenden, major-general United States Army (approved February 8, 1895).....	50	Mary Gould Carr, widow of Brig. and Bvt. Maj. Gen. Joseph B. Carr, United States Volunteers (approved February 27, 1897).....	50
There has been but one case where a pension bill has ever passed this House for the widow of a brevet major-general for less than \$50 per month—only one in twenty-two years. The gentleman from New York speaks about the record of General Leggett. He was a grand and glorious soldier who served his country magnificently, but his record was no better than that of General Stevenson. I have procured from the War Department the records of both these men.			

I have laid their records side by side, date by date, and incorporate them as follows:

Comparison from records of—

Maj. Gen. J. D. Stevenson (born Virginia June 8, 1821).

Captain Company E, First Regiment Missouri Mounted Infantry (Mexican war, Colonel Doniphan's regiment), June 27, 1846; mustered out June 24, 1847. In Missouri legislature, 1860-61. Colonel Seventh Missouri Infantry Volunteers, August 21, 1861. Brigadier-general, to rank from November 29, 1862. Brevetted major-general, to date from March 13, 1865; mustered out January 15, 1866. Commissioned colonel Thirtieth Infantry, United States Army, July 28, 1866. Commissioned colonel Twenty-fifth Infantry, United States Army, December 15, 1870. Brevetted brigadier-general, United States Army, March 2, 1867, for gallantry at Champion Hills. Resigned December 31, 1870.

Commanded at Larrimie Bridge, Mo., December 31, 1861; Lexington, Mo., February 28, 1862; Pittsburg Landing, Tenn., June 30, 1862; Fourth Brigade, First Division, Seventeenth Army Corps, Jackson, Tenn., August 31, 1862; Fourth Brigade, Third Division, Seventeenth Army Corps, October 31, 1862, to April 10, 1863; Third Brigade, Third Division, Seventeenth Army Corps, January to June, 1863; Third Division, Seventeenth Army Corps, July to November, 1863; District of Corinth, October 26, 1863, to February, 1864; Detachment Fourth Division, Sixteenth Army Corps, March, 1864; District of Harpers Ferry, August 15, 1864, to February 22, 1865; Department of West Virginia, District of Harpers Ferry, February 22, 1865, to July 12, 1865; Department of Georgia, July 28, 1865; District of Altoona, August 30, 1865.

Was engaged in the battles of the Mexican war.

In the late war at battles of Lexington, Mo.; Boonville, Mo.; Shiloh; Port Gibson; Raymond; Champion Hills; Jackson; Big Black; Vicksburg; Savannah; and Corinth.

Fortified and held Decatur.

Was never reported as absent from his command.

Maj. Gen. M. D. Leggett.

Lieutenant-colonel Seventy-eighth Ohio Infantry, December 18, 1861. Colonel Seventy-eighth Ohio Infantry, January 21, 1862. Brigadier-general, November 26, 1862. Brevetted major-general, September 1, 1864. Major-general, August 21, 1865. Resigned September 1, 1865.

Commanded Second Brigade, Third Division, Thirteenth Army Corps, November to December, 1862; Second Brigade, Third Division, Seventeenth Army Corps, December, 1862, to January, 1863; First Brigade, Third Division, Seventeenth Army Corps, June to November, 1863; Third Division, Seventeenth Army Corps, November, 1863, to July, 1865. Temporarily in command Seventeenth Army Corps, January 24, 1865.

Was engaged in many battles and was twice wounded. Was brevetted for Atlanta and Savannah campaigns.

Absent with leave, April to May, 1863; absent with leave, March to April, 1864; absent, sick, August to September, 1864; absent, sick, January to March, 1865.

HEADQUARTERS JOHN A. LOGAN POST, No. 304,
DEPARTMENT OF MISSOURI, G. A. R.,
St. Louis, Mo., March 17, 1898.

DEAR SIR: The following preamble and resolution were adopted unanimously by John A. Logan Post, No. 304, Department of Missouri, G. A. R., at a regular meeting held on the 14th instant:

"Whereas it has come to the knowledge of the officers and members of John A. Logan Post, No. 304, Department of Missouri, G. A. R., that a bill granting a pension to the widow of a late comrade of this post, the late Bvt. Maj. Gen. John D. Stevenson, has passed the United States Senate, but is as yet without action by the House of Representatives; and

"Whereas the late Bvt. Maj. Gen. John D. Stevenson rendered his country eminent services in the Mexican war and the war of the rebellion, and the widow of this distinguished officer is now in destitute circumstances and too old and feeble to earn a livelihood;

"Be it resolved, That the Hon. CHARLES E. PEARCE, member of Congress, be requested to advise the officers and members of John A. Logan Post what action will, in his opinion, secure the prompt attention of the members of the House of Representatives to the consideration and passage of the said bill, to the end that the few years yet remaining to the aged and infirm widow of our distinguished comrade may be passed in comparative comfort and ease instead of in abject poverty and misery."

Kindly comply with request expressed in above resolution.

We have the honor to be, very respectfully, your obedient servants,
JNO. B. PRATT, Post Commander.
CARL MOLLER, Post Adjutant.

Hon. CHARLES E. PEARCE, M. C.,
Washington City, D. C.

This record shows that Gen. John D. Stevenson was engaged in the battles of the Mexican war, and that in the late war of the rebellion he was commanding brigades and divisions at Lexington, Mo., Boonville, Mo., Shiloh, Port Gibson, Raymond, Champion Hills, Jackson, Big Black, Vicksburg, Savannah, and Corinth, and that he fortified and held Decatur. He was never reported as absent from his command. He was congratulated, complimented, and thanked in the general orders of the War Department. General Stevenson's widow was married to him in 1845. She went with him and served during the Mexican war. She was with him and served all during the late war, stood by his side, and did her duty as he did his.

He was not wounded during the war, but is there a man on this floor able to say that a soldier who was not wounded in the late war necessarily did not perform his duty as well as the soldier who was? I was not wounded in the war, and yet I believe I played my little, humble part as well as any other man in the places in which I was put.

Now, gentlemen of the House, let me say to you that consistency in this pension legislation demands of you that you award to General Stevenson's widow the same pension as you have given all through twenty-two years of your legislation to widows similarly situated.

This bill passed the Senate without an objection. It came over here, and I tell you, gentlemen, that the chairman of the Committee on Invalid Pensions [Mr. RAY of New York] does not represent on this floor, as I happen to know, the sentiment of his own committee upon this subject. [Applause.]

I would not derogate, nay, more, I would pay all honor to the memory of that gallant soldier, General Leggett. I knew him well. I would do as much for the memory of Gen. John D. Stevenson.

[Here the hammer fell.]

Mr. RAY of New York. Mr. Speaker, the gentleman says he happens to know that the chairman of the committee does not represent the sentiments of the committee. I happen to know that he does, and I happen to know that the gentleman from Missouri [Mr. PEARCE] has no warrant for making such a statement as he has just made. He does have warrant for stating that this rate of \$30 per month does not represent the views of two or three of the members of that committee; but I state again that we had this very subject before the Committee on Invalid Pensions yesterday in regard to the widow of Gen. A. J. Smith, who stands on precisely the same footing that this widow of General Stevenson does.

The committee fully discussed this question and stood by the chairman, with only two exceptions. The gentleman should be sure of his facts before he makes such a statement. Her husband was a brave and distinguished officer, but he did not die of disease received or wounds contracted in the service, and we reported her bill yesterday from that committee at \$30 per month. The bill, Mr. Speaker, was introduced by the gentleman from Missouri [Mr. PEARCE] himself, and what he wants is to carry \$50 here and then \$50 there.

Mr. PEARCE of Missouri. Why not?

Mr. RAY of New York. And then there are men on this floor that I happen to know who have bills of a like character, and they want to carry \$50 for the widow of a general officer regardless of whether the husband died from wounds received or disease contracted in the service so they may get \$50 for their claimant. The committee has been consistent all along on this line. The great majority are united and determined to be just and consistent.

Now, there was a gentleman on the other side who asked me for five minutes, and I yield five minutes to the gentleman from Ohio.

Mr. LENTZ. Mr. Speaker, I feel that under the circumstances another fact ought to be considered in this House before we vote on this measure. I happen to live in a district that has a pension agency that distributes more money than any other pension agency in the United States. In that capital district of Ohio, I know that within the city of Columbus there are many women who are in a worse condition than soldiers' widows, because they are to-day compelled to take in washing or go from house to house to do washing or other service to help support their crippled, disabled old soldier husbands, who get no assistance from this Government, but have long since been deserving of the honor and help of having their names on the pension roll.

While we are economizing all along the line to-day, it seems but fair to follow the report of this committee, for by that means we shall save \$20 a month on this pension, and that will enable us to pay \$10 a month to each of two others as much deserving as this one. They say that in their judgment it is wise to put widows upon the pension roll at \$30 a month where the officer has not died by reason of wounds received or disease contracted in the Army. I think we ought to follow the judgment of the committee and not waste the public funds. No doubt this widow was devoted to her husband, General Stevenson, but the wives and widows of the private soldiers have been just as loyal and devoted to their humble husbands as were the wives of the officers. Let us not make the pensions so large for the benefit of the few. Let us be more just and equitable and distribute our funds to a larger number of suffering soldiers and their widows and orphans. I have no patience with granting large pensions so that the few may keep up what is called "social position," while the good old wives and widows of the common soldiers remain wash women because we are short of funds sufficient to pension the many thousands who now need and deserve help.

I say if you are going to be bounteous, and I am in favor of being generous—so far in favor of being generous to the old soldiers, their widows and orphans, that I want a service-pension bill passed here before this session closes, so that every living soldier who came out of the war with a clean record shall have his name upon a pension roll that shall indeed be a roll of honor. I say it is not timely to spend \$50 a month in pensioning the widow of an officer and leave thousands of other women supporting soldiers who are

diseased or crippled by reason of the services they rendered their country without any hope of future reward or distinction, such as was in prospect for the commanding officers. It may be well to consider the claims of the thousands of soldiers, their wives and widows, on the Treasury of this country, as well as the claim of the individual. Let us not forget the poor, for them have we with us always. For instance, in the State of Ohio two years ago we had 103,000 ex-soldiers of the civil war. Many, many of those men, to my own personal knowledge, from what I have seen, without going outside of my experience, are now needing and deserving a pension, but they have had no consideration, while every one of them ought to be on the pension roll.

Instead of parceling this money out to a few, let us be liberal and generous to the many, and by saving here a little and there a great deal, make a reasonable service-pension law in demonstration of the fact that this nation is determined to encourage in the hearts of its people the sentiment of patriotism and love of country. You can not do that by being too generous to one and too mean to thousands who have claims upon us. Pensions are a legitimate part of the war debt. To have appropriated a man's health and strength is as worthy of reimbursement by the Government as the seizure of cotton or corn from loyal citizens, but we pay pensions not alone in settlement of an obligation, but also to promote patriotism. If, however, we make unjust and unfair discrimination, if we show the lavish hand of partiality and favoritism to the few, we demoralize and discourage the many, and in the end defeat our best purpose by impressing the masses with the conviction that government by the people does not mean "equal and exact justice to all," but rather special privileges to the few.

Mr. RAY of New York. I yield five minutes to the gentleman from Iowa [Mr. HENDERSON].

Mr. HENDERSON. Mr. Speaker, one of the great difficulties that we have had in pension legislation by special acts has been that no Committee on Invalid Pensions has ever laid down any rules that we could understand until this present committee. They have adopted rules that we all understand, and they are following them uniformly, and I believe it is the duty of this House to sustain them in this matter.

If any general officer, or field officer, or line officer, as I understand the rule, dies the same as if shot down in battle, they give the widow as liberal a pension as they would if she was the widow of an officer killed in battle. Then if the widow of an officer not killed in battle, if dying of old age or other cause, they still give the widow more pension than she could get under any law upon the statute books.

Now, the gentleman from Missouri [Mr. PEARCE], with one of the warmest and tenderest hearts I know of, speaks of the beautiful devotion of this widow. I wish that speech could be broadened to apply to every soldier's widow in the Republic. [Loud applause.] My observation is, gentlemen of the House, that the wife of the humblest soldier was just as true to her boy in blue as the wife of the greatest general who led armies or divisions [great applause], and my judgment is that their tears are as sacred in the sight of God and their prayers will rise and be respected as much at the great white throne. We have not in our legislation been able to care for the great mass of widows, perhaps, as much as we should have done.

I remember that since we made the fight to raise their pensions from \$8 to \$12 where their husbands died of wounds received or disease contracted in the service there has been this feeling in every honest breast in this House, that we have always gone further than we ought to go in behalf of the man who wore the shoulder straps. That has been my own feeling, and I have never resisted it. And why? Because I wanted to feel that I cast my vote to give the poor widows of our brave men all that we could. We have now a fair scale in this rule laid down by the Committee on Invalid Pensions, and for one, believing that that rule is an honest one—and I wish that it had been followed long ago—I shall vote to sustain the Committee on Invalid Pensions on the pending proposition.

Mr. RAY of New York. Mr. Speaker, I desire to call the attention of this House to one single fact, and then I shall insist on the previous question. I ask members to remember when you vote on this bill you will leave the widows of thousands of brave boys in blue who marched up to the mouth of angry cannon in equal or greater necessity drawing only \$12 a month, while you give this widow \$30 a month, nearly three times what we give to the privates' widows; and when we do this we are going as far as we ought to go. The amendment should prevail. Fifty dollars in such a case can not be justified. I insist upon the previous question.

The question was taken; and the previous question was ordered.

The SPEAKER. The question is on the amendment proposed by the gentleman from New York.

The question was taken; and the Speaker announced that the ayes seemed to have it.

The House divided; and there were—ayes 99, noes 45.

Mr. JOY. The yeas and nays, Mr. Speaker.

The question was taken on ordering the yeas and nays.

The SPEAKER. Twenty-five gentlemen have arisen.

Mr. JOY. I ask for the other side.

Mr. RAY of New York. How can the same gentleman who asked this division call for the other side?

The SPEAKER. Because he is interested in the result. [Laughter.] [After counting.] One hundred and thirteen—not a sufficient number. The yeas and nays are refused; the ayes have it, and the amendment is agreed to.

Mr. RAY of New York. Mr. Speaker, the other night there were other amendments agreed to in Committee of the Whole.

The SPEAKER. The question is on the amendments agreed to in Committee of the Whole.

The amendments were agreed to.

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

The title was amended so as to read: "An act granting an increase of pension to Hannah Letcher Stevenson."

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

ORDER OF BUSINESS.

Mr. GIBSON. Mr. Speaker, I call for the regular order.

Mr. BABCOCK. I hope the gentleman will withdraw that for a moment. I ask unanimous consent that it be in order next Monday to consider business reported by the Committee on the District of Columbia. As the House is aware, yesterday was District day, but on account of the condition of things I had no opportunity to make this request.

Mr. BAILEY. Does the gentleman from Wisconsin intend to substitute next Monday, which will be suspension day, for last Monday, which was District day? I have no objection except that possibly there may be matters on that day which it would be desirable to pass under a suspension of the rules. With the understanding that District matters may be considered on that day and still leave in order matters that may be necessary to pass under suspension of the rules, I have no objection.

Mr. BABCOCK. I think there is no objection to that, Mr. Speaker.

The SPEAKER. The gentleman from Wisconsin asks that next Monday be substituted for District business. Is there objection? The Chair hears none.

Mr. GIBSON. Mr. Speaker, I now call for the regular order, and I move that the House resolve itself into Committee of the Whole for the consideration of bills upon the Private Calendar.

Mr. COOPER of Texas. Pending that motion, Mr. Speaker, I ask unanimous consent that debate on House bill 4936 be closed at 4 o'clock, and that it be reported to the House and that a vote be taken in the House before 5 o'clock.

Mr. STEELE. Let us know what the bill is.

Mr. COOPER of Texas. It is the bill with reference to the claims, commonly known as the Bowman Act.

Mr. DINGLEY. I desire to state, Mr. Speaker, that general debate has been closed and that we are now considering the bill by paragraphs, and that the committee proposes to move to strike certain paragraphs from the bill when reached. The matter will proceed very rapidly.

Mr. COOPER of Texas. Does the gentleman think we shall get through with it this afternoon?

Mr. DINGLEY. I understand there will be no delay, that the matter will proceed rapidly.

Mr. STEELE. I call for the regular order, Mr. Speaker.

The motion of Mr. GIBSON was agreed to; and accordingly the House resolved itself into Committee of the Whole (Mr. PAYNE in the chair) for consideration of bills upon the Private Calendar.

OMNIBUS CLAIM BILL.

The CHAIRMAN. The House is in Committee of the Whole House for consideration of bills upon the Private Calendar. The committee has under consideration House bill 4936, a bill for the allowance of certain claims for stores and supplies reported by the Court of Claims under the provisions of the act approved March 3, 1883, and commonly known as the Bowman Act, and the Clerk will read the next paragraph.

The Clerk read as follows:

To Thomas J. Lavender, administrator of Jacob Lavender, deceased, late of Hempstead County, Ark., \$591.

Mr. McRAE. Mr. Chairman, I move to amend by striking out the word "Hempstead," in line 5, and inserting "Nevada." At the time this claim accrued Mr. Lavender resided in Hempstead County, but a new county named Nevada was formed, and he died in the new county. The administrator lives in the county of Nevada and letters of administration were issued in that county.

Mr. GIBSON. There is no objection to that.

The amendment was agreed to.

The Clerk read as follows:

To John A. Raine, of Hardin County, \$644.

Mr. SMITH of Kentucky. Mr. Chairman, I desire to amend that paragraph by making it payable to the personal representatives of John A. Raine.

Mr. RICHARDSON. There is a general amendment to the bill that covers that.

Mr. SMITH of Kentucky. Very well, I withdraw my amendment.

The Clerk read as follows:

To Odd Fellows' Hall Association, of New Orleans, \$49,000.

Mr. DINGLEY. Mr. Chairman, I desire to call the attention of the committee to this particular case, and to inquire what the committee's report is in regard to it. It is desirable that there shall not be included in any of these claims any claim for the damage or destruction of property, as it is understood that only stores and supplies are to be paid for. I wish for an opportunity to look into this and see if there is any claim made for damages to this property, and therefore I will ask to have it passed for the present.

Mr. RICHARDSON. We have no objection to passing it and recurring to it afterwards.

There was no objection.

The Clerk read as follows:

To Mrs. Belle Osborne, executrix of John Osborne, deceased, late of Alexandria, \$19,750.

Mr. GIBSON. Mr. Chairman, I ask that that paragraph be passed over informally and taken up later.

Mr. DINGLEY. Why not move to strike it out now? It is understood that claims of this character shall be stricken from the bill.

Mr. EVANS. Mr. Chairman, I move to strike out lines 15, 16, and 17, on page 25 of the bill—the last paragraph read.

The amendment was agreed to.

The Clerk read as follows:

To Lowesky Bonvillian, of Terrebonne Parish, \$900.

Mr. RICHARDSON. Mr. Chairman, I move to amend by striking out the word "Bonvillian" and inserting "Bouvillian."

The amendment was agreed to.

The Clerk read as follows:

To A. T. Snoffer, of Frederick County, \$983.

Mr. RICHARDSON. I move to amend the amendment just read by striking out the word "Snoffer" and inserting in lieu thereof "Sneuffer."

The amendment was agreed to.

The Clerk read as follows:

To James Harding, administrator of James H. Maury, deceased, late of Claiborne County, \$1,950.

Mr. GIBSON. I move to amend the paragraph just read by inserting, after the word "James," the letter "M.," so as to read: "James M. Harding."

The amendment was agreed to.

The Clerk read as follows:

To Simeon Gilbreath, of Bates County, \$869.

Mr. DE ARMOND. Simeon Gilbreath, named in the paragraph just read, is dead. I wish to move an amendment inserting before the name the words "the heirs at law of."

Mr. RICHARDSON. The committee have a general amendment which they propose to offer, covering all cases of this class, of which there are quite a number in the bill. It is not necessary to adopt such an amendment in each individual case.

Mr. DE ARMOND. Very well; I withdraw the amendment.

The Clerk read as follows:

To John T. Lynch, of Houston County, \$150.

Mr. ROBB. I move to amend the paragraph just read by striking out "Houston" and inserting "Texas." There is no such county as "Houston." The proper name of the county is Texas.

The amendment was agreed to.

The Clerk read as follows:

To John T. Lynch, administrator of David Lynch, deceased, late of Houston County, \$175.

Mr. ROBB. I move to amend this paragraph by striking out the word "Houston" and inserting "Texas."

The amendment was agreed to.

The Clerk read as follows:

To Benjamin Peter Bailey, treasurer of the Missouri State Lunatic Asylum No. 1, \$17,250.

Mr. DINGLEY. I wish to inquire whether this is a claim merely for rent?

Mr. BLAND. If the gentleman will examine the decision of the court, he will find that it excludes everything except rent.

The Clerk read as follows:

To the estate of Nicholas J. Bigley, deceased, late of Pittsburg, \$21,211.50.

Mr. ROBBINS. I move the amendment which I send to the desk.

The Clerk read as follows:

Strike out "to the estate of Nicholas J. Bigley, deceased, late of Pittsburg," and insert in lieu thereof the following:

"To the heirs of Nicholas J. Bigley, deceased, late of Pittsburg, Pa.; Sarah McMeal, Joseph H. Bigley, Catherine L. Grace, Mary E. Smith, George Carrol

Bigley, Susannah L. McCormack, Agnes Loretta Suter, Nicholas J. Bigley, and James W. Bigley, the sum of."

Mr. COOPER of Texas. I hope the gentleman from Pennsylvania [Mr. ROBBINS] will correct his amendment so as to say simply "the heirs at law." This committee can not undertake to designate specifically who are the heirs of certain parties.

Mr. ROBBINS. The amendment which I have offered conforms exactly to the paragraph of the Senate bill. If the simple language "heirs" or "heirs at law" will be sufficient, I have no special desire to designate the heirs by name. But I should like this claim to be paid to the heirs of Bigley rather than to his estate, for the reason that this is a very old claim, having been adjudicated in the Court of Claims away back in 1888, and since its final adjudication Bigley, in 1890, died. The claim ought to be paid to his heirs and not to any administrator. It is true there has been an administrator, but he has already filed two accounts, and, so far as he has gone, has settled up the estate in full. I have here certificates from the courts of Allegheny and Westmoreland counties, Pa., stating that there are no legal liens against the estate.

Mr. COOPER of Texas. There is a general amendment, to be offered at the close of the bill by the committee, covering all such cases as this.

Mr. ROBBINS. What would be the effect of the amendment in this particular case?

Mr. COOPER of Texas. It would provide for the payment of the claim to the legal administrator or heirs of the deceased party.

Mr. ROBBINS. Administrator or heirs?

Mr. COOPER of Texas. The claim would be paid to the administrator, if an administration is pending; if not, then to the heirs.

Mr. DALZELL. There is an administration pending in this case, and the purpose of this amendment is to take away this fund from the creditors of the dead man and turn it over to the heirs, who have no earthly claim upon the estate until the claims of the creditors are satisfied.

Mr. ROBBINS. I question whether there are any creditors having legal claims. I say there is not a legal claim against this fund, according to the list of liens of the counties of Allegheny and Westmoreland. There is not one claimant who has brought suit under the statute law of Pennsylvania and preserved the lien of his claim by putting it in judgment or by filing a statement of the claim in the prothonotary's office.

Mr. DALZELL. My colleague must know that there is more than this amount outstanding and unpaid of the estate of Nicholas J. Bigley. I knew him in his lifetime. He was a constituent of mine, and I can say to the gentleman and to the committee that if he were here present to-day his voice would be the loudest of any man in this Chamber protesting against an attempt to take from his creditors the assets of his estate and turn them over to his children.

Mr. ROBBINS. I do not know about that. But if the claim is paid to an administrator, he would simply have the right to charge on the fund the fees which he ought not to have under the circumstances. The whole fund will then be tied up in court by long and expensive litigation between creditors, who have done nothing toward collecting it, and the heirs of N. J. Bigley.

Mr. DALZELL. Oh, there is nothing in that.

Mr. ROBBINS. The heirs of Mr. Bigley are all of them in moderate circumstances and need this money. There are four of them who reside in my district. They are first entitled to this money, and I hope by this amendment to get it for them.

Mr. EVANS. Mr. Chairman, I hope the amendment will be voted down, for if it goes to the administrator all of the rights of property can be settled in the local courts as they ought to be settled.

Mr. DALZELL. That is correct.

Mr. COOPER of Texas. Mr. Chairman, if we can not proceed with this matter now, I ask that it be passed over without prejudice until the reading of the bill is completed.

Mr. DINGLEY. Oh, no; let us have the matters settled as we proceed, where we can settle them.

The CHAIRMAN. Objection being made, the question is on agreeing to the amendment of the gentleman from Pennsylvania. The question was taken; and it was rejected.

The Clerk read as follows:

To William McAdams, survivor of Marks & McAdams, late of Pittsburg, \$43,251.25.

To Susannah P. Swope, of Clearfield County, \$3,050.

Mr. ARNOLD. Mr. Chairman, I move an amendment, to correct the spelling of the name, in line 6. The name should be "Swoope," not "Swope."

The amendment was agreed to.

Mr. DINGLEY. Mr. Chairman, I desire to call the attention of the committee, before we pass from it, to the paragraph just preceding that referred to by the gentleman from Pennsylvania. I call attention to the amount which is allowed in that paragraph—

\$43,251. I have here the findings of the Court of Claims, and they find only for \$12,000. There must be some clerical error, I apprehend.

I read from the findings of the court:

FINDINGS OF FACT.

This case having been heard by the Court of Claims, the court, upon the evidence and after considering the briefs and arguments of counsel on both sides, finds the facts to be as follows:

I.

On the 17th day of January, 1861, and on the 15th day of April, 1861, the firm of Marks & McAdams shipped from Pittsburg, Pa., for the city of New Orleans, La., three boat loads of Youghioheny coal, containing 24,715 barrels of coal, which duly arrived in said city.

II.

In the autumn of 1861 the said coal was seized by the Confederate authorities and taken into possession and thereafter unloaded in a separate heap in a coal yard, established by and then under the control of the Confederate authorities, at Algiers, opposite New Orleans, where the same remained until seized by the Federal troops under command of Maj. Gen. B. F. Butler, in the month of May, 1862, at which time said coal was taken possession of by General Butler and his subordinates, and the same was consumed by military authority for the use of the United States Army.

III.

Said coal was worth at New Orleans at the time of its seizure by the Confederate forces about \$12,000, but in May, 1862, when the United States forces under General Butler seized said coal, in consequence of the shipment of coal down the Mississippi River being obstructed, the price had advanced so that for a time the United States military authorities paid \$1.75 per barrel.

So, Mr. Chairman, it will be seen that the committee allows more in this case than the court finds.

Mr. COOPER of Texas. If the gentleman will follow the report, he will see the following language is used:

That at the time said coal was so, as aforesaid, taken by the said Maj. Gen. Benjamin F. Butler and his subordinates for the use of the United States, as aforesaid, the same was then and there worth the value of at least \$1.65 per barrel, the whole value of the coal sold as aforesaid, taken, and used being then worth \$40,779.75.

It will be seen in paragraph 3 of the findings of the court that they put the rate at \$1.75 per barrel.

On page 2 of the report it will be seen:

(4) That the market value of the coal, and the price the Government was paying at the time, was \$1.75 per barrel, or for 24,715 barrels, \$43,251.25.

Mr. DINGLEY. But certainly the Government ought not to pay more than the coal was worth at the time it was seized by the Confederate forces. We want to do what is right and just in the premises, but opportunity ought not to be taken to get an extravagant amount.

I call the attention of the committee to the case. The understanding was that the allowances, in all of these claims, were to be those reported by the Court of Claims. That court reports \$12,000 in this case, and yet this bill makes it \$43,000 and over.

Mr. ROBBINS. Possibly there was something else in the claim.

Mr. DINGLEY. No; there is no indication of anything else. I have the report and findings of the court here. I felt that there must be some error made in the figures.

Mr. COOPER of Texas. That is possible.

Mr. DINGLEY. The amount should be \$12,000, according to my understanding.

Mr. GIBSON. I move to pass this over informally and take it up later on, to give an opportunity of investigation.

Mr. DINGLEY. I have no objection to that. It ought to be investigated carefully, because this gives to this party \$31,000 more than the Court of Claims allows.

The CHAIRMAN. Is there objection to passing over the paragraph in question until the end of the bill is reached?

There was no objection.

The Clerk read as follows:

To S. B. Herbert, of Lawrence County, \$425.

To David H. Hildebrand, of Shelby County, \$863.

Mr. COX. Mr. Chairman, I am doing my best to keep up with the reading of the Clerk. I did not hear him read lines 5 and 6. I should like to know how they read in the copy of the bill the Clerk is reading.

The Clerk read as follows:

To S. B. Herbert, of Lawrence County, \$425.

Mr. COOPER of Texas. Mr. Chairman, I am directed by the Committee on War Claims to offer an amendment, striking out lines 7 and 8. It appears that this claim is in the bill inadvertently and should not be there.

The amendment was read, as follows:

On page 54, strike out all of lines 7 and 8.

Mr. COX. What is that amendment?

Mr. COOPER of Texas. To strike out the Hildebrand claim.

Mr. CARMACK. I should like to ask the gentleman why that is stricken out?

Mr. COOPER of Texas. I am informed that this is not a claim of the character contemplated to be placed upon this bill; that it was irregularly or improperly placed there.

Mr. CARMACK. What is the character of it?

Mr. COOPER of Texas. It is not for stores and supplies; and

the findings are so indefinite that we can not determine that it is a claim proper to be placed upon this bill.

The amendment was agreed to.

The Clerk read as follows:

To Thomas M. Leneave, administrator of Irby T. Leneave, deceased, late of Maury County, \$750.

Mr. COX. I want the attention of the gentleman from Tennessee [Mr. GIBSON] who has the bill in charge. Let us see if we properly understand this matter. Take the claim in line 9, page 55, which has just been read:

To Thomas M. Leneave, administrator of Irby T. Leneave, deceased, late of Maury County, \$750.

Now, here is the point. Thomas M. Leneave, who was administrator of Irby T. Leneave, is also dead. Under the amendment which I understand is proposed to this bill, to whom will that money be paid?

Mr. GIBSON. We have a general amendment covering all those cases, of which there are quite a number.

Mr. COX. The point I want to get at is this: If the amendment provides for the paying of the money to the administrator de bonis non?

Mr. GIBSON. Yes.

Mr. COX. If it does that, then there is no question about it; but I do not want to commit myself to the idea that it should be paid to the heirs, regardless of the rights of creditors.

Mr. GIBSON. All the money goes to the estate, to be distributed by due course of law; not to the heirs, but to the administrator de bonis non.

Mr. COX. You keep the money in the line of administration?

Mr. EVANS. Yes.

The Clerk read as follows:

To James T. S. Greenfield, of Maury County, \$695.

To David P. Atkinson, of Wayne County, \$165.

To William P. James, of Marion County, \$1,019.

To James C. Hodges, of Jefferson County, \$319.

To Elizabeth McIntyre, administratrix of Robert McIntyre, deceased, late of Knox County, \$198.

To Benjamin F. Owen, of Williamson County, \$2,540.

Mr. COX. I wish to ask what the Clerk read, on lines 7 and 8, page 64?

The Clerk read as follows:

To James T. S. Greenfield, of Maury County, \$695.

Mr. COX. And in line 18?

The Clerk read as follows:

To Benjamin F. Owen, of Williamson County, \$2,540.

Mr. COX. That is all right.

The Clerk read as follows:

To W. G. Provine, administrator of James M. Provine, deceased, late of Shelby County, \$8,025.

Mr. COOPER of Texas. I am directed by the committee to offer the amendment which I send to the Clerk's desk.

The amendment was read, as follows:

On page 66, strike out the whole of lines 19, 20, and 21, which read as follows:

"To W. G. Provine, administrator of James M. Provine, deceased, late of Shelby County, \$8,025."

Mr. CARMACK. I should like to know upon what ground it is proposed to strike that out.

Mr. COOPER of Texas. I will state to the gentleman from Tennessee that this claim is not properly upon this bill, for the reason that when presented to the Court of Claims the court found the claimant disloyal. There were two findings. In the former finding it appears he was found loyal, but subsequently, in another hearing, they found that the claimant was disloyal, and being disloyal, that being a jurisdictional fact, the court could not inquire further. Therefore this claim is improperly upon this bill.

Mr. CARMACK. There were two findings by the Court of Claims?

Mr. COOPER of Texas. Two findings by the Court of Claims, and the latter finding finds the claimant disloyal.

The amendment was agreed to.

The Clerk read as follows:

To the heirs of the late Mrs. Mary Ann Randolph Custis Lee, of Fairfax County, \$217,230.

Mr. EVANS. Mr. Chairman, this is one of the claims about which there will be some debate. I ask unanimous consent that it be passed over informally until the other matters in the bill are disposed of.

The CHAIRMAN. Unanimous consent is asked by the gentleman from Kentucky that the claim just read by the Clerk be passed over without prejudice. Is there objection?

There was no objection.

The Clerk read as follows:

To James W. Myers, of Jefferson County, \$1,028.

Mr. RICHARDSON. Mr. Chairman, I desire to offer an amendment to strike out that claim, which is done on a rehearing of that case.

The amendment was read, as follows:

Strike out lines 4 and 5, on page 75.

The amendment was agreed to.

The reading of the bill was resumed and concluded.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. STEELE having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed without amendment bills of the following titles:

H. R. 290. An act to increase the pension of William H. Webster;

H. R. 345. An act granting an increase of pension to George D. Cook;

H. R. 771. An act granting an increase of pension to Bernard Dunn;

H. R. 7827. An act granting a pension to Elizabeth M. Tummy;

H. R. 7008. An act granting a pension to R. G. English;

H. R. 6931. An act granting a pension to James B. Rawlins;

H. R. 5083. An act granting a pension to Thomas Lane;

H. R. 4624. An act granting an increase of pension to Mary E. Herd;

H. R. 4526. An act granting a pension to Mary Vockey;

H. R. 4467. An act to increase the pension of Carey H. Russell;

H. R. 4399. An act for increase of pension of Alexander E. Ingraham;

H. R. 4116. An act to increase the pension of Charles C. Short;

H. R. 3915. An act granting a pension to Delia Elizabeth Woodward;

H. R. 3802. An act increasing the pension of Francis M. Bruner; H. R. 3798. An act granting an increase of pension to Milton Iserman;

H. R. 3661. An act granting a pension to Charles L. Stephens;

H. R. 3212. An act granting an increase of pension to Barbara Miller;

H. R. 3184. An act granting an increase of pension to James H. Blakeman;

H. R. 3160. An act to place on the pension rolls the name of Minerva Sample;

H. R. 2970. An act to permit an increase of the pension of John A. Anderson;

H. R. 2924. An act granting an increase of pension to R. A. Browning;

H. R. 2349. An act granting a pension to Mrs. Weltha Post-Leggett;

H. R. 2275. An act granting an increase of pension to Isaac B. Vall;

H. R. 2272. An act granting an increase of pension to John N. Bruce;

H. R. 2199. An act granting an increase of pension to Henry F. Rice;

H. R. 1957. An act to increase the pension of William P. Cooper;

H. R. 1802. An act increasing the pension of Mary E. Wallick;

H. R. 1981. An act granting an increase of pension to Elisha M. Luckett;

H. R. 1306. An act increasing the pension of William Warner;

H. R. 1034. An act granting a pension to William H. Byrum; and

H. Res. 182. Joint resolution providing for the temporary admission free of duty of naval and military supplies procured abroad.

The message also announced that the Senate had passed the following resolutions:

Resolved, That the Senate has heard with deep sensibility the announcement of the death of Hon. JOHN SIMPKINS, late a Representative from the Commonwealth of Massachusetts.

Resolved, That a committee of five Senators be appointed by the Vice-President to join the committee appointed on the part of the House of Representatives to take order for superintending the funeral of the deceased.

Resolved, That the Secretary communicate these resolutions to the House of Representatives.

In compliance with the foregoing, the Vice-President appointed Mr. HOAR, Mr. McMILLAN, Mr. WOLCOTT, Mr. NELSON, and Mr. MALLORY as said committee.

SENATE BILL REFERRED.

Under clause 2 of Rule XXIX, a Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee as indicated below:

S. 4127. An act to provide for dredging the channel in the harbor of New Bedford, Mass.—to the Committee on Rivers and Harbors.

OMNIBUS CLAIM BILL.

The committee resumed its session.

Mr. STEWART of New Jersey. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Insert after the last line, page 76, the following:

"It shall be lawful for any judgment creditor of the respective claimants

herein to attach or sequester the amount allowed any such claimant in any court of competent jurisdiction, and upon due and legal proof of said judgment, and that no appeal therefrom is pending, the same shall be paid out of the moneys so allowed said claimant, and if more than one judgment then the same shall be paid pro rata."

Mr. RICHARDSON. I raise the point of order on that amendment that it is not germane to this bill.

Mr. STEWART of New Jersey. I think it is absolutely germane.

Mr. RICHARDSON. I do not think that we ought to settle controversies of that kind between litigants. If they have any rights, we do not want to legislate in this bill for remedies of that kind. If the parties have any legal rights, they can obtain them.

Mr. STEWART of New Jersey. They have no such remedy in the United States courts.

Mr. RICHARDSON. And I make the further point of order, before that is taken up now, that the committee have amendments which are to be offered, and which should first be considered. I hope the gentleman will wait until we get through with the committee amendments.

Mr. GIBSON. It will come in better afterwards.

The CHAIRMAN. If the gentleman will withdraw the amendment until the bill is perfected, it can be disposed of.

Mr. STEWART of New Jersey. I am satisfied to allow it to go over until the committee amendments are disposed of.

Mr. GIBSON. The committee have sent up a number of amendments, which are now in the hands of the Clerk, and which I ask to have read next.

The Clerk read as follows:

At the end of the bill insert the following:

"To John W. Belcher, administrator of John Belcher, deceased, late of Jefferson County, Ala., \$220."

Mr. DINGLEY. Mr. Chairman, I wish, before that amendment is put to the committee, to make an inquiry. As I understand, these amendments, although they would be subject to a point of order, are all findings of the Court of Claims for stores and supplies actually furnished the Army?

Mr. GIBSON. Every one of them.

Mr. DINGLEY. There is no case of damage or destruction?

Mr. GIBSON. They have all been carefully scrutinized.

The Clerk read as follows:

To James A. Barton, administrator of Henry Ferguson, deceased, late of Walker County, Ala., \$1,568.

To John W. Belcher, administrator of John Belcher, deceased, late of Jefferson County, Ala., \$220.

To James A. Barton, administrator of Henry Ferguson, deceased, late of Walker County, Ala., \$1,568.

To William B. Smithson, administrator of John G. Smithson, deceased, late of Lauderdale County, Ala., \$537.

To Thomas J. Whitson, of Tuscaloosa County, Ala., \$154.

To Seborn E. York, administrator of William York, deceased, late of Limestone County, Ala., \$249.

To Benjamin F. Greer, administrator of Hugh Flinn, deceased, late of Benton County, Ark., \$655.

To Benjamin E. Gambill, of Benton County, Ark., \$248.

To Fred Roesch, administrator of Christian Roesch, deceased, late of Pulaski County, Ark., \$1,755.

To Margaret Singleton, administratrix of Andrew J. Singleton, deceased, late of Franklin County, Ark., \$480.

To Alexander Moffitt, of the District of Columbia, \$12,442.98.

To James Trimble and Mary Blakely, executors of Joseph Trimble, deceased, late of the District of Columbia, \$3,790.

To Lucinda Trimble, Adam Gaddis, administrator of Margaret Gaddis, deceased, Adam Gaddis, jr., Mary T. Gaddis, Jane Trimble, James Trimble, and Matthew Trimble, heirs of William Trimble, deceased, late of the District of Columbia, \$6,620.

To John Brooks, of Henry County, Ga., \$754.

To William B. Taylor, of Walker County, Ga., \$1,655.

To H. W. McCorkle, administrator of Pleasant W. Huff, deceased, late of Hart County, Ky., \$247.

To William F. Stonebroker, administrator of Christian Stonebroker, deceased, late of Washington County, Md., \$2,031.

To L. W. Carradine, administrator of Medora A. Butler (formerly Medora A. Scott), deceased, late of Jefferson County, Miss., \$3,510.

To James P. Fudge, of Lafayette County, Miss., \$292.75.

To Mary Jane Middleton (formerly Mary Jane Wharton), of Franklin County, Miss., \$560.

To P. E. Matthews, administrator of William C. Reeves, deceased, late of Lafayette County, Miss., \$300.

To N. D. Graham, administrator of James Summers, deceased, late of Scott County, Miss., \$290.

To Jane Williams, of Amite County, Miss., \$1,440.

To J. S. Goss, administrator of J. S. Lee, deceased, late of Webster County, Mo., \$710.

To Thomas H. Brinegar, of Davie County, N. C., \$250.

To John F. Grantham, administrator of Needham Grantham, deceased, late of Sampson County, N. C., \$677.

To Rachel McCormick, administratrix of Duncan McCormick, deceased, late of Cumberland County, N. C., \$625.

To Richmond G. Sheek, of Davie County, N. C., \$200.

To Edward Reed, of Richland County, S. C., \$260.

To Elizabeth Stewart, administratrix of Levi A. Baker, deceased, late of Davidson County, Tenn., \$893.

To James M. Barkley, administrator of William S. Barkley, deceased, late of Washington County, Tenn., \$563.

To John A. Smith, executor of Rebecca Casey, deceased, late of Hardin County, Tenn., \$770.

To James W. Cole, administrator of Peter Cole, deceased, late of Wayne County, Tenn., \$182.

To James E. Holston, of Hamblen County, Tenn., \$140.

To George W. Howse, of Rutherford County, Tenn., \$1,750.

To Charles E. Holmes, administrator of Thompson Jarrett, deceased, late of Rutherford County, Tenn., \$970.

To Michael Kieff, of Giles County, Tenn., \$320.
 To John M. Kimbrough, of Monroe County, Tenn., \$380.
 To J. P. Sloan, executor of Mahala J. Mayse, deceased, late of Grainger County, Tenn., \$315.
 To Thomas Neilson, of Jefferson County, Tenn., \$160.
 To Maria L. Pettit, of Shelby County, Tenn., \$105.
 To James Y. Reed, of Hardeman County, Tenn., \$120.
 To Benjamin F. Scroggin, of Giles County, Tenn., \$214.
 To V. J. Smith, of Dyer County, Tenn., \$180.
 To John Gum, administrator of Ann Thompson, deceased, late of Rutherford County, Tenn., \$1,187.
 To John D. Sale, administrator of John E. Van Pelt, deceased, late of Fayette County, Tenn., \$1,798.
 To W. T. Wade, administrator of Allen Wade, deceased, late of McNairy County, Tenn., \$373.
 To Simon H. Wayland, of Lawrence County, Tenn., \$230.
 To the elders of the Presbyterian Church at Murfreesboro, Rutherford County, Tenn., \$3,500.
 To Laura C. Newton, administratrix of Greenberry Williams, deceased, late of Sumner County, Tenn., \$2,070.
 To Thomas Ryan, of Claiborne County, Miss., \$370.
 To William A. Bickford, of Shelby County, Tenn., \$3,840.
 To Jacob H. Lindsey, of Rockingham County, Va., \$971.
 To John Rickard, of Shenandoah County, Va., \$800.
 To Jonas Wampler, of Augusta County, Va., \$135.
 To Mrs. Margaret E. Crane, administratrix of Joseph Crane, deceased, late of Jefferson County, W. Va., \$600.
 To J. Garland Hurst, administrator of John T. Henkle, deceased, late of Jefferson County, W. Va., \$2,921.
 To Robert Kilmer and Dennis M. Kilmer, administrators of Isaac Kilmer, deceased, late of Berkeley County, W. Va., \$571.
 To John G. Ruckle, administrator of Samuel Ruckle, deceased, late of Jefferson County, W. Va., \$352.
 To William A. Wiseman, administrator of Amos K. Wiseman, deceased, late of Fayette County, W. Va., \$1,820.
 To F. F. Smith, executor of Catharine Lytle, deceased, late of Washington County, Md., \$420.
 To J. S. Stillwell, administrator of Simon Simons, deceased, late of Woodruff County, Ark., \$1,216.
 To Charles Miller, administrator of Felix Miller, deceased, late of Hawkins County, Tenn., \$550.
 To Rosa B. Hill, administratrix of John H. Batte, deceased, late of Prince George County, Va., \$3,440.
 To Eliza J. Ewing, executrix of Fayette C. Ewing, deceased, late of Lafourche Parish, La., \$1,916.
 To Standwix H. Mayfield, of Benton County, Mo., \$1,753.
 To Edwin N. Nelson, administrator of John Hutchinson, deceased, late of Prince William County, Va., \$789.
 To Margaret Rose, of Greene County, Mo., \$250.
 To Regine Senner, administratrix of Anton Senner, deceased, late of Allen County, Kans., \$397.
 To Mary E. Walley, administratrix of Irwin Walley, deceased, late of West Point County, Mo., \$480.
 To George W. Gordon, administrator of Treadwell S. Ayres, deceased, late of Shelby County, Tenn., \$7,615.
 To Christian Hofstetter, of Davidson County, Tenn., \$1,732.
 To C. W. Duke, administrator of H. M. Kerr, deceased, late of Lafayette County, Miss., \$1,323.
 To the legal representatives of Jacob S. Engleman, deceased, late of Augusta County, Va., \$510.
 To George M. Bretherick, administrator of Joseph A. Hardwick, deceased, late of Lauderdale County, Ala., \$385.
 To Harvey H. Waters, administrator of William A. Waters, deceased, late of Sebastian County, Ark., \$1,520.
 To Jasper Gall, of Iberia Parish, La., \$704.

[Cries of "Vote!"]

Mr. GIBSON. I move the adoption of the amendments, Mr. Chairman.

The amendments were agreed to.

Mr. SWANSON. We have passed page 71 of the bill by unanimous consent. I suppose that we shall go back to it.

Mr. EVANS. We shall come to it presently. There were several items passed, and the committee will take them up in order.

The CHAIRMAN. The Clerk will report the first paragraph passed over.

Mr. STEWART of New Jersey. I ask for a vote on my amendment, Mr. Chairman.

Mr. RICHARDSON. A point of order was made on the amendment of the gentleman from New Jersey, and the Chair has it there.

The CHAIRMAN. The Chair does not think that that amendment is germane where it is offered, and sustains the point of order.

Mr. LESTER. Mr. Chairman, I desire to have an amendment made on page 16.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent to return to page 16.

Mr. EVANS. What for?

The CHAIRMAN. For the purpose of offering an amendment.

Mr. EVANS. Let us hear the amendment.

Mr. LESTER. It is an amendment in line 4.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent to offer the following amendment, which the Clerk will report subject to objection.

Mr. SWANSON. I rise to a point of order.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent to return to page 16 for the purpose of offering the following amendment, which will be reported subject to objection.

The Clerk read as follows:

Strike out the word "Atlanta," in line 4, page 16, and insert the word "Savannah."

The CHAIRMAN. Is there objection to returning to the paragraph? The Chair hears none.

Mr. LIVINGSTON. I understand the party lives in Savannah and not at Atlanta.

Mr. LESTER. That is the fact.

The amendment was agreed to.

Mr. STALLINGS. I desire to ask unanimous consent to turn back to page 6, line 3, and offer the following amendment, which is nothing but the change of a name.

The CHAIRMAN. The Clerk will report the amendment, subject to objection.

The Clerk read as follows:

Amend line 3, page 6, by striking out the words "William H. Linn" and insert "William H. Linan."

Mr. RICHARDSON. There is no objection.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

The question was taken; and the amendment was agreed to.

Mr. RICHARDSON. Now turn to the first paragraph passed over. It will take but a minute.

The Clerk read as follows:

To Odd Fellows' Hall Association of New Orleans, \$49,000.

Mr. DINGLEY. Mr. Chairman, that paragraph was passed over for the purpose of ascertaining whether there was in it any element of damage or injury. I am informed by the committee that on examination they find it to be entirely for rent.

Mr. RICHARDSON. Mr. Chairman, that is correct; but there is a typographical error in the bill as printed. The amount is \$372.16 in excess of that stated in the bill, and the committee direct me to insert that amount, as shown in the amendment which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 25, line 11, strike out the word "dollars" and insert in lieu thereof "two hundred and seventy-two dollars and sixteen cents."

The amendment was agreed to.

The CHAIRMAN. The Clerk will read the next paragraph passed over.

The Clerk read as follows:

To William McAdams, survivor of Marks & McAdams, late of Pittsburg, \$43,251.25.

Mr. DINGLEY. Mr. Chairman, I offer the following amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amend, in lines 4 and 5, on page 51, by striking out all after the word "Pittsburg" and inserting in lieu thereof the words "twelve thousand dollars."

The amendment was agreed to.

Mr. EVANS. On page 25, Mr. Chairman, is a paragraph that was passed over.

The CHAIRMAN. The Clerk will report.

The Clerk read as follows:

To Mrs. Belle Osborne, executrix of John Osborne, deceased, late of Alexandria, \$19,750.

The CHAIRMAN. The Chair is informed by the Clerk that that paragraph was stricken out.

Mr. EVANS. Yes; but I ask unanimous consent that the action of the committee in striking out that paragraph be vacated. There is no question but that half of the claim ought to be allowed. There was no objection.

Mr. COOPER of Texas. I move to amend, Mr. Chairman, by striking out the words "nineteen thousand seven hundred and fifty dollars" and inserting the words "nine thousand eight hundred and seventy-five dollars."

The amendment was agreed to.

The CHAIRMAN. The Clerk will report the next paragraph passed over.

The Clerk read as follows:

To the heirs of the late Mrs. Mary Ann Randolph Custis Lee, of Fairfax County, \$217,236.

Mr. EVANS. Mr. Chairman, I offer the following amendment: Strike out, on page 71, lines 18, 19, and 20, which is the paragraph last read.

When this bill was up a few days ago, there was an agreement reached as to the amount of time to be consumed in discussing this particular claim. I suppose the gentleman from Virginia [Mr. SWANSON] will control the time in behalf of the paragraph.

Mr. SWANSON. It was agreed that the other side should have five minutes and we should have twenty-five minutes.

Mr. EVANS. Then I trust the gentleman will occupy part of his twenty-five minutes.

Mr. SWANSON. No reason has yet been given, Mr. Chairman, why this claim should be stricken out.

Mr. EVANS. Well, Mr. Chairman, I am not able to give all the reasons why it should be stricken out in five minutes. I want to remind the committee of the fact that those of us who have

been advocating the payment of the Bowman Act claims have done it upon these grounds: First, that the claimant was loyal; second, that the supplies were furnished by the claimant or taken from him; third, that the Army got the supplies, and fourth, that the amount due for them was ascertained by the Court of Claims. That is the only character of claims for which any of us have been willing to vote. I believe it will not be hard to enable the committee to understand this claim perfectly. The gentleman from Virginia was not quite accurate in his statement as to the time. Thirty minutes on a side was allowed; but the chairman of the Committee on War Claims, who had the bill in charge, expected to consume only five minutes in support of the proposition to strike the claim out. We may consume more than that.

Mr. SWANSON. That was the understanding—that we were to have fifteen minutes on a side—but he was to give me ten minutes of his time.

Mr. EVANS. Mr. Chairman, the Committee on War Claims has reported against this claim. It is in this bill inadvertently, and ought never to have been here. The committee itself has authorized the amendment to strike it out. Now, what are the facts? Mrs. Fitzhugh, the widow of William H. Fitzhugh, was the life tenant of 8,000 acres of land not far from Alexandria, Va. Mrs. Lee, the widow of Gen. Robert E. Lee, was the owner of the remainder. She owned the remainder under the same will. Mrs. Fitzhugh was found to be a loyal person. She owned, however, only a life estate in this land. It would have been regarded quite an insult thirty years ago if even my friend from Virginia had intimated, or if anybody else had said, that Mrs. Lee had not given some aid and comfort to the Confederacy. The suit of Mrs. Fitzhugh was filed in the Court of Claims upon a state of facts thus stated by the Court of Claims:

Mrs. Fitzhugh was tenant for life of Ravensworth, an estate of over 8,000 acres, near Alexandria, Va., under the will of her husband, William H. Fitzhugh.

Mrs. Robert E. Lee was vested with the remainder under the same will. The Chief Quartermaster in 1862, 1863, 1864, and 1865 caused to be cut and taken away from that estate 108,618 cords of wood. While this was going on the Secretary of War stopped it upon the ground that Mrs. Fitzhugh was an extremely loyal person; but when he was assured that the taking of the wood was a military necessity, the work went on.

Before resuming, however, Colonel Greene, the Chief Quartermaster, assured Mrs. Fitzhugh that it would be paid for if the loyalty of the owner was shown. This promise applied to 65,000 cords of it, which were taken after the promise was made. Mrs. Fitzhugh died in 1872, but her age does not appear.

The Court of Claims found that Mrs. Fitzhugh was perfectly loyal and that the 108,618 cords of wood were worth \$2 per cord; in all, \$217,236. But in the fifth of its findings the court used this language: "The court also finds that the value of the life estate—that is to say, Mrs. Fitzhugh's property, or interest as tenant for life in the wood so taken—has not been shown or established. There has been no appearance by or on behalf of the owners of the reversionary estate in these proceedings in this court."

Now, this case turns upon the question, What was the interest of Mrs. Fitzhugh, and what was her right in this timber? Every lawyer here knows that a life tenant has only what they used to call the right of estovers: that is to say, the life tenant has the right to cut firewood and to cut wood for the repairs of buildings; also to clear the land for the purpose of husbandry or cultivation. A life tenant has none other than these three rights in reference to timber.

Mr. McCULLOCH. Is not the holder of a life estate responsible in law for waste?

Mr. EVANS. Undoubtedly.

Mr. McCULLOCH. And if this life tenant committed waste upon the estate, would she not be responsible—

Mr. EVANS. It was not waste committed by her. She is responsible only for voluntary waste.

Mr. McCULLOCH. Wait a moment. Would she not be responsible for any waste whatever that occurred during her life estate?

Mr. EVANS. She would only be responsible for voluntary waste; and, manifestly, this was not voluntary waste. Here is an attempt, which I think most of us recognize as ridiculous and absurd, to work out for Mrs. Lee a right to \$200,000 for a remainder interest through the loyalty of a life tenant, Mrs. Fitzhugh. That is wholly inadmissible. I appeal to the sense of justice of every man here—I do not care whether he was a follower of General Lee, an admirer of Mrs. Lee, or whatever else he may have been—does the Bowman Act, do the findings of the Court of Claims, does common sense, justify us in paying \$200,000 or any other sum of money to Mrs. Lee on account of damages resulting to this life tenant?

[Here the hammer fell.]

Mr. DINGLEY. In view of the importance of this question, I ask unanimous consent that the gentleman from Kentucky [Mr. EVANS] be allowed ten minutes longer, if he desires so much time.

Mr. EVANS. I do not know that I shall use ten minutes.

Mr. SWANSON. And that the same amount of time be allowed on this side.

Mr. EVANS. You will have time enough, anyhow.

Mr. DINGLEY. I think there will be no objection to granting additional time on the other side if necessary.

The CHAIRMAN. The Chair hears no objection to the request of the gentleman from Maine [Mr. DINGLEY].

Mr. EVANS. Mr. Chairman, I think I have developed to the satisfaction of everyone who has done me the honor to listen that the interest of Mrs. Fitzhugh in this property could not exceed in value \$5,000 or \$6,000. She was an old woman. Now, what was the value of her life estate in the timber, which, as I have said, she could only use for the three purposes named? The Court of Claims did not ascertain that. There was no attempt made to ascertain it. The trouble about the findings in this case is that they are not perfect. What ought to have been done? Measures ought to have been taken to ascertain the value of Mrs. Fitzhugh's life estate. Then, whatever might have been the value so ascertained by the Court of Claims, she would have been entitled to receive in person, or her administrator would have been entitled to receive it. But because she was a loyal person and owned the life estate, we are asked now to pay the reversionary title holder the whole amount of the value of the timber, although she was notoriously and, I may say, proudly disloyal to the Government of the United States during the war.

These are the facts of the matter. If we are going to confine ourselves to the payment of claims under the Bowman Act, we certainly can not pay this claim, because Mrs. Lee's interest in it, even if she were loyal, is not ascertained at all, nor was Mrs. Fitzhugh's. On the contrary, even if the committee had reported in favor of this claim, the findings of the court would not warrant us in paying it on any possible ground.

Having thus stated the facts of the case, I will reserve the remainder of my ten minutes until I hear from the other side.

Mr. SWANSON. Mr. Chairman, I wish to explain this claim, and I am confident that both sides of this Chamber, regardless of party lines or sectional divisions, will vote for the claim when it has been clearly and distinctly understood. I want to make a statement as to what this claim is.

Mrs. Fitzhugh was the aunt by marriage of the wife of Gen. Robert E. Lee. She was Miss Goldsborough, from Maryland. Her husband, Mr. Fitzhugh, died without any children, leaving her by his will a life estate in some lands across the Potomac River. Mrs. Robert E. Lee, who was Miss Custis (the daughter of the adopted son of George Washington), was, under the conditions of the will, to be the heir of her uncle, Mr. Fitzhugh, after the death of Mrs. Fitzhugh. When the war broke out Mrs. Fitzhugh, who was by marriage an aunt of Gen. Robert E. Lee's wife, was loyal to the Union. It is proven that the Sunday night before Gen. Robert E. Lee resigned his position in the Federal Army and went to Virginia to cast his fortunes with the Confederacy was spent by him with Mrs. Fitzhugh; that she insisted he should remain and fight with the Federal Army.

Now, Mr. Chairman, during the course of the war it was found that Mrs. Fitzhugh had a great deal of very valuable timber that the Government needed. It was the only timber, in fact, that the Government could get for the use of hospitals and to use for the various other needs arising out of the war. The Government issued an order directing the Quartermaster's Department to gather the timber on the estate of Mrs. Fitzhugh, and the work was done. She came to Washington and consulted with the Federal authorities as to this taking of the timber. On account of her loyalty, which was then established, they issued an order to stop cutting the timber on her land. Then Colonel Greene, who had charge of the Quartermaster's Department of the United States, wrote to the Department that it was impossible to get the necessary timber or lumber elsewhere, and that it was absolutely essential that they should get it, if at all, from the estate of Mr. Fitzhugh, or from her farm.

Under these circumstances they revoked the order directing the cessation of the cutting of the timber; and the Court of Claims found, as Colonel Greene says in his deposition, that Colonel Greene, a Federal official, entered into an agreement with Mrs. Fitzhugh that if she would permit this timber to be cut he would see that she would be paid for it at the rate of \$3 per cord. He stated to her that he had the power to make that positive agreement with her—an agreement entered into distinct and clear covering this entire transaction. That, you will see, Mr. Chairman, was an agreement from the chief commissary of the Department of the Federal Army in this city; and the Court of Claims find that this agreement was entered into duly and lawfully; that Colonel Greene promised to pay her \$3 a cord for the timber cut on her land, and the Government is responsible for the action of its agent, who was duly authorized to make the agreement. They went on cutting the timber under this order and agreement and took one hundred and eight thousand and some hundred cords.

Mr. STEWART of New Jersey. Will the gentleman allow an interruption?

Mr. SWANSON. I would like very much to yield to the gentleman, but I have but a few minutes.

Mr. STEWART of New Jersey. I only wanted to ask the gentleman if he does not think that Mrs. Fitzhugh was guilty of waste in entering into any such agreement?

Mr. SWANSON. Well, I will come to that later on.

This agreement, Mr. Chairman, has not been disputed and will not be disputed. It is nowhere questioned that the Federal Government, by its authorized agent, made an agreement as stated, and as sacred as any one that the Federal Government ever made, even to its bondholders, and which it has fulfilled by paying every dollar of the bonds. Colonel Greene said he had authority to make the contract; and if he had not made it this timber would not have been obtained, but they would have been compelled to get it somewhere else, as has been stated, at a very much greater expense to the Government.

How much did they cut? One hundred and eight thousand and some hundred cords were taken. They promised to pay her, as I have already stated, at the rate of \$3 per cord for it—a specific agreement that the Government of the United States entered into.

Now, Mrs. Fitzhugh had to prove her loyalty before the court could take jurisdiction of the case. The Court of Claims for years and years have tried to disprove it, and came to the conclusion, irresistible and unquestioned, that, notwithstanding the circumstances which surrounded her, notwithstanding the trials and temptations with which she was beset, even the fact that her nephew by marriage, the great and brave and talented genius, Robert E. Lee, was leading the forces of the Confederacy with great distinction, with all of these influences she still stood true and firm and loyal to the Union.

Here, then, is a promise shown by this record of an agreement made by the Federal Government to pay her the sum of \$324,000 for the timber taken from her lands. It is not questioned now that she was entirely loyal. The committee sent in their report at \$2 a cord in place of \$3, as agreed upon. Now the question is presented to the House, Shall a specific promise, made to a loyal citizen, be disregarded? Shall the Government refuse to execute its agreement made by a person competent to do so, simply because the beneficiary of that promise happens to be a child or children of Gen. Robert E. Lee?

In other words, shall we stand and vote here that the blood of Robert E. Lee, in this age of liberal ideas, when sectional distinctions and sectional prejudices have been obliterated—that his blood is so attainted that even his children can not inherit the result of any contract and promise made by the Federal Government for supplies? Because Mrs. Fitzhugh, who died about 1872, bequeathed the residuum of her estate, which includes this obligation, to the children of General Lee.

Now, Mr. Chairman, all you have to do is read the findings of the Court of Claims and you will find the specific, distinct, and unquestioned promise made to Mrs. Fitzhugh that this money should be paid.

Mr. McCULLOCH. If the gentleman will permit me, as I understand it, Mrs. Fitzhugh died long after the war, leaving all that she possessed, including this obligation which had been incurred, to the children of General Lee, who are simply her heirs.

Mr. SWANSON. She died in 1872, I think it was. By her will she left the children of Gen. Robert E. Lee her residuary legatees, and all of the estate undisposed of was to go to them as the beneficiaries of the will, which would include this.

Now, Mr. Chairman, the question is simply presented here as to whether we shall comply with our agreement. Here is a promise just as sacred, as fairly proven, as any promise to any citizen of the United States. It is admitted that the promise was made to a loyal citizen. The question is, Shall it be unexecuted because the beneficiaries are the children of General Lee? I do not believe in this age and time, when sectional lines have been obliterated, when narrow partisanship has been eliminated, that any section of the country or any set of men will stand up and antagonize this claim, but that on the contrary they will sustain the promises made by the Government, even though the children of Robert E. Lee shall be the beneficiaries. The Lees have ever been preeminent in the history of this country. There was never a crisis in its history that they were not prominent, patriotic, and great. They deserve this money by law, justice, and right.

Mr. COX. Will the gentleman yield to me?

Mr. SWANSON. I will.

Mr. COX. I want to understand distinctly. Was Mrs. Fitzhugh the absolute owner of that property?

Mr. SWANSON. Mrs. Fitzhugh was the life tenant under her husband's will, but possibly the owner in fee under a deed by Mrs. Lee.

Mr. COX. Who were the remaindermen?

Mr. SWANSON. I have stated that the remaindermen were the children of Robert E. Lee, unless a certain deed that Mrs. Lee made to Mrs. Fitzhugh, before her marriage to Robert E. Lee, carries the fee simple in this estate to Mrs. Fitzhugh. If you will read the deed I think you will agree with me that it does. But the Court of Claims did not find that. That seems not to have been before them. But here is a promise made. Mrs. Fitzhugh had promised to permit this waste, to permit the cutting of this

timber, provided she got \$3 a cord for it. She is liable, as the gentleman from New Jersey [Mr. STEWART] said, to the remaindermen for waste, having agreed to that.

Mr. STEWART of New Jersey. Was she not liable to indictment under the laws of Virginia for willful waste?

Mr. SWANSON. If it was willful, possibly she might have been. But I want to say that she agreed to it, and she is liable to these children, and the Government agreed to stand between her and any damages to the extent of \$3 a cord. Do you think that a great Government like the United States should fail to fulfill its pledges and promises made to a loyal citizen? There is no dispute about her loyalty. There is no dispute as to the amount taken. There is no dispute as to the price. The only objection made is the impression sought to be produced that the children of Robert E. Lee are so attainted, that their blood is so attainted by law, that they can not inherit property descended and given to them by a loyal citizen of the United States.

I do not believe there is a constituent of a man on that side of the Chamber or on this side of the Chamber, in this age of liberal ideas and brotherly love, and the reviving of sectional devotion and affection, who will sustain a man who votes against this claim, or who will say that the children of Robert E. Lee are so attainted that they can not inherit property from a loyal citizen of the United States, and can not be the beneficiaries of a promise made by the United States Government to a loyal citizen.

Besides, the United States Government, having agreed to pay Mrs. Fitzhugh, is stopped from now disputing her title again under the Bowman Act, and by the decisions of the Court of Claims the person's loyalty to be inquired into is that of the person who furnished the supplies or was in possession or control of the property, who was Mrs. Fitzhugh. Again, even if we ignore the deed made to Mrs. Fitzhugh by Mrs. Lee, yet the rights of Mrs. Lee's children as remaindermen were inchoate until after Mrs. Fitzhugh's death, which did not occur until 1872, and hence we can at the time of the taking of the timber consider only the loyalty of Mrs. Fitzhugh. Then, from whatever standpoint viewed, this claim is just, legal, and should be paid.

I yield five minutes to the gentleman from Virginia [Mr. RIXEY].

Mr. RIXEY. Mr. Chairman, as I understand it, all the claims in this bill which are now being considered arise under what is known as the Bowman Act, which provides that where the loyalty of the party is proven the claimant can recover for supplies which were furnished or taken by the Federal Army. I take it, therefore, that in considering this claim we have to measure it by the Bowman Act and see whether it meets the requirements of that act. The Bowman Act, in section 4, required that the loyalty of the person who furnished such supplies or stores or from whom the same were taken shall be established.

The person who furnished the supplies or stores or from whom they were taken! I ask this committee, judged by that rule, whether this claim is not a just and valid claim against the Government? Who was the party who furnished these supplies? Mrs. Fitzhugh was in possession of this tract of 8,000 acres of land. It was her home. She lived there, and when this property was taken she protested to the Secretary of War. He ordered the deprecations to stop. Finally, when it was found to be a matter of necessity, when wood could not be obtained from any other source for less than \$8 to \$11 a cord, the Secretary of War said, "We will take that wood," and he authorized the Quartermaster-General, as he himself says, to make a contract with Mrs. Fitzhugh to pay her for this wood. General Greene testified that he made this contract; and not only that he made it, but that he would have paid her if he had not been ordered to New Orleans, so that he did not have the opportunity.

Again, the gentleman from Kentucky [Mr. EVANS] said that General Greene testified that he would pay Mrs. Fitzhugh if the loyalty of the owner was established. I have here the testimony of Colonel Greene, who said that he would pay Mrs. Fitzhugh if her loyalty was established. That was a contract. The loyalty of anybody else did not enter into the question. They seemed to know what the provisions of the Bowman Act would be, or what the people of this country would require. Colonel Greene said he would pay Mrs. Fitzhugh if her loyalty was established, and I call the attention of the committee to the fact that the contract was as to the loyalty of Mrs. Fitzhugh, and not as to the loyalty of anybody else.

To show you that that is the proper construction, I have in my hand the Newman Case, found in 21 Court of Claims Reports. In that case a citizen of Mississippi died just before the war. The executor qualified upon his estate. At the time of his death he left a widow and three or four infant children, the eldest of whom at the close of the war was 12 years of age. After the war was over the widow and her children filed their petition under the Bowman Act for compensation for the supplies which had been furnished. What does the court find? It says it is true that these infants were loyal; that they could not commit a disloyal act; that

they were the owners of the property; and yet the Court of Claims said that under the Bowman Act the only party whose loyalty could be inquired into was the life tenant, the party in possession. The party in possession in that case was the executor, who had no claim whatsoever to the property except the legal possession of it.

The court refused to allow the claim of these infant children, who were the owners of the property, upon the ground that the party in possession, the executor, was not loyal to the Government. That is the Newman claim, reported in 21 Court of Claims Reports.

I want to say to this committee that we are not here to write the Bowman Act over again; we are not here to say what the Bowman Act should have been, but to apply it to this case.

The Bowman Act required only that the loyalty of the person who furnished the supplies should be inquired into, and under that law and the decision of the court I say there never has been a claim which appeals more to justice and to the sense of the country than does this claim. It is established by positive contract, unlike many of the other claims reported in this bill which depend simply on testimony that the property was taken without their consent and that they were loyal. We stand here upon a contract by which the Quartermaster-General agreed to pay this money if the loyalty of Mrs. Fitzhugh was established. That has been done, and I simply—

The CHAIRMAN. The time of the gentleman has expired.

Mr. BRUMM. I should like to ask the gentleman one or two questions. Who was the owner of this property at the time?

Mr. RIXEY. Mrs. Fitzhugh was in possession.

Mr. BRUMM. Who had the title?

Mr. SETTLE. You mean the legal title.

Mr. RIXEY. Mrs. Fitzhugh was the life tenant of this property, and she lived on it until 1872.

Mr. BRUMM. Had she the right to cut the timber while she was a life tenant?

Mr. RIXEY. If she did it, she would be personally liable.

Mr. BRUMM. But had she the title to the timber while she was a life tenant?

Mr. SWANSON. The General Government took it under promise to pay her.

Mr. BRUMM. That does not answer my question.

Mr. RIXEY. Under the Bowman Act—

Mr. SWANSON. If the Federal Government takes it from her and recognizes her title, they are estopped from disputing it when they agree to pay her for it.

I yield five minutes to the gentleman from Virginia [Mr. Yost].

Mr. YOST. Mr. Chairman, it seems to me that we ought to judge this case by the same rule that we judge other cases which come up under this act. The first question to be decided under the Bowman Act, as I understand, is as to the loyalty of the claimant. This is a preliminary question. When this identical case came up, the question arose as to whose loyalty was to be inquired into; and the court considered that, and decided it was the loyalty of the person from whom the property was taken; and in this case that person was Mrs. Fitzhugh.

Her loyalty was then inquired into and absolutely determined. The next questions to be determined were: First, Was the property taken and used by the Government? And second, What was the value of that property? The court inquired into and determined both of these questions, and its findings are not disputed. The case is thus brought clearly within the provisions of the Bowman Act. All the provisions of the law have been complied with.

Mr. BRUMM. Now, one thing about this matter of fact. That Mrs. Fitzhugh was in possession is undisputed. She was, as I understand, the life tenant. The fact that a contract was made with her for a portion of this timber is undisputed. The fact I want to get at is this: Had she such a title to the timber on the land that would make the sale of that timber an absolute sale? I want to get information upon that point.

Mr. YOST. Mr. Chairman, in answer to the gentleman, I would say that I believe she did have such title.

Mr. BRUMM. What do you know about it? Can you give us the facts?

Mr. EVANS. What did the court find?

Mr. YOST. The Court of Claims did not find that she had. Here is a deed, however, that is worth considering. I ask the gentleman from Pennsylvania to listen one moment, and I think I can make that clear to him. Mrs. Fitzhugh believed all her life, I am advised, that she was the fee-simple owner, and she had a right to believe it. Under the will of her husband, made in 1829, she inherited a life interest in the Ravensworth estate, from which this wood was cut, with remainder to Miss Custis. In 1830 Miss Custis, who subsequently married Gen. Robert E. Lee, entered into an agreement with Mrs. Fitzhugh by which she conveyed to her certain interests, including, it seems to me, this reversion.

Mr. BRUMM. Do you mean to tell me that she had no title in the timber and that it afterwards reverted to her?

Mr. YOST. Oh, no; this was made in 1830. Mr. Fitzhugh died in 1829, and left this estate for life to Mrs. Fitzhugh, with remainder to Miss Custis. In 1830 Miss Custis made a deed back to Mrs. Fitzhugh.

Mr. BRUMM. Under the law of Virginia, does a life estate give the tenant for life the right to cut timber unlimited?

Mr. YOST. Oh, no. But that is not the question here. You are getting at something else. Let me read the provisions of the deed.

Mr. COX. What deed are you talking about?

Mr. YOST. I am talking about the deed from the remainderman back to Mrs. Fitzhugh, made in 1830. It reads as follows:

Now this indenture witnesseth that the said Mary Anna Randolph Custis, in order to contribute to the personal resources of her aunt, the said Anna Maria Fitzhugh, to confirm, assure, and render unquestionable the power given or intended to be given to her by the said will to sell and convey in fee simple and thus convert all or any portion of the said trust fund, whether real or personal, into money at such times and in such modes as she may deem best; to secure the said Anna Maria Fitzhugh against any responsibility to other persons to whom the uncertainty of life might hereafter give a right to claim of her an account of the said trust, and in the consideration of the sum of \$1 by the said Anna Maria to the said Mary in hand paid, doth hereby grant, bargain and sell, assign, release, and convey to the said Anna Maria, her heirs and assigns, all the right, title, and interest in reversion of the said Mary in and to all and singular the personal property attached to the "Ravensworth estate" and devised to the said Anna Maria for life, as aforesaid, and also all the right, title, interest, and estate of her, the said Mary which she now hath or hereafter may have in and to all and every part of the trust estate created by the will of the said William H. Fitzhugh, as aforesaid, including the lands in Stafford, Fairfax, and elsewhere, and all and singular the personalities embraced by him in the said trust, excepting, however, the legacy of \$1,000 devised to her, the said Mary, by her uncle, the said William H. Fitzhugh, as to which legacy the right under the said will and her security and claim on the trust fund are reserved wholly unimpaired.

Mr. SMITH of Kentucky. Was that deed ever set aside in any way?

Mr. YOST. It was not.

Mr. COX. What is your conclusion about that?

Mr. YOST. My conclusion is that Mrs. Fitzhugh was really the owner.

Mr. BRUMM. If that fact is established, your claim is a good one; but we ought to have some light on that subject.

The CHAIRMAN. The gentleman's time has expired.

Mr. YOST. Let me have one minute more.

Mr. SWANSON. The time on the other side has been extended ten minutes, and I ask that the time on this side be extended for the same length of time.

There was no objection.

Mr. SWANSON. I yield one minute more to the gentleman from Virginia [Mr. Yost].

Mr. YOST. Now, when this agreement which has been adverted to was made by General Greene with Mrs. Fitzhugh, he would have paid the money to her. He says he would have paid the money to her, but he found it impossible to make up the account. He had no question about the loyalty, and there was no question then raised as to the fact that this was a contract with her. He said himself, in his testimony, "I found it impossible, indeed, to make up the account owing to the pressure of business, so I never paid her anything. I was fully authorized and empowered to do so by my official instructions as quartermaster, but there was always involved the question of the loyalty of the owner," though—

The CHAIRMAN. The gentleman's time has expired.

Mr. SWANSON. How much time have I remaining, Mr. Chairman—fourteen minutes?

The CHAIRMAN. The gentleman has eleven minutes left.

Mr. SWANSON. I will yield that time to the gentleman from Virginia [Mr. Jones].

Mr. JONES of Virginia. Mr. Chairman, I fully agree with my colleagues who have spoken in support of this claim, that the loyalty which is required to be established under the Bowman Act is the loyalty, in this case, of Mrs. Fitzhugh. I think the language of the act itself is too plain to be misconstrued, and even if the language of the law was less clear than it is, the Court of Claims in the Newman case, reported in twenty-first volume Court of Claims, has decided that the person whose loyalty must be established is that one who was properly in possession of the property taken and having a financial interest therein. Mrs. Fitzhugh came squarely within that definition. She was in possession of the property when it was taken and she had an interest therein. It may not have been a fee-simple interest, but it was an interest nevertheless.

But, Mr. Chairman, even if that were not true, I think there ought not to be any question on the part of any member of this House as to the payment of this just claim. There is no question, there can be none, that the property taken was needed by the United States Government and that it was actually used by the Government. There can be no question that it was of the full value that the Court of Claims found it to be. It being admitted that this property was received and used by the Government, and that its value has not been overestimated by the Court of

Claims, somebody is entitled to and ought to be paid for it. The question of loyalty is, under the Bowman Act, merely one of jurisdiction. It does not go to, and can not affect, the merits of the claim itself. Those merits having been established by a competent tribunal, the question now is, Ought this great Government to pay a claim against it that has been fully established by its own court?

The Bowman Act gives to the Court of Claims the right to consider only such claims for supplies or stores as are presented by loyal claimants. Before the court can consider any claim under this act it must be satisfied that the claimant was loyal to the cause of the Union, and the court was so satisfied in this case, holding that the loyalty to be established was the loyalty of Mrs. Fitzhugh. But, whether this claim got before the court properly or not, it got there, and, having gotten there, received the same painstaking consideration which would have been given it had the loyalty of every person interested in it in the remotest degree been fully established.

Now, my contention is that, inasmuch as the court has taken jurisdiction of this claim, inasmuch as it has found that this property was taken and used, and was of a certain value, it is too late now to object that it got before the court which considered it when the real claimants were not shown to have been loyal. That was merely a jurisdictional question, and even if the court erred in regard thereto it is not contended that it erred in any other one of its findings. Even should this House believe that the Court of Claims was mistaken in taking jurisdiction of this claim it must be satisfied that its findings as to the facts upon which the claim is based are correct, and being satisfied that the claim is an absolutely just one, it should not refuse to pay it. In my judgment the court properly assumed jurisdiction over this claim, but whether it did or not in no wise detracts from the justness of the claim itself.

The Court of Claims has considered and passed upon the merits of this claim and its findings are entitled to the same weight in this House as they would be if no question were raised here in relation to the jurisdiction of the court. The facts are now before this House and there is no statute which forbids Congress to pay a just claim against the United States merely because all those interested in its payments were not loyal to the Union a third of a century ago.

But, Mr. Chairman, I do not concede for a moment that the Court of Claims had not jurisdiction of the claim. I do not concede for a moment that it assumed a jurisdiction not conferred upon it. I only contend that gentlemen who so believe ought not to vote against the payment of the claim if they are convinced, as they must be, that it is just and honest. It would be an outrage upon justice to refuse to pay this claim upon the bare ground that the Bowman Act did not confer authority upon the Court of Claims to consider it. It would be an act of the greatest injustice to withhold payment of this claim upon the sole ground that those who will now be benefited thereby are the children and the grandchildren of Robert E. Lee.

But, whatever may be the views of gentlemen upon this point, there is another aspect of the case to which I desire briefly to call their attention. Mrs. Fitzhugh's loyalty is conceded. When the chief quartermaster at Washington was cutting the timber from the land of which she was the life tenant, she appealed to the Secretary of War and secured from him an order forbidding any further cutting. This order was revoked upon the representation of the chief quartermaster that it was a military necessity that the wood should be cut. Then it was that the quartermaster promised and agreed to pay to Mrs. Fitzhugh \$3 for every cord of wood cut by him.

It is conceded that under this agreement 65,000 cords were actually cut and taken away by the Government. Under this agreement the Government would have paid to Mrs. Fitzhugh \$190,000 had not the quartermaster been ordered away from Washington. It may be true that as life tenant Mrs. Fitzhugh could not have sold this timber, but the Government regarded her as the rightful owner and promised to pay her for it. She was never paid in her lifetime, and if she should be paid now the heirs of Mrs. Lee would have the right to recover the money from her representatives. If this be true, why should not Congress pay the \$190,000 directly to these heirs? Is it right, and does it comport with the dignity and the honor of this Government, to avail itself of a technicality to defeat the payment of so just a claim as this?

If you will not recognize the claim of the heirs of Mrs. Robert E. Lee because it is not claimed that she was loyal to the Union, then recognize the solemn contract that was made with Mrs. Fitzhugh, a loyal woman. Unless you repudiate that contract, you must pay the heirs of Mrs. Lee \$190,000. We have the testimony of the chief quartermaster himself that the timber could not have been purchased elsewhere for what he agreed to pay Mrs. Fitzhugh, who is admitted to have been loyal to the Union cause.

Mr. SWANSON. If the gentleman will allow me, I wish to state one point which I forgot when on the floor. It is stated here

in the report that Colonel Greene had full authority to make this contract; and the reason he did not pay Mrs. Fitzhugh was that he was suddenly called away to New Orleans in the discharge of his duties; otherwise he would have paid her.

Mr. JONES of Virginia. My colleague [Mr. RIXEY] made that statement. The contract was made by the chief quartermaster, who testifies, as gentlemen have heard from the reading of the report, that he had full and absolute authority to make the contract and that every dollar of this money would have been paid to Mrs. Fitzhugh if he had not been called away. Suppose, for the sake of the argument, that contract had been carried out; suppose that money had been actually paid to Mrs. Fitzhugh; suppose she had received what of right belonged to Mrs. Lee, who will say that the heirs of Mrs. Lee could not—

[Here the hammer fell.]

Mr. EVANS. Mr. Chairman, I shall consume but a portion of the time remaining. I want to recapitulate the points in the case.

This particular provision of the pending bill was inserted inadvertently. It was never authorized by the committee. The Committee on War Claims has distinctly reported—unanimously, I believe—in favor of striking it out. Furthermore, in endeavoring to be perfectly fair about all these claims it has never entered into anybody's head that there should be any question along the lines of political affiliation. The first question is as to the loyalty of the claimant. Now, I have, for the sake of argument, followed the findings of the Court of Claims on this subject, although the Southern Claims Commission very strongly urged that Mrs. Fitzhugh was not loyal. But basing all the argument I have made upon the findings of the Court of Claims, I am willing to concede that she was loyal.

The second question is, Did she furnish these supplies? I say she did not. The Court of Claims has distinctly decided that she did not furnish the wood herself. It was not her property. The wood which was furnished was the wood of somebody else. And who was that somebody else? The wife of Gen. Robert E. Lee. And I say nobody here will contend that she was ever loyal. And I want to state emphatically that no heir of Robert E. Lee and no heir of Mrs. Robert E. Lee has made any claim or ever will make any claim to this money. So that this talk about dishonoring the children of Robert E. Lee and declaring them not to have heritable blood is absurd.

Mr. SWANSON. Does not the gentleman know that the Court of Claims found that there was a specific agreement made with Mrs. Fitzhugh to pay her at the rate of \$3 a cord for this wood?

Mr. EVANS. I know what the findings of the Court of Claims were, and I must insist on not being interrupted in this way. The Court of Claims found—and this is an essential fact—that while certain cords of wood—a large number of them—were furnished, that wood was not Mrs. Fitzhugh's property at all. The only promise that the officers of the Government could possibly have been construed to make was that they would pay Mrs. Fitzhugh for that which was hers, not for that which was the property of somebody else. The Court of Claims winds up with this statement, which I think is sufficient to dispose of this whole controversy:

V

The court also finds that the value of the life estate, that is to say, of Mrs. Fitzhugh's property or interest as tenant for life in the wood so taken, has not been shown or established.

That is what the court says about it. Her interest—the value of it—has never been established.

The deed from which my distinguished friend from Virginia [Mr. Yost] read was part of the evidence presented before the Court of Claims in the case. But that deed, as my friend himself would hold if he were deciding this case as a judge, did not convey to Mrs. Fitzhugh the reversionary interest of this real estate. For some purpose or other there was certain personal property embraced in that deed, which was described as being on the estate. That was all. It did not embrace the timber, which was part of the realty.

Mr. SWANSON. Will the gentleman permit me—

Mr. EVANS. No, I can not yield. I did not interrupt my friend when he was occupying the floor.

That deed, read by the gentleman from Virginia [Mr. Yost], was before the Court of Claims; and the court had to construe it. The court did construe that deed, and still held—and held properly—that only the life estate in this property was in Mrs. Fitzhugh. What did she transfer to the Government, and what did the Government get from her? Absolutely nothing, except the value of her right of estovers in this property, which could not have amounted to \$5,000 in the value at the very outside, because she was 76 years of age when she died, in 1872.

Mr. Chairman, it is clear and certain that Mrs. Fitzhugh furnished very little to the Government of property that belonged to her. What was taken was mostly the property of General Lee's wife. There is nothing to show that the \$215,000 attempted to be appropriated should properly be paid to Mrs. Fitzhugh or to her

administrator. On the contrary, no one attempts to show what the value of her interest was in this property. How absurd it would be, then, for this House to vote this money to the administrator or heirs of Mrs. Lee upon the pretense that the life tenant was loyal; and not less indefensible would be the yielding to what is really only a subtle attempt to appropriate money for the benefit of General and Mrs. Lee's heirs through the loyalty of Mrs. Fitzhugh. In other words, the claim of the loyal Mrs. Fitzhugh, which would not exceed \$5,000, is to be expanded to over \$215,000 for the benefit of the Lee heirs, who have never claimed a dollar of it.

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

Mr. EVANS. Certainly; I will yield for a question?

Mr. BRUMM. I wish to ask the gentleman if it is not a fact under the law that Mrs. Fitzhugh had simply the right of estovers; and if the claim was paid to her and it afterwards turned out that the heirs of Robert E. Lee had a title in fee simple, and it could be ascertained that they were loyal to the Government during that time, could they not also come in and make a claim for the same property, in which event the Government would be responsible for a double payment?

Mr. EVANS. Why, unquestionably. But these heirs have never asserted any claim whatever. The court has only found that the value of Mrs. Fitzhugh's life interest in the claim has never been proved, ascertained, or established. How, then, does this appropriation of \$200,000 stand justified before this House on a finding of the Court of Claims which says that notwithstanding she was loyal, notwithstanding the fact that certain timber was taken by the Government and used by the Army, still that her interest in the estate was never established or determined further than it was a life estate in the land from which the timber was taken?

Now, Mr. Chairman, do not let anybody who wants to do right by the Government be deluded into voting an appropriation of over \$200,000 to people who never applied for it, simply because they are heirs of the distinguished dead.

Mr. STEWART of New Jersey. Is this not a case where the right of estovers is presented?

Mr. EVANS. Absolutely. The only waste for which a life tenant is responsible is voluntary waste—waste by his own voluntary act. How, then, could he be responsible for damage by trespass? Especially how could Mrs. Fitzhugh be held liable for the acts of the Government of the United States, with all of its vast power and all of its vast army, which she could not resist?

I call for a vote.

Mr. BRUMM. The writ of estrepement or waste would lie against her title if she had committed waste.

Mr. EVANS. Undoubtedly.

I ask a vote.

The CHAIRMAN. The question is on agreeing to the amendment of the gentleman from Kentucky to strike out this provision of the bill.

The question was taken; and on a division (demanded by Mr. SWANSON), there were—ayes 95, noes 82.

Mr. SWANSON, Mr. JONES of Virginia, and others demanded tellers.

Tellers were ordered.

The CHAIRMAN appointed Mr. SWANSON and Mr. EVANS as tellers.

The committee again divided; and the tellers reported—ayes 92, noes 81.

So the motion to strike out was agreed to.

Mr. SWANSON. I give notice that I will call for a yea-and-nay vote in the House on this.

Mr. GIBSON. Mr. Chairman—

Mr. CONNOLLY. Mr. Chairman, I wish to offer an amendment.

Mr. GIBSON. I yield to the gentleman from Illinois.

Mr. CONNOLLY. I offer the amendment I send to the desk. The Clerk read as follows:

Add a new section, to be known as section 2, as follows:

"In case of the death or discharge of any executor or administrator herein named, before the actual payment of the claim as herein provided, then payment of such claim shall be made to the legal representatives of the respective decedents named herein."

Mr. EVANS. I hope that will be adopted unanimously.

Mr. SMITH of Kentucky. I move to amend the amendment by adding:

And if there be none, to their heirs.

Mr. CONNOLLY. That will work the very mischief that we seek to avoid by the amendment—that in all cases where an administrator named in the bill is dead, or in all cases where there has been a discharge, then there would be no administration in existence; and in that case, according to your amendment, the estate would go to the heirs. The whole purpose of the House is to have the money go to the legal representatives.

The effect of my amendment will be to make all of these moneys go through the regular course of administration. The effect of the amendment of the gentleman from Kentucky would be to pay the money at once to the heirs where the administrator named in the bill is dead or is discharged, thereby defeating the very purpose and the great object which the members desire to promote.

Mr. SMITH of Kentucky. I concede the force of the suggestion, and withdraw the amendment. I think the gentleman is right.

Mr. MADDOX. Now, Mr. Chairman, I rise to renew that amendment for a moment, and I want to make this suggestion: After a certain time in some States you can not take out letters of administration, these being barred by the statute of limitation.

Mr. CONNOLLY. Then the heirs would have the only legal right.

Mr. MADDOX. Do you think that would be the effect?

Mr. CONNOLLY. Unquestionably. If, under the statutes, we can not have administration after a certain period, then the only legal representative would be the heir; and this amendment provides that in all cases this fund shall go to the legal representative.

Mr. MADDOX. I wanted to understand that proposition, and that is the reason why I renewed the amendment. I now withdraw it.

Mr. COX. I appreciate very fully what the gentleman from Illinois is trying to accomplish, but it seems to me that after the words "legal representatives" he should add the words "as recognized by the States."

Mr. LIVINGSTON. That is already done in the Revised Statutes.

Mr. CONNOLLY. Did the gentleman from Tennessee [Mr. Cox] hear the remark of the gentleman from Georgia [Mr. Mad-dox]? He said there were certain States in which administration could not be taken out after a certain period of time. If there is any State where such is the law, the only remaining legal representatives would be the heirs. There are but few States in which that situation exists. I do not know of any. I think all the friends of this bill are in favor of this amendment being attached.

The amendment of Mr. CONNOLLY was agreed to.

Mr. GIBSON. I move an amendment to the title, which I send to the Clerk's desk.

The amendment was read, as follows:

Amend the title of the bill by inserting, after the words "Bowman Act," the words "and the act approved March 3, 1887, and generally known as the Tucker Act."

Mr. DINGLEY. Are there any Tucker Act cases in the bill?

Mr. RICHARDSON. There are two or three claims referred under both acts.

Mr. DINGLEY. I think the title ought not to be amended in that way. That would include other cases.

Mr. RICHARDSON. There are none except Bowman Act claims, I think; but there are two or three cases where the words "Tucker Act" were also inserted.

Mr. GIBSON. I withdraw the amendment, and I move that the committee rise and report the bill to the House with a favorable recommendation.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. PAYNE, Chairman of the Committee of the Whole House, reported that that committee had had under consideration the bill (H. R. 4936) for the allowance of certain claims for stores and supplies reported by the Court of Claims under the provisions of the act approved March 3, 1883, and commonly known as the Bowman Act, and for other purposes, and had directed him to report the same to the House with sundry amendments, and with the recommendation that as amended it do pass.

Mr. GIBSON. I move the previous question upon the bill and amendments to its passage.

The motion was agreed to.

The SPEAKER. Is a separate vote demanded upon any of the amendments?

Mr. SWANSON. Yes; I demand a separate vote upon the amendment on page 71.

The SPEAKER. Is any other separate vote demanded? The Chair hears none.

The other amendments were agreed to.

The SPEAKER. The question now is upon the amendment which the Clerk will report.

The Clerk read as follows:

On page 71, strike out all of lines 18, 19, and 20, as follows:

"To the heirs of the late Mrs. Mary Ann Randolph Custis Lee, of Fairfax County, \$217,236."

The SPEAKER. As many as are in favor of agreeing to this amendment, which strikes out the section just read, will say "aye."

The question was taken; and on a division (demanded by Mr. JONES of Virginia), there were—ayes 107, noes 72.

Mr. SWANSON. The yeas and nays, Mr. Speaker.

The yeas and nays were ordered.

The SPEAKER. The Clerk will call the roll.

Mr. COOPER of Texas. I should like unanimous consent to have one minute, in which to make an explanation of the vote I am going to cast.

The SPEAKER. It is rather late to entertain such a request. The Clerk will proceed.

The question was taken; and there were—yeas 132, nays 91, answered "present" 7, not voting 125; as follows:

YEAS—132.

- | | | | |
|---------------|------------------|---------------|----------------|
| Acheson, | Crump, | Kerr, | Ridgely, |
| Aldrich, | Dalzell, | Ketcham, | Robbins, |
| Alexander, | Danford, | Kirkpatrick, | Royse, |
| Arnold, | Davison, Ky. | Knox, | Russell, |
| Babcock, | Dingley, | Kulp, | Shelden, |
| Baker, Md. | Dolliver, | Lacey, | Simpson, |
| Barber, | Dorr, | Landis, | Smith, Ill. |
| Barham, | Dovener, | Lawrence, | Smith, S. W. |
| Belford, | Eddy, | Lorimer, | Snover, |
| Bell, | Ellis, | Loud, | Southard, |
| Bennett, | Evans, | Loudenslager, | Southwick, |
| Bishop, | Fenton, | Lovering, | Spaulding, |
| Booze, | Fischer, | Lybrand, | Sperry, |
| Boutell, Ill. | Foote, | McDonald, | Steele, |
| Brown, | Gardner, | McEwan, | Stevens, Minn. |
| Brownlow, | Gibson, | Mann, | Stewart, N. J. |
| Brucker, | Gillet, N. Y. | Marsh, | Stewart, Wis. |
| Brumm, | Graff, | Mercer, | Stone, C. W. |
| Bull, | Greene, | Miller, | Strode, Nebr. |
| Burleigh, | Grow, | Mills, | Sturtevant, |
| Burton, | Hager, | Minor, | Sulloway, |
| Butler, | Hamilton, | Mudd, | Tawney, |
| Cannon, | Heatwole, | Northway, | Taylor, Ohio |
| Capron, | Henry, Conn. | Olmsted, | Todd, |
| Catchings, | Henry, Ind. | Otjen, | Van Voorhis, |
| Chickering, | Henry, Miss. | Parker, N. J. | Wadsworth, |
| Cochran, Mo. | Hicks, | Payne, | Walker, Mass. |
| Codding, | Hill, | Pearce, Mo. | Wanger, |
| Connolly, | Hooker, | Perkins, | Warner, |
| Cooper, Tex. | Hopkins, | Pitney, | Weaver, |
| Cooper, Wis. | Howe, | Pugh, | Weymouth, |
| Corliss, | Johnson, N. Dak. | Ray, | White, Ill. |
| Cousins, | Jones, Wash. | Reeves, | White, N. C. |

NAYS—91.

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|-----------------|---------------|---------------|----------------|
| Adamson, | Dockery, | Livingston, | Robinson, Ind. |
| Allen, | Driggs, | Lloyd, | Sayers, |
| Bailey, | Elliott, | Love, | Settle, |
| Baird, | Fitzgerald, | McCulloch, | Shuford, |
| Ball, | Fleming, | McDowell, | Smith, Ky. |
| Bankhead, | Fowler, N. C. | McIntire, | Sparkman, |
| Bartlett, | Fox, | McMillin, | Stallings, |
| Benton, | Griffith, | McRae, | Stokes, |
| Brantley, | Griggs, | Maguire, | Strowd, N. C. |
| Broussard, | Handy, | Mahany, | Sulzer, |
| Brundidge, | Hay, | Martin, | Swanson, |
| Clardy, | Henry, Tex. | Maxwell, | Talbert, |
| Clark, Mo. | Howard, Ga. | Meyer, La. | Tate, |
| Clayton, | Hunter, | Miers, Ind. | Taylor, Ala. |
| Cooney, | Jett, | Moon, | Terry, |
| Cowherd, | Jones, Va. | Norton, Ohio | Underwood, |
| Cox, | King, | Norton, S. C. | Wheeler, Ala. |
| Cummings, | Kitchin, | Odell, | Wheeler, Ky. |
| Davey, | Lamb, | Ogden, | Wilson, |
| Davis, | Latimer, | Pierce, Tenn. | Yost, |
| De Armond, | Lester, | Rhea, | Young, Va. |
| De Graffenreid, | Lewis, Ga. | Rixey, | Zenor. |
| Dinsmore, | Little, | Robb, | |

ANSWERED "PRESENT"—7.

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|-------------|------------|-------------|-----------------|
| Berry, | McClellan, | Otey, | Williams, Miss. |
| Ermentrout, | Maddox, | Richardson, | |

NOT VOTING—125.

- | | | | |
|-----------------|----------------|---------------|------------------|
| Adams, | Cranford, | Jenkins, | Robertson, La. |
| Baker, Ill. | Crumpacker, | Johnson, Ind. | Sauerhering, |
| Barlow, | Curtis, Iowa | Joy, | Shafroth, |
| Barney, | Curtis, Kans. | Kelley, | Shannon, |
| Barrett, | Davenport, | Kleberg, | Shattuc, |
| Barrows, | Davidson, Wis. | Knowles, | Sherman, |
| Bartholdt, | Dayton, | Lanham, | Showalter, |
| Beach, | De Vries, | Lentz, | Sims, |
| Belden, | Faris, | Lewis, Wash. | Skinner, |
| Belknap, | Fitzpatrick, | Linney, | Slayden, |
| Benner, Pa. | Fletcher, | Littauer, | Smith, Wm. Alden |
| Bingham, | Foss, | Low, | Sprague, |
| Bland, | Fowler, N. J. | McAleer, | Stark, |
| Bodine, | Gaines, | McCall, | Stevens, Tex. |
| Botkin, | Gillett, Mass. | McCleary, | Stone, W. A. |
| Boutelle, Me. | Griffin, | McCormick, | Strait, |
| Bradley, | Grosvenor, | Mahon, | Sullivan, |
| Brenner, Ohio | Groat, | Marshall, | Sutherland, |
| Brewer, | Gunn, | Meekison, | Thorp, |
| Brewster, | Harmer, | Mesick, | Tongue, |
| Broderick, | Hartman, | Mitchell, | Updegraff, |
| Bronwell, | Hawley, | Moody, | Vandiver, |
| Brosius, | Hemenway, | Morris, | Vehslage, |
| Burke, | Henderson, | Newlands, | Vincent, |
| Campbell, | Hepburn, | Osborne, | Walker, Va. |
| Carmack, | Hilborn, | Overstreet, | Ward, |
| Castle, | Hinrichsen, | Packer, Pa. | Wilber, |
| Clark, Iowa | Hitt, | Pearson, | Williams, Pa. |
| Clarke, N. H. | Howard, Ala. | Peters, | Young, Pa. |
| Cochrane, N. Y. | Howell, | Powers, | |
| Colson, | Hull, | Prince, | |
| Connell, | Hurley, | Quigg, | |

So the amendment was agreed to.

The following pairs were announced:

Until further notice:

Mr. CURTIS of Kansas with Mr. BRENNER of Ohio.

- Mr. BEACH with Mr. BODINE.
- Mr. WILLIAM A. STONE with Mr. McCLELLAN.
- Mr. HURLEY with Mr. MARSHALL.
- Mr. CURTIS of Iowa with Mr. SIMS.
- Mr. LYBRAND with Mr. LENTZ.
- Mr. HITT with Mr. BERRY.
- Mr. BROSIUS with Mr. ERMENTROUT.
- Mr. WALKER of Virginia with Mr. STRAIT.
- Mr. MAHON with Mr. OTEY.
- Mr. BENNETT with Mr. GAINES.

For this day:

- Mr. PACKER of Pennsylvania with Mr. BURKE.
- Mr. MOODY with Mr. McALEER.
- Mr. MITCHELL with Mr. LEWIS of Washington.
- Mr. JOHNSON of Indiana with Mr. KLEBERG.
- Mr. HENDERSON with Mr. HINRICHSEN.
- Mr. SHOWALTER with Mr. SLAYDEN.
- Mr. HARMER with Mr. RICHARDSON.
- Mr. WARD with Mr. VEHSLAGE.
- Mr. WILBER with Mr. BRADLEY.
- Mr. BARTHOLDT with Mr. ROBERTSON of Louisiana.
- Mr. BELDEN with Mr. VANDIVER.
- Mr. JENKINS with Mr. FITZPATRICK.
- Mr. GROW with Mr. DE VRIES.
- Mr. GILLET of Massachusetts with Mr. CRANFORD.
- Mr. YOUNG of Pennsylvania with Mr. CAMPBELL.
- Mr. UPDEGRAFF with Mr. LANHAM.
- Mr. SHATTUC with Mr. STEPHENS of Texas.

Mr. COX. Mr. Speaker, before the vote is announced, I want to state that my colleague, Mr. SIMS, is confined to his bed by sickness; but he has a pair.

The result of the vote was then announced as above recorded.

The SPEAKER. Five o'clock having arrived, the House is in recess until 8 o'clock this evening; and the gentleman from Illinois, Mr. HOPKINS, will act as Speaker.

EVENING SESSION.

The recess having expired, the House was called to order at 8 o'clock p. m. by Mr. HOPKINS as Speaker pro tempore.

The SPEAKER pro tempore. The Clerk will read the rule under which the House is acting.

The Clerk read as follows:

The House shall on each Friday at 5 o'clock p. m. take a recess until 8 o'clock, at which evening session private pension bills, bills for the removal of political disabilities, and bills removing charges of desertion only shall be considered; said evening session not to extend beyond 10 o'clock and 30 minutes.

Mr. TALBERT. Mr. Speaker, before the motion is put to go into Committee of the Whole, I ask unanimous consent that all bills for the removal of charges of desertion and for the removal of political disabilities be passed over for to-night.

Mr. LACEY. I would ask my friend not to include bills for the removal of political disabilities in his request. We do not want to have any political disabilities now.

Mr. TALBERT. I will confine my request to bills for removal of charges of desertion.

The SPEAKER pro tempore. The gentleman from South Carolina asks unanimous consent that bills for the removal of charges of desertion be passed over to-night. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

Mr. RAY of New York. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House for the consideration of bills on the Private Calendar under clause 2 of Rule XXVI.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. TALBERT. Division, Mr. Speaker!

The House divided; and there were—ayes 56, noes none.

So the motion was agreed to.

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

The CHAIRMAN. The House is in Committee of the Whole on the Private Calendar under the rule, and the Clerk will report the first bill.

NATHANIEL HAUGHTON.

The first business on the Private Calendar was the bill (H. R. 983) to grant an increase of pension to Nathaniel Haughton, late colonel Twenty-fifth Ohio Volunteer Infantry.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, authorized and directed to place the name of Nathaniel Haughton, late colonel of the Twenty-fifth Ohio Volunteer Infantry, upon the pension roll at the rate of \$50 per month from and after the passage of this act.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "fifty" and insert in lieu thereof the word "thirty;" and in the same line, after the word "roll," insert "and pay him a pension."

Mr. SOUTHARD. Mr. Chairman, I think the amendments ought not to prevail, and I ask for the reading of the report.

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

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 983) granting an increase of pension to Nathaniel Haughton, have fully examined the same and the evidence relating thereto, and respectfully report:

This bill as amended proposes to increase from \$15 to \$30 per month the pension of Nathaniel Haughton, of Toledo, Ohio, who was mustered in as first lieutenant to date June 24, 1861, and as captain July 30, 1862; was wounded at Gettysburg July 1, 1863, and was mustered out as lieutenant-colonel June 18, 1866. He served in the Twenty-fifth Ohio Volunteer Infantry.

He filed and established a claim for gunshot wound of right arm and was pensioned therefor at \$10 per month from date of discharge. (This was one-half total of rank of captain, which he held when wounded.) His pension was reduced to \$7.50, three-eighths total, September 4, 1869, increased to \$10 from December 6, 1871, and to \$15 from September 11, 1895. No claim has ever been made for any other disability than the wound for which he is pensioned, of which the following description was given when he was last examined by a United States examining board at Toledo, Ohio, September 11, 1895:

"Ball entered the outer aspect of the middle third of right humerus, ranged upward and inward, passing back of the humerus, and made exit on back and internal surface of the soft parts of upper arm and superior third of same. The scar at exit is 3 inches above that of entrance and about 2½ inches to left of it. Scars are each about three-fourths of an inch in diameter, a good deal depressed, closely adherent and sensitive, and pull some in the movements of the arm. At insertion of deltoids right arm measures one-half inch less than left one.

"Right hand is smaller than left one, the soft parts being shrunken. Right hand is one-half inch less in circumference than left one. Ring and little fingers are numb, and he has no useful use of them, as they are paralyzed in great degree. Large index finger and thumb are also weakened and their strength is only slight and is growing less. He has not sufficient strength in right hand to hold any object that is at all heavy. Rate on gunshot wound of right arm two-thirds of total for captain."

The evidence filed with your committee shows that the arm is substantially useless; that the soldier is very poor, 65 years of age, with a wife who can do but little, and that they earn a precarious subsistence by fugitive jobs of light work.

Your committee therefore think this an exceptional and meritorious case, and report the bill back with the recommendation that it pass when amended as follows:

In line 6 strike out the word "fifty" and insert in lieu thereof the word "thirty;" and in the same line, after the word "roll," insert "and pay him a pension."

Mr. SOUTHARD. I think there are some affidavits.

The CHAIRMAN. The report of the committee has been read.

Mr. SOUTHARD. I would like to have the Clerk read one of the affidavits.

The Clerk read as follows:

STATE OF OHIO, Lucas County, ss:

The undersigned, being first duly sworn according to law, deposes and says that he has known Col. Nathaniel Haughton, late colonel of the Twenty-fifth Regiment of Ohio Veteran Volunteer Infantry, since the close of the war of the rebellion, and is well acquainted with his history during that time; that said Colonel Haughton is now about 65 years of age, and is greatly enfeebled thereby, and in addition thereto by a life of excessive hard work; that he is likewise almost if not totally disabled for manual labor by a wound in his right arm, received in the service of his country; that he is utterly without means of support, and can only earn a precarious subsistence for himself and his old wife by fugitive jobs of light work.

I would respectfully urge the immediate action of Congress in this case, as I believe it one deserving of the special action sought therein.

JOHN S. KOUNTZ,

Past Commander in Chief, Grand Army of the Republic.

Sworn to before me and subscribed in my presence this 4th day of March, A. D. 1898.

[SEAL.]

JAMES H. EMERY,
Notary Public, Lucas County, Ohio.

Mr. SOUTHARD. Mr. Chairman, there are other affidavits, but as they are of the same effect, I will not ask that any of the others be read. It is with a good deal of reluctance that I attempt to oppose the report of this committee. I would not do so if I did not feel certain that in their extreme conservatism they have not done justice to one of the most faithful and efficient soldiers and officers that the late war produced. As the report states, Nathaniel Haughton is now drawing a pension of \$15 per month for gunshot wound of the right arm. He has other disabilities, some of them, perhaps, incident to old age, some of them doubtless incident to his army service; but under the technical rulings which prevail at the Department none of these disabilities are attributable to his army service.

He is 65 years of age; he has a wife who is about the same age; he is without a dollar in the world to support him or his old wife. As the affidavit appended to the report states, he earns a living by doing manual labor—small jobs here and there, as he can find them. Nathaniel Haughton was not an ordinary soldier; Nathaniel Haughton was not an ordinary man. He responded to the first call for volunteers during the late war, and he continued in the service until the last shot was fired. He was an exceptional soldier and an exceptional officer.

Before I am done I want to read extracts from some letters that were before the committee and doubtless were considered by them. That is why, I say, in the extreme conservatism of this committee, they have doubtless done less than full justice to this extraordinary man. I have a letter here signed by one Cooper, which was written from Chicago, and as this letter was unsolicited, he speaks, as I have no doubt, the truth. He says:

CHICAGO, February 22, 1898.

DEAR SIR: I understand that there is a bill pending in the House of Representatives for a pension in favor of my old friend, Col. N. Haughton, of Toledo, Ohio, formerly the colonel of the Twenty-fifth Ohio.

I served with the Colonel in the same brigade during the latter part of the war of the rebellion, and know his soldierly qualities and how faithful he was to the Government then, and I feel very anxious that now, in his old age, the Government should do something for him in his necessity.

The One hundred and seventh Ohio, which I commanded, was on several expeditions and in several engagements with the Twenty-fifth Ohio, commanded by Colonel Haughton. In four years and a quarter of service I can say truthfully that I never knew a commanding officer of a regiment more zealous, more untiring in the care, comfort, and efficiency of the men of his regiment, and braver in leading them against the enemy than was Colonel Haughton.

When we were on a campaign in the interior of South Carolina, at the close of a long day's march, when his men were exhausted, he would start out with such mounted men as he could rally to reconnoiter the country, see the lay of the land, and be ready for the next day's campaign. I think I may say fairly that no man in the Army, in command of a regiment, ever put in so much hard work, energy, and force in doing everything that lay in his power to put down the rebellion as did Colonel Haughton.

Opposed as I have been for years to the frightful proportions of our pension list, in the case of Colonel Haughton I feel that every sentiment of justice and patriotism warrants the Government of the United States in making some adequate provision for him in his old age, in consideration of his heroic efforts for that Government when it was itself in sore need of just such efforts.

I write this to you because I learn that you are in charge of the bill. A member of Congress from my district, Hon. JAMES A. MANN, is a friend of mine, to whom you are at liberty to show this communication; also Senator WILLIAM E. MASON of this State and to Maj. JAMES A. CONNOLLY, if they are in a position to do any good to the cause.

Very truly, yours,

JNO. S. COOPER.

Hon. J. H. SOUTHARD, M. C.,

House of Representatives, Washington, D. C.

I have here a large number of letters equally commendatory in character. I have letters from those who served with him in his regiment, and from many who were familiar with his career all through the war. As I said, he served a little over or a little less than five years. No officer of his rank has a more brilliant career than he; no officer in the whole Army of his rank did greater service than he for his country. Colonel Haughton, as everybody will say who knows him and knows of him, was as good a man as ever stepped into a uniform, and as brave a man as ever carried or followed the flag. He has an old wife, as I have already stated, about his own age, a wife whose spirit was with him during all the vicissitudes of that five years of warfare in which he was engaged. He has made sacrifices for his country.

I want to mention one or two other things. When he went into the Army he had a prosperous business, which he intrusted to the hands of others. During his absence, because of mismanagement or something of that kind, his business was ruined. When he came back he took up the business anew and prospered for many years, but of recent years misfortune has overtaken him, and to-day he has not a dollar in the world. There is no more deserving soldier or officer than Colonel Haughton. He has made sacrifices for his country such as few men have made.

I believe if you knew him as I know him, and as many others know him, you would have no hesitation in voting to defeat this amendment, and I believe it ought to be done. I do not believe that this great and grateful country desires that a man who has done the service that Colonel Haughton has shall go down through his few remaining years a pensioner upon the bounty of his friends. I think I have stated that he has not a child in the world, or anybody upon whom he can lean for support. He has an old wife leaning upon him for support. I ask that the amendment be defeated.

Mr. RAY of New York. Mr. Chairman, this bill was referred to a subcommittee, of which the gentleman from Ohio was one, and of which Mr. WARNER of Illinois was chairman. They gave it ample consideration, and the full committee gave it ample consideration. We have doubled this man's pension. This man's claim has been considered at the Pension Bureau recently, and they only gave him \$15, and we have doubled it in committee.

We have given him within \$6 of the sum he would be entitled to if that arm was absolutely useless. It is not absolutely useless; he can use it a great deal in connection with the other hand. We were extraordinarily liberal, and it was the unanimous report of the committee, and I hope the amendment will be agreed to.

Mr. SOUTHARD. I want to say to this committee that that arm is worse than useless.

Mr. RAY of New York. The evidence does not show it.

Mr. SOUTHARD. He is a man whom I see every day, and while the evidence says that it is practically useless, it is worse than useless. It is of no service to him, but is a source of pain and annoyance to him every day he lives. He would be better off without it; and if this arm were useless, if the finding was that the arm was useless, he would be entitled under existing law to a pension of \$36 a month. This allowance of \$30 a month is not doing justice to a man who has served his country for five years as Captain Haughton has done.

The question was taken; and on a division (demanded by Mr. SOUTHARD) there were—ayes 20, noes 13.

So the amendment recommended by the committee was agreed to.

Mr. RAY of New York. Now, Mr. Chairman, I propose another amendment. Whenever we leave in the title a description

of the service, the Senate amends by striking out the description. I therefore move to amend the title so that it will read: "A bill to grant an increase of pension to Nathaniel Houghton."

The amendment was agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

WILLIAM L. GRIGSBY.

The next business on the Private Calendar was the bill (S. 73) granting a pension to William L. Grigsby, of Belvidere, in the county of Thayer, Nebr.

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 the name of William L. Grigsby, late a private of Company E, Seventeenth Regiment Iowa Volunteer Infantry, on the pension roll of the United States at the rate of \$36 per month, to be paid as other pensions are paid under the general laws of the United States.

Mr. TALBERT. Mr. Chairman, I would like to hear the report read.

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

The Committee on Invalid Pensions, to whom was referred Senate bill 73 and House bill 2205, granting an increase of pension to William L. Grigsby, have examined the same and the evidence relating thereto, and respectfully report the Senate bill.

This bill proposes to increase from \$8 to \$36 per month the pension of William L. Grigsby, of Belvidere, Nebr.

The soldier served as a private in Company E, Seventeenth Regiment of Iowa Volunteer Infantry, from February 23, 1862, to April 15, 1865, when honorably discharged.

He was wounded in the head at Vicksburg, Miss., in June, 1863, and has not been well since. He is now partially paralyzed and is nearly helpless. He is in necessitous circumstances.

Considerable evidence is printed with the Senate report (Report No. 284), and it is not necessary to reprint it here or to print the mass of evidence filed with your committee. It is evident that the soldier has a disability of service origin that entitles him to a pension of \$36 per month. Such a wound as he received must have produced the disability, as there is no other cause alleged, and such a result as is shown would naturally follow the injury.

The bill is therefore reported back, with the recommendation that it pass when amended as follows:

After the word "States," line 6, insert "and pay him a pension."

Strike out all after the word "month," in line 7.

The amendments reported by the committee were agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

ENOCH G. ADAMS.

The next business on the Private Calendar was the bill (S. 1462) granting an increase of pension to Enoch G. Adams.

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 Enoch G. Adams, late captain of Company D, First Regiment United States Infantry, at the rate of \$50 per month, in lieu of the pension he is now receiving.

Mr. SULLIVAN. Mr. Chairman, I ask for the reading of the report.

The Clerk read the report (by Mr. SULLOWAY), as follows:

The Committee on Invalid Pensions, to whom was referred Senate bill No. 1462, have fully considered the same and all the evidence, and respectfully report:

This bill proposes to increase from \$24 to \$50 per month the pension of Enoch G. Adams, of South Berwick, Me., late Company D, First Regiment United States Infantry. This claimant is in necessitous circumstances, a graduate of Yale College, and served with credit from April 23, 1861, to November, 1865. He enlisted as a private and rose to the rank of captain, and was brevetted major for gallant and meritorious services. He was shot in battle, but did not quit the service until after the war was over. His gunshot wound of the neck was of a serious character and affected the nervous system and brain.

His disabilities on account of same have steadily increased, until now he is totally disabled and requires almost constant aid and attendance. He can move about some, but only with danger to himself, and these disabilities (incurable) are constantly increasing. He is now 63 years of age. In 1888 he was granted a pension of \$24 per month by special act of Congress, and as the disabilities have increased to a \$50 rate special action is again justified.

The bill is therefore reported back with the recommendation that it pass.

Mr. SULLIVAN. Mr. Chairman, as I understand, this was first \$24, and then it is raised to \$50 by this bill, and that is the present proposition.

Mr. RAY of New York. Yes; he is a helpless man. His disabilities are of service origin, every one of them.

The bill was laid aside to be reported to the House with a favorable recommendation.

LOVEZILA L. PATTERSON.

The next business on the Private Calendar was the bill (H. R. 3185) granting a pension to Lovezila L. Patterson.

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 Lovezila L. Patterson on the pension roll, at the rate of \$25 a month, as widow of Alexander V. Patterson, late surgeon of the One hundred and second Regiment Ohio Volunteer Infantry.

The amendments reported by the committee were read, as follows:

In line 4, after the word "place," insert "the name of."

From lines 4 and 5 strike out the following: "on the pension roll, at the rate of \$25 a month as."

At the end of line 7 add the following: "on the pension roll, and pay her a pension at the rate of \$25 per month."

The amendments were agreed to.

The bill as amended was laid aside to be reported favorably to the House.

ANNA M. TATE.

The next business on the Private Calendar was the bill (H. R. 711) granting a pension to Anna M. Tate.

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 Anna M. Tate, dependent mother of Blair Tate, late a private in Company K, Twenty-sixth Iowa Infantry Volunteers, at the rate of \$12 per month.

The amendment reported by the committee was read, as follows:

After the word "Volunteers," in line 8, insert "and pay her a pension."

The amendment was agreed to.

The bill as amended was laid aside to be reported favorably to the House.

HIRAM R. RHEA.

The next business on the Private Calendar was the bill (H. R. 8770) to repeal chapter 164, laws of 1871, approved March 3, 1871, being an act entitled "An act granting a pension to Hiram R. Rhea."

The bill was read, as follows:

Be it enacted, etc., That chapter 164 of the laws of 1871, approved March 3, 1871 (16 United States Statutes at Large), and entitled "An act granting a pension to Hiram R. Rhea," be, and the same is hereby, repealed.

The bill was laid aside to be reported favorably to the House.

CHARLES BECKWITH.

The next business on the Private Calendar was the bill (H. R. 4449) granting a pension to Charles Beckwith.

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 the name of Charles Beckwith, late of Company A, Seventh Michigan Cavalry, and pay him a pension of \$30 a month.

The amendments reported by the committee were read, as follows:

In line 5 strike out the capital letter "A" and insert in lieu thereof the capital letter "I," so as to correctly describe the service of the soldier.

Amend the title so as to read: "A bill granting an increase of pension to Charles Beckwith."

The amendments were agreed to.

The bill as amended was laid aside to be reported favorably to the House.

DAVID C. WARING.

The next business on the Private Calendar was the bill (H. R. 1855) granting an increase of pension to David C. Waring.

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 David C. Waring, Company B, Eighth Regiment New York Volunteer Infantry, and Company I, Twenty-third Regiment, and pay him a pension of \$50 per month in lieu of the pension he is now receiving.

The amendment reported by the committee was read, as follows:

In line 8 strike out "fifty" and insert "twenty-four."

The amendment was agreed to.

The bill as amended was laid aside to be reported favorably to the House.

JAMES F. MCKINLEY.

The next business on the Private Calendar was the bill (H. R. 6793) granting an increase of pension to James F. McKinley.

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 the name of James F. McKinley, late of Company K, One hundred and ninety-fifth Pennsylvania Infantry, at the rate of \$24 per month, in lieu of the pension he is now receiving.

The amendment reported by the committee was read, as follows:

In line 6, after the word "Infantry," insert "and pay him a pension."

The amendment was agreed to.

The bill as amended was laid aside to be reported favorably to the House.

FLORENCE N. WALDRON.

The next business on the Private Calendar was the bill (H. R. 5245) granting a pension to Florence N. Waldron, helpless daughter of Capt. Samuel F. Waldron, Company I, Thirty-third Regiment New Jersey Volunteer Infantry.

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 the name of Florence N. Waldron, helpless daughter of the late Capt. Samuel F. Waldron, Company I, Thirty-third Regiment New Jersey Volunteer Infantry, at the rate of \$20 per month.

The amendment reported by the committee was read, as follows:

In line 7, after the word "Infantry," insert "and pay her a pension."

Mr. TALBERT. I should like to hear the report read.

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

The Committee on Invalid Pensions, to whom was referred the bill (H. R.

5245) granting a pension to Florence N. Waldron, have examined the same, all the facts, and the legal questions involved, and respectfully report:

This bill proposes to restore to the rolls and continue at her former rate the pension of claimant, Florence N. Waldron, of Newark, N. J., the crippled and helpless daughter of Samuel F. Waldron, late captain Company I, Thirty-third New Jersey Volunteer Infantry, who served from August 23, 1863, to November 23, 1863, when killed in battle at Chattanooga, Tenn.

The widow was pensioned at \$30 from the date of soldier's death until April 4, 1871, and this claimant was pensioned at \$23 from that time until September 13, 1876, when she became 16 years of age.

Under the provisions of the act of June 27, 1890, she is entitled to a continuance of her pension if she be "insane, idiotic, or otherwise permanently helpless."

She filed a claim under said act October 20, 1895, but it was rejected January 18, 1896, "Permanent helplessness not shown." It was reopened by Commissioner Murphy, but was again rejected May 4, 1896, on the same ground.

This claimant is not "insane" or "idiotic," and the only question is whether she is "otherwise permanently helpless."

It is shown by evidence that when about 5 years of age she fell from a window two and a half stories high into a stone area, which caused an injury from which she has never recovered. She has been compelled to use crutches ever since.

Certificate of medical examination made November 24, 1895, shows "enlargement of left knee, with flexion one-fourth and permanent ankylosis; enlargement and ankylosis probably osseous and fibrous." The left lower extremity is atrophied and is shortened 4 inches.

Claimant is obliged to use crutches in standing and walking. The left leg is permanently useless. No evidence of vicious habits. Functions peculiar to her sex abnormally frequent, occurring every three weeks and draining in character.

Claimant by injury of left knee and anemia is so disabled as to be incapacitated in a degree equivalent to the loss of a foot for the purposes of manual labor.

Examination of February 23, 1896, shows practically the same condition. It is shown by the testimony of a physician that besides her lameness she suffers terrible pain in her limb, and that as a result of that and her reduced nervous condition she has been subject to convulsions for five or six years.

The question is not so much one of fact as of law, as the facts are admitted. The law, in so many words, states that this pension shall be continued to this child if she be "insane, idiotic, or otherwise permanently helpless." The law does not say totally helpless. The intent of the law is to provide a pension to such a child when it is incapable by reason of disabilities arising in early youth of earning its own living—of maintaining itself. The law gives the pension to support the child, in part at least, because it can not support itself. Then any child in such a condition is within not only the intent and meaning of the law, but within its spirit and letter.

Webster thus defines the word "helpless":

"Helpless. (1) Destitute of help; without aid; wanting assistance. (Example.) 'How shall I, then, your helpless fame defend?' (2) Wanting power to succor one's self; weak. (Example.) 'Thou tutelary friend of helpless men.'"

Webster thus defines "helplessness":

"Want of ability; want of succor in one's self; weakness."

This girl can not either stand or walk without the use of crutches. These must be made and brought to her by others. She can not supply herself with the artificial means absolutely necessary to enable her to stand up or move about. Therefore without the aid of others she would remain in one place and starve. Is she not helpless? True she can eat if food is brought her by others and so is not totally and wholly helpless; but she can not procure food or clothing or fire or a home.

Her nervous system is shattered, and she has frequent convulsions and suffers constant pain; therefore, her life is in danger when not attended, watched, and cared for by another. In short, owing to her physical condition (existing since she was 2 years of age), this girl can not maintain her own existence; can not provide herself the necessaries of life, and so this child is really in this regard in a worse condition than many who are insane or idiotic. Many of these unfortunates can do work—earn a living. This girl can use her hands, and (when not in convulsions) can sew or knit or paint, but without artificial aid furnished by another she can not procure the means to do either kind of work.

Your committee is of the opinion that a broad, reasonable, and liberal construction should be given by the Department to the statute referred to—a construction that will render effectual, not thwart, the intent of Congress. The Pension Bureau decided (per Assistant Secretary Reynolds, S. P. D.) that the term "permanently helpless," in the third section of the act of June 27, 1890, is, in its application to the capacity of a minor to earn a support, relatively of the same meaning as the words "insane" and "idiotic" used in the same clause. Your committee is of the opinion that this is a strained and unwarranted construction, one that defeats in many meritorious and deserving cases the humane purpose of the statute referred to.

The bill is therefore reported back with the recommendation that it pass when amended as follows:

In line 7, after the word "Infantry," insert "and pay her a pension."

Mr. RAY of New York. Mr. Chairman, for the reason I have already stated in connection with another bill, I move to amend the title in this case by striking out all after the words "Florence N. Waldron." This amendment leaves out all the descriptive language.

Mr. SULLIVAN. Mr. Chairman, I desire to say that on the 16th of December, 1897, a bill was introduced by myself on the subject of pensions and referred to the Committee on Invalid Pensions. The bill limited the class of persons who should hereafter claim pensions. The matter of appropriations to pay pensions and other debts becomes a serious one. I had thought to-night to make the question of no quorum; but I am assured by gentlemen that the bill to which I have just referred will be considered and reported to this House by next Friday. With this assurance and only for the reason I have stated I shall raise no question of that kind to-night.

The question being taken, the amendment proposed by Mr. RAY of New York was agreed to.

The bill as amended was laid aside to be reported favorably to the House.

ELIZABETH ROGERS.

The next business on the Private Calendar was the bill (H. R. 7783) granting an increase of pension to Elizabeth Rogers.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, authorized and directed to increase the pension of Elizabeth Rogers, of Lock, Bell County, Ky., widow of David S. Rogers, captain and major, First Tennessee Volunteer Infantry in the Indian wars, from \$8 to \$30 per month.

The amendment reported by the committee was read, as follows:

In line 7 strike out the word "thirty" and insert in lieu thereof "twelve."

The amendment was agreed to.

The bill as amended was laid aside to be reported favorably to the House.

SUSAN A. HUBER.

The next business on the Private Calendar was the bill (H. R. 1897) granting a pension to Mrs. Susan A. Huber, of Louisville, Ky.

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 at the rate of \$25 per month, subject to the provisions and limitations of the pension laws, the name of Mrs. Susan A. Huber, widow of Jeremiah F. Huber, late captain in the United States Army.

The Committee on Invalid Pensions recommended the following amendments:

In lines 4 and 5 strike out the words "at the rate of \$25 per month."

In line 6 strike out "Mrs."

At the end of line 8 add the following: "and pay her a pension at the rate of \$30 per month, in lieu of the pension she is now receiving."

Amend the title so it will read: "A bill granting an increase of pension to Susan A. Huber."

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

CHARLES A. FOSTER.

The next business on the Private Calendar was the bill (H. R. 4979) granting a pension to Charles A. Foster, late acting assistant surgeon, United States Army.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll of the United States the name of Charles A. Foster, late acting assistant surgeon, United States Army, and pay him a pension at the rate of \$12 per month.

Mr. TALBERT. Mr. Chairman, I should like to hear the report in that case read.

Mr. RAY of New York. Before that is done, I move to amend the title so that it will read "A bill granting a pension to Charles A. Foster," leaving off the other description, for the reasons already stated.

The CHAIRMAN. The Clerk will read the report.

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

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 4979) granting a pension to Dr. Charles A. Foster, submit the following report:

This bill proposes to pension at \$12 per month Charles A. Foster, of Canandaigua, N. Y.

Dr. Charles A. Foster served as acting assistant surgeon, United States Army, from March 9, 1864, to November 30, 1865, and from December 1, 1865, to July 25, 1868, when his service was honorably terminated.

On August 29, 1890, he applied for pension under the act of Congress approved June 27, 1890, and was pensioned thereunder at \$12 per month until May 10, 1895, when he was dropped from the rolls, under the decision of the Secretary of the Interior dated November 24, 1893, in the case of Andrew J. Shannon, on the ground that his was not a pensionable service under the act cited, as he was not regularly mustered into the military service of the United States. Up to the date of the decision above cited, such service had been held to be pensionable under the act in question.

On March 3, 1895, contract surgeons were put on the same footing as to pensions, with assistant surgeons who were regularly mustered into the service. They endured similar hardships and were exposed to the same dangers. This man is now about 80 years of age, in feeble health, and, as it appears from the evidence, in need of the pension.

Your committee believe the case comes within the spirit if not the strict letter of the law under which he was pensioned, which was intended, as they believe, to include all branches of service which were then held to be pensionable under the general pension laws, and they therefore recommend that the bill do pass.

Mr. TALBERT. Mr. Speaker, the point I desire to make in this case is that this man was never mustered into the service. I do not propose to make any opposition to the bill, but I call the attention of the chairman to the fact that if the Senate Committee on Pensions adhere to the rule they have laid down, it seems to me useless to send such bills over there, because they say they will not consider them; that they will not consider the claims of persons who were never mustered into the service.

Mr. RAY of New York. No; I beg the pardon of the gentleman. Mr. Chairman, under the law as it is on the statute book, these men were for years held to be pensionable, held to be within the spirit and letter of the law, but later on, in the case cited here, they held that although they were in the service with the Army and endured all the hardships and dangers incident to the service, yet that, not being mustered in, they did not come within the strict letter of the law.

Since that decision was made this House has repeatedly said, and the Senate has repeatedly said, that these men are within the spirit and intent of the law. So these cases are placed within the spirit and intent of the law by these special bills. It is a mere technicality in the construction of the law now on the statute

books. It has been thoroughly considered, and the Senate and House are in perfect harmony.

Mr. TALBERT. I did not care to make any captious opposition to the bill. I simply desired to bring out the facts with reference to the matter.

The amendment of Mr. RAY of New York to the title was agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

MARIA E. HESS.

The next business on the Private Calendar was the bill (H. R. 864) granting a pension to Maria E. Hess, widow of Florian Hess. The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, authorized and directed to place on the pension roll, at the rate of \$12 per month, the name of Maria E. Hess, widow of Florian Hess, who was pensioned under certificate No. 65836 as a private in Capt. J. Rollin's company of Minnesota Volunteers.

The Committee on Invalid Pensions recommended the following amendments:

In lines 4 and 5 strike out the words "at the rate of \$12 per month." In lines 6, 7, and 8 strike out the words "who was pensioned under certificate No. 65836 as."

Add, at the end of line 9, the following: "and pay her a pension at the rate of \$12 per month."

Mr. TALBERT. I should like to hear the reading of the report in this case. This is not a remarried widow, is it?

The CHAIRMAN. The Clerk will read the report.

The Clerk began the reading of the report (by Mr. BOTKIN), which is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 864) granting a pension to Maria E. Hess, have examined the same and the evidence relating thereto and respectfully report:

This bill proposes to pension, at \$12 per month, Maria E. Hess, of New Ulm, Minn., the widow of Florian Hess, a private in Capt. J. Belin's company, Eleventh Minnesota Volunteer Militia, who was called into service against the Sioux Indians, and in an engagement at New Ulm, Minn., August 23, 1862, was severely wounded in the left shoulder. He was treated in hospital, from which he appears to have been discharged September 1, 1862.

A ball passed entirely through the neck of the humerus, shattering it badly, so much so that several pieces of bone were removed while in hospital at St. Peters, Minn. A medical certificate, signed by two physicians and dated February 27, 1866, states that he was then incapable of earning a subsistence by manual labor because of a gunshot wound, fracturing the neck of the left humerus and causing comminuted fracture of the bone, requiring excision of part of same, causing the shoulder joint to be entirely useless, together with upper and fore arm.

At an examination in 1875 the examining surgeon said:

"From time to time till now exfoliation takes place, combined with severe pain. His general health is also very poor, his body much emaciated, and he is in fact not able to perform any manual labor."

And the same conditions existed when examined in 1877.

He was pensioned at \$0 from discharge and was increased to \$8, \$14, \$24, and \$36, which rate he was receiving when he died February 24, 1892.

This claimant was paid the accrued pension due soldier at date of death.

She filed a claim March 29, 1892, under the general law, but it was rejected October 20, 1894, on the ground that death resulted from disease of stomach, which has not been legally accepted.

In an affidavit filed March 20, 1892, J. S. Schock, M. D., said:

"Florian Hess died the 24th day of February, 1892.

"He had suffered for three years with chronic gastritis, which resulted in thickening and contraction of the pyloric end of stomach with ulcers. These ulcers were the direct cause of his death, being the source of the hæmatemesis.

"Have treated the deceased for the past three years, during which time he always had a cachectic anemic appearance, which he claimed dated from his wound fever at the hospital, and it never left him."

In an affidavit, dated August 14, 1894, the same physician said that while the soldier was a chronic sufferer from chronic gastritis, it was at no time considered serious, for his wounds and suffering therefrom kept him weak and feeble, and had more to do with his death than gastritis. During the last weeks of his suffering his system was unable to sustain the drain of his injuries, and septic fever set in from absorption, which hastened and was the indirect cause of his death, and directly traceable to his wounds.

The claimant was married to the soldier September 30, 1852, and is about 72 years of age, and needy.

Claimant has no title under act of June 27, 1890, as her husband was not regularly enlisted and mustered into the United States service.

There is no substantial doubt that this soldier died from results of wounds received in battle. True, the results of the wound were so complicated with other troubles that we are not absolutely certain. Still, we may be positive in the opinion that the other troubles would not have produced death, might not have existed at all, had not the weakened and debilitated conditions caused by the wound existed.

This widow is clearly entitled to the pension of \$12 per month given by this act.

During the reading of the report,

Mr. RAY of New York said: Did the gentleman call for the reading of this?

Mr. TALBERT. Yes.

Mr. RAY of New York. I ask him to withdraw that request.

Mr. TALBERT. Yes, if the gentleman will make an explanation.

Mr. RAY of New York. This is not the case of a remarried widow. It is the case of the widow of a soldier who, during the war of the rebellion, enlisted and went out on the Western plains to repel the Indians who attacked the settlers along the border.

The husband was wounded and afterwards died, but by reason of some defect in his enlistment and muster they denied a pension to the widow. He was there, he served with a company, he acted as a soldier all through, and this bill is simply to remedy a techni-

cality, and is necessary because of an omission on the part of the officers of the Government in mustering him in.

Mr. TALBERT. He was not regularly mustered in?

Mr. RAY of New York. Not regularly.

Mr. TALBERT. But he was in the service?

Mr. RAY of New York. He was in the service, did the fighting, and was wounded.

The amendment proposed by the committee was agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

SALLIE WORK.

The next business on the Private Calendar was the bill (H. R. 2119) to grant a pension to Miss Sallie Work.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and hereby is, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Miss Sallie Work, orphan, permanently helpless invalid daughter of James B. Work, late private of Company F, Fifty-fifth Regiment Pennsylvania Volunteer Infantry, and Sarah Work, his wife, now both dead, and grant her a pension of \$30 per month.

The Committee on Invalid Pensions recommended the following amendments:

In line 6 strike out the word "Miss." In line 9 strike out the word "grant" and insert in lieu thereof the word "pay."

In lines 9 and 10 strike out the words "of thirty" and insert in lieu thereof the words "at the rate of fifteen."

Add at the end of line 10 the following: "and that same be paid to her legal guardian when appointed."

Mr. TALBERT. I should like to have the report in that case read.

Mr. RAY of New York. What information does the gentleman desire?

Mr. TALBERT. Well, I want to know the condition of this girl—whether she comes under the law?

Mr. RAY of New York. She is perfectly helpless, and has been so from her infancy. Now, let me call the gentleman's attention to the law, and the reason why some of these bills come in here.

They construe the law at the Pension Office in this way: They say that if a soldier of the Republic had an imbecile or otherwise helpless child, born so, or so from infancy, if that child reaches the age of 16 years before the soldier father dies, it can not draw a pension from that time on at all; but they say that if that child lives and is not 16 until the day after the father dies, then she can draw a pension as long as she lives.

Mr. TALBERT. Does this applicant come under the law?

Mr. RAY of New York. She comes within the spirit and intent of the law, and it is only by reason of an omission on the part of Congress that this special bill is necessary. A general bill has been considered in the committee and reported to the House, after receiving the vote of every Democrat as well as of every Republican on the committee. When that bill becomes a law, special bills of this character will not be necessary.

Mr. STALLINGS. Does not this bill provide for a pension of \$15 a month?

Mr. RAY of New York. Yes.

Mr. STALLINGS. She would not get \$15 under the general law?

Mr. RAY of New York. She would get \$12 under the general law; but your committee have arrived at the conclusion that in the case of a permanently helpless child, so born, or in that condition from early infancy, \$15 per month is not too great. We have reported several bills at that figure, in such cases, and therefore we put in the amount at \$15 in this bill.

Mr. STALLINGS. Has the general bill to which the gentleman referred passed the committee and been reported to the House?

Mr. RAY of New York. Yes.

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

WILLIAM H. SAVAGE.

The next business on the Private Calendar was the bill (H. R. 8515) to increase the pension of William H. Savage.

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 William H. Savage, late captain Company A, Seventeenth Maine Volunteers, and to pay him a pension of \$20 per month in lieu of that which he is now receiving.

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

ISAIAH F. FORCE.

The next business on the Private Calendar was the bill (H. R. 93) granting an increase pension to Isaiah F. Force.

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 Isaiah F. Force, late major in the One hundred and fortieth Regiment New York Infantry Volunteers, and that he pay him a pension of \$72 per month in lieu of all other pension.

The Committee on Invalid Pensions recommended the following amendment:

In line 8 strike out the words "seventy-two" and insert in lieu thereof the words "thirty-five."

The amendments recommended by the committee were agreed to. The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

MRS. JOHN W. HOLT.

The next business on the Private Calendar was the bill (H. R. 4143) to pension Mrs. John W. Holt.

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, at the rate of \$12 per month, subject to the provisions and regulations of the general pension laws, the name of Mrs. John W. Holt, of Topeka, Kans., the stepmother of L. B. Holt, who was a private in Company L, Fifteenth Pennsylvania Infantry.

The Committee on Invalid Pensions recommended the following amendments:

In lines 4 and 5 strike out the words "at the rate of \$12 per month." In lines 6 and 7 strike out the following: "Mrs. John W. Holt," and insert in lieu thereof the following: "Elizabeth Holt."

Add at the end of line 9 the following: "And pay her a pension at the rate of \$12 per month." Amend the title so it will read: "A bill granting a pension to Elizabeth Holt."

The amendments recommended by the committee were agreed to. The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

LOWELL H. HOPKINSON.

The next business on the Private Calendar was the bill (H. R. 378) granting a pension to Lowell H. Hopkinson.

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, at \$50 per month, subject to the provisions and limitations of the pension laws, the name of Lowell H. Hopkinson, late a member of Company A, Fifty-seventh and Fifty-ninth Regiments Massachusetts Volunteer Infantry.

The Committee on Invalid Pensions recommended the following amendments:

In lines 4 and 5 strike out the following: "At \$50 per month." At the end of line 8 add the following: "And pay him a pension at the rate of \$50 per month in lieu of the pension he is now receiving."

Mr. STALLINGS. Mr. Chairman, let us have the report on that.

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

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 378) granting an increase of pension to Lowell H. Hopkinson, have examined the same and all the evidence relating thereto, and respectfully report:

This bill proposes to increase from \$12 to \$50 per month the pension of Lowell H. Hopkinson, of Groveland, Mass.

Claimant served in Company H, Eleventh Massachusetts Volunteer Infantry, from April 20, 1861, to October 25, 1863, when he was discharged on surgeon's certificate of disability for severe wound of right elbow, received at Manassas, Va., August 29, 1862. He served in Company A, Fifty-ninth and Fifty-seventh Massachusetts Volunteer Infantry, from November 14, 1863, to July 30, 1865.

Besides the certificate of disability there is record of treatment for chronic diarrhea and pleurisy during last service, contracted while a prisoner of war. (Captured at Cold Harbor, Virginia, June 3, 1864. Paroled December 10, 1864.)

Soldier was pensioned under the general law for disease of kidneys and gunshot wound left arm, and was receiving \$5 per month September 17, 1860, when increased to \$8 under the act of June 27, 1890. He was again increased under said law from November 12, 1895, to \$12, which rate he is now receiving, for "disease of urinary organs, gunshot wound left arm, loss of part of right index finger, lumbago, and paralysis." The last medical examination rates him two-eighths for wound of arm, four-eighths index finger, seven-eighths for paralysis and resulting urinary disease, and ten-eighths for malarial poisoning. He requires the regular personal aid and attendance of another person.

"Claimant can not rise from his bed without assistance, but by means of a rope attached to a ring over his bed he is able to raise his shoulders while an assistant swings him into a wheel chair, where he sits and moves about the room. No evidence of vicious habits."

The bill calls for \$50. If all the disability could be shown to be directly due to service he would be entitled to \$72.

Claimant is 61 years of age. Evidence filed with this committee shows that he is in need, and aside from his pension is absolutely dependent on the charity of his friends for his support.

It is impossible to separate the disabilities of the soldier incurred in the service from those arising since. Indeed, it is not at all improbable that the entire disability from which the soldier now suffers is of service origin or resultant from those clearly traceable to his army service.

In any event he is in such a physical and financial condition that special legislation is demanded and fully warranted.

The bill is therefore reported back with the recommendation that it pass when amended as follows:

In lines 4 and 5 strike out the following: "At \$50 per month." At the end of line 8 add the following: "And pay him a pension at the rate of \$50 per month in lieu of the pension he is now receiving."

The amendments recommended by the committee were agreed to. The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

CALVIN C. LYNN.

The next business on the Private Calendar was the bill (H. R. 3953) granting a pension to Calvin C. Lynn.

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 the name of Calvin P. Lynn, late a member of Company G, One hundred and fortieth Regiment Illinois Infantry Volunteers, on the pension roll at the rate of \$30 per month in lieu of the pension he is now receiving.

The Committee on Invalid Pensions recommended the following amendments:

In line 6, after the word "roll," insert the following: "and pay him a pension."

In line 7 strike out "thirty" and insert in lieu thereof the word "twenty." Amend the title so as to read: "A bill granting an increase of pension to Calvin P. Lynn."

The amendments recommended by the committee were agreed to. The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

JOHN X. GRIFFITH.

The next business on the Private Calendar was the bill (H. R. 8636) granting a pension to John X. Griffith, late of Company A, Seventy-seventh Illinois Volunteer Infantry.

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 increase the pension of John X. Griffith, late of Company A, Seventy-seventh Illinois Volunteer Infantry, from his present rate to \$72 a month.

The amendments recommended by the committee were read, as follows:

In line 4 strike out the words "increase the pension" and insert in lieu thereof the following: "place on the pension roll the name."

In line 6 strike out the words "from his present rate to seventy-two" and insert in lieu thereof the following: "and pay him a pension of fifty." At the end of line 7 add the following: "in lieu of the pension he is now receiving."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOSEPH MONTIETH.

The next business on the Private Calendar was the bill (H. R. 2253) granting an increase of pension to Joseph Montieth.

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 Joseph Montieth, late a private of Company G, Third Regiment Maine Volunteer Infantry, and pay him a pension of \$50 per month, in lieu of the pension he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8, strike out the word "fifty" and insert the word "forty."

Mr. FENTON. Mr. Chairman, why was the bill H. R. 4650 passed over? It is on the Calendar.

Mr. RAY of New York. Because unanimous consent was given in the beginning of this evening's session to pass over all bills for the removal of charges of desertion.

The CHAIRMAN. That bill is from the Committee on Military Affairs and was passed over by unanimous consent.

Mr. FENTON. I desire to obtain action on the bill, and I move that it be taken up.

Mr. LACEY. That order was made in the House.

Mr. FENTON. In the House?

The CHAIRMAN. That would not be in order now. The question is on the amendment proposed by the committee. [Cries of "Vote!"]

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

CARRIE F. BISSELL.

The next business on the Private Calendar was the bill (H. R. 1181) granting an increase of pension to Carrie F. Bissell, of Pueblo, Colo.

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 Carrie F. Bissell, widow of Harmon D. Bissell, late regimental quartermaster Eighty-third Regiment Illinois Volunteer Infantry, at the rate of \$30 per month, in lieu of the pension she is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8, after the word "Infantry," insert the following: "and pay her a pension."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ANNA E. BOTSFORD.

The next business on the Private Calendar was the bill (S. 1181) to increase the pension of Anna E. Botsford, widow of Eli W. Botsford, late major of the Sixteenth Ohio Regiment Volunteers.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, authorized and directed to place the name of Anna E. Botsford, widow of

Eliz W. Botsford, late Mexican war veteran and major of the Sixteenth Ohio Infantry Volunteers in the civil war, on the pension roll at the rate of \$12 per month, in lieu of the amount she now receives.

The amendments recommended by the committee were read, as follows:

In line 7, after the word "roll," insert "and pay her a pension."
In line 8 strike out the word "amount" and insert in lieu thereof the word "pension."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

GEORGE H. BALDWIN.

The next business on the Private Calendar was the bill (H. R. 9210) granting an increase of pension to George H. Baldwin.

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 the name of George H. Baldwin, late second lieutenant Company F, Eighty-ninth New York Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of the pension he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 7 strike out the word "fifty" and insert "forty."

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

GEMIMA MILLSAP.

The next business on the Private Calendar was the bill (H. R. 8819) granting a pension to Gemima Millsap.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and hereby is, authorized and directed to place on the pension roll the name of Gemima Millsap, dependent mother of Millsap, late a member of Company I, Thirty-first Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of \$24 per month.

The amendment recommended by the committee was read, as follows:

In line 5, after the word "of," insert the word "Milton."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

W. C. RYAN.

The next business on the Private Calendar was the bill (H. R. 7952) granting a pension to W. C. Ryan.

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 limitations and provisions of the general pension laws, the name of W. C. Ryan, invalid son of George W. Ryan, late a member of Company B, Fourth Regiment of Tennessee Infantry, and pay to him a pension at the rate of \$17 per month from and after the passage of this act.

The amendments recommended by the committee were read, as follows:

In line 6, after the word "of," strike out "W." and insert in lieu thereof the word "William."

In line 8 strike out the word "seventeen" and insert in lieu thereof the word "fifteen."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

OLEVIA S. WASHBURN.

The next business on the Private Calendar was the bill (S. 3178) granting a pension to Olevia S. Washburn.

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 the name of Olevia S. Washburn, widow of John H. Dale, late a private of Company C, Thirteenth Regiment Tennessee Cavalry Volunteers, at the rate of \$12 per month.

The amendment recommended by the committee was read, as follows:

In line 7, after the word "Volunteers," insert the following: "and pay her a pension."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

CATHERINE WILTSE.

The next business on the Private Calendar was the bill (H. R. 7628) granting a pension to Catherine Wiltse.

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 the name of Catherine Wiltse, and pay her a pension of \$12 per month from May 17, 1890.

The amendments recommended by the committee were read, as follows:

In line 5, after the word "Wiltse," insert the words "late widow of John Cummins, Company B, Fiftieth Regiment Wisconsin Volunteer Infantry."
Insert the words "at the rate" after the word "pension," in line 5.
Strike out all after the word "month," in line 6.

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ANN M. MADDEN.

The next business on the Private Calendar was the bill (S. 431) granting a pension to Ann M. Madden.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll the name of Ann M. Madden, dependent mother of Harry O. Madden, late a member of Company F, Second Regiment of Massachusetts Volunteers, at the rate of \$8 per month.

The amendment recommended by the committee was read, as follows:

In line 7, after the word "Volunteers," insert the following: "and pay her a pension."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM P. HASKELL.

The next business on the Private Calendar was the bill (H. R. 2123) increasing the pension of William P. Haskell, lieutenant, Company I, Fourteenth Regiment Indiana Infantry.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, authorized and directed to place on the pension roll the name of William P. Haskell, late a lieutenant in Company I, Fourteenth Regiment Indiana Volunteer Infantry, at the rate of \$50 per month, on account of disabilities for which he is now receiving a pension, subject to the provisions and limitations of the pension laws.

The amendments recommended by the committee were read, as follows:

In line 6, after the word "infantry," insert "and pay him a pension."

In line 7 strike out "fifty" and insert in lieu thereof "thirty."

In lines 7 and 8 strike out the words "on account of disabilities for which he is now receiving a pension."

At the end of line 9 add the following: "and in lieu of the pension he is now receiving."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

HARRIET R. MATLACK.

The next business on the Private Calendar was the bill (S. 655) granting a pension to Harriet R. Matlack.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Harriet R. Matlack, widow of Joseph Matlack, sergeant of Company H, Twelfth Regiment New Jersey Infantry Volunteers, at the rate of \$8 per month.

The amendment recommended by the committee was read, as follows:

In line 8, after the word "Volunteers," insert the words "and pay her a pension."

The amendment was agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

SUSAN A. PADDOCK.

The next business on the Private Calendar was the bill (S. 178) granting a pension to Susan A. Paddock.

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 the name of Susan A. Paddock, widow of Joseph W. Paddock, late a major and assistant adjutant-general of volunteers, First Division, Fifteenth Army Corps, and pay her at the rate of \$25 per month.

The amendment recommended by the committee was read, as follows:

In line 7, after the word "her," insert the words "a pension."

The amendment was agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

SOPHIA J. CHILCOTT.

The next business on the Private Calendar was the bill (S. 1320) granting a pension to Sophia J. Chilcott.

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 Sophia J. Chilcott, widow of James C. Chilcott, late a sergeant of Company I, Thirteenth Maine Infantry, and pay her a pension at the rate of \$12 per month.

The bill was laid aside to be reported to the House with a favorable recommendation.

WHELOCK G. VEAZEY.

The next business on the Private Calendar was the bill (H. R. 5963) granting a pension to Whelock G. Veazey.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll, subject to the provisions and limitations of the general pension laws, the name of Whelock G.

Veazey, late colonel Sixteenth Vermont Volunteers, and pay him a pension rated at \$100 a month.

Mr. RAY of New York. Mr. Chairman, since the committee reported that bill Colonel Veazey has died in this city, and I therefore move that the bill be laid aside to be reported to the House with the recommendation that it be laid on the table.

The motion was agreed to.

SUSAN BROWNLOW BOYNTON.

The next business on the Private Calendar was the bill (H. R. 7793) to increase the pension of Susan Brownlow Boynton.

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 Susan Brownlow Boynton, widow of Daniel T. Boynton, late assistant surgeon of the One hundred and fourth Regiment of Ohio Infantry, and pay her a pension at the rate of \$50 per month in lieu of the pension she is now receiving.

The amendment recommended by the committee was read, as follows:

In line 9 strike out the word "fifty" and insert in lieu thereof the word "twenty-five."

The amendment was agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

EVA SEELEY.

The next business on the Private Calendar was the bill (H. R. 6928) granting a pension to Eva Seeley, of Washington, D. C.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and hereby is, authorized and directed to place upon the pension roll the name of Eva Seeley, widow of Oscar Seeley, late paymaster's steward, United States Navy, who served during the late war on U. S. steamers *North Carolina, Connecticut, and Commodore Hull*, and pay her a pension of \$30 per month in lieu of any pension now received by her.

The amendment recommended by the committee was read, as follows:

In line 8 strike out "thirty" and insert "twenty-four."

The amendment was agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

CHARLES E. TAYLOR.

The next business on the Private Calendar was the bill (H. R. 5809) granting a pension to Charles E. Taylor.

The Clerk read the bill, 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 Charles E. Taylor, late captain Company I, Fourth Pennsylvania Cavalry, and pay him a pension at the rate of \$72 per month.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "seventy-two" and insert in lieu thereof the word "forty."

The amendment was agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

LEWIS K. WHITMORE.

The next business on the Private Calendar was the bill (H. R. 5775) granting a pension to Lewis K. Whitmore, a locomotive engineer in the military service and employ of the United States during the late civil war.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, authorized and directed to place on the pension roll the name of Lewis K. Whitmore, of Binghamton, N. Y., and pay him a pension at the rate of \$40 per month, on account wounds and consequent disabilities incurred in the line of duty and while in the service of the United States.

The amendment recommended by the committee was read, as follows:

In line 6 strike out the word "forty" and insert in lieu thereof the word "twenty-five."

The amendment was agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

SARAH E. COTTON.

The next business on the Private Calendar was the bill (S. 1837) granting a pension to Sarah E. Cotton.

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 the name of Sarah E. Cotton, late a hospital nurse, and pay her a pension at the rate of \$12 per month from and after the passage of this bill.

The bill was laid aside to be reported to the House with a favorable recommendation.

KATHERINE L. CUSHING.

The next business on the Private Calendar was the bill (H. R. 4469) increasing the pension of Katherine L. Cushing, widow of William B. Cushing, late commander in United States Navy.

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 the name of Katherine L. Cushing, widow of William B. Cushing, late commander in United States Navy, and pay her a pension of \$100 per month in lieu of the pension now paid her.

The committee amendment was read, as follows:

In line 7 strike out the words "one hundred" and insert in lieu thereof the word "fifty."

The amendment was agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

SARAH M. SPYKER.

The next business on the Private Calendar was the bill (S. 1521) granting a pension to Sarah M. Spyker.

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 Sarah M. Spyker, widow of L. P. Spyker, ensign Capt. W. A. Goodwin's company of Alabama Volunteers, Indian war, 1836, and pay her a pension at the rate of \$8 per month.

The bill was laid aside to be reported to the House with a favorable recommendation.

LUCY ORD MASON.

The next business on the Private Calendar was the bill (H. R. 2113) granting an increase of pension to Lucy Ord Mason.

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 Lucy Ord Mason, widow of First Lieut. John S. Mason, jr., late of the First United States Infantry, and pay her a pension at the rate of \$25 per month, in lieu of that she is now receiving.

The bill was laid aside to be reported favorably to the House.

DANIEL J. MELVIN.

The next business on the Private Calendar was the bill (H. R. 7501) granting a pension to Daniel J. Melvin.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll, subject otherwise to the provisions and limitations of the pension laws, the name of Daniel J. Melvin, private in company commanded by Capt. A. C. Gordon, Creek Indian war of 1836, and pay him a pension of \$8 per month.

The bill was laid aside to be reported favorably to the House.

MARY SPEIER.

The next business on the Private Calendar was the bill (H. R. 7523) granting an increase of pension to Mary Speier.

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 Mary Speier, widow of Capt. William Speier, late captain of Company I, One hundred and seventh Ohio Volunteer Infantry, and pay her a pension of \$20 per month in lieu of the pension she now receives.

The bill was laid aside to be reported favorably to the House.

DAVID PARKER.

The next business on the Private Calendar was the bill (H. R. 1825) to increase the pension of David Parker.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and required to increase the pension of David Parker, of Brooklyn, N. Y., late a private in Company A, Fourth Regiment New York Heavy Artillery, in the war of the rebellion, and to pay him a pension at the rate of \$72 per month in lieu of the pension he is now receiving; and also subject to the provisions and limitations of the pension laws as to the right of future increase of his pension for increase of the disabilities for which he is now pensioned and resulting disabilities.

The amendments reported by the committee were read, as follows:

In line 8 strike out the word "seventy-two" and insert in lieu thereof the word "thirty."

In line 4 strike out the following: "required to increase the pension" and insert in lieu thereof the following: "directed to place the name."

In line 9 strike out the semicolon and also the words "and also."

The amendments were agreed to.

The bill as amended was laid aside to be reported favorably to the House.

JOHN B. HAYS.

The next business on the Private Calendar was the bill (H. R. 8834) granting a pension to John B. Hays.

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 John B. Hays, late captain and brevet major, Nineteenth Infantry, United States Army, and pay him a pension at the rate of \$50 a month.

The amendment reported by the committee was read, as follows:

In line 8 strike out "fifty" and insert in lieu thereof "thirty."

The bill as amended was laid aside to be reported favorably to the House.

EMORY T. HIPPLE.

The next business on the Private Calendar was the bill (H. R. 6988) for the relief of Emory T. Hipple.

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 restore to the pension rolls the name of Emory T. Hipple, permanently helpless child of William H. Hipple, late private, Company D, One hundred and forty-ninth Regiment of Pennsylvania Volunteer Infantry, and continue his former pension, under certificate No. 95603, from the date of his application therefor, heretofore filed with the Commissioner of Pensions under the act of June 27, 1890.

The amendments reported by the committee were read, as follows:

In line 4 strike out the words "restore to" and insert in lieu thereof the words "place on."

Strike out all of lines 8 to 12, inclusive, and insert in lieu of the parts so stricken out the following: "pay him a pension at the rate of \$17 per month."

The amendments were agreed to.

The bill as amended was laid aside to be favorably reported to the House.

CAROLINE A. SLOCUM.

The next business on the Private Calendar was the bill (S. 2299) granting a pension to Caroline A. Slocum.

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 Caroline A. Slocum, widow of Willard Slocum, late lieutenant-colonel and brevet brigadier-general of the One hundred and twentieth Regiment Ohio Volunteers, at the rate of \$90 a month.

The amendment reported by the committee was read, as follows:

After the word "Volunteers," in line 8, insert "and pay her a pension."

The amendment was agreed to.

The bill as amended was laid aside to be reported favorably to the House.

HENRY H. TUCKER.

The next business on the Private Calendar was the bill (H. R. 2669) granting a pension to Henry H. Tucker.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll of the United States the name of Henry H. Tucker, of Minneapolis, Kans., late a sergeant of Company E, Thirty-first Ohio Volunteer Infantry, and first lieutenant of Company B, One hundred and forty-third Illinois Volunteer Infantry, and pay him a pension at the rate of \$50 per month.

The amendments reported by the committee were read, as follows:

In lines 5 and 6 strike out the words "of Minneapolis, Kans."
In line 9 strike out "fifty" and insert in lieu thereof the word "twenty-five."

At the end of line 9 add the following: "In lieu of the pension he is now receiving."

Amend the title so that it will read: "A bill granting an increase of pension to Henry H. Tucker."

The amendments were agreed to.

The bill as amended was laid aside to be reported favorably to the House.

WILLIAM S. DEMOTT.

The next business on the Private Calendar was the bill (H. R. 3025) increasing the pension of William S. Demott.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, authorized and directed to place on the pension roll the name of William S. Demott, late first lieutenant of Company F, One hundred and twenty-first Regiment Indiana Volunteers, and pay him a pension of \$50 per month, in lieu of any pension that may now be paid him.

The bill was laid aside to be reported favorably to the House.

GEORGE BARNES.

The next business on the Private Calendar was the bill (H. R. 3663) granting a pension to George Barnes.

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 the name of George Barnes, of Company I, Twenty-fifth Missouri Enrolled Militia, and Company C, Eighty-seventh Missouri Enrolled Militia, on the pension roll, subject to the provisions and limitations of the pension laws, and pay him a pension of \$24 per month.

The bill was laid aside to be reported favorably to the House.

MRS. JANET WEMPLE.

The next business on the Private Calendar was the bill (H. R. 6680) granting a pension to Mrs. Janet Wemple.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll the name of Mrs. Janet Wemple, widow of Edwin H. Wemple, late a private in Company D of the Seventy-fourth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$8 a month.

The bill was laid aside to be reported favorably to the House.

ROBERT P. WILD.

The next business on the Private Calendar was the bill (S. 1825) granting an increase of pension to Robert P. Wild.

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 pay Robert P. Wild, late of Company B, Second North Carolina Mounted Infantry, \$30 per month, in lieu of \$10 per month he is now receiving.

The amendments reported by the committee were read, as follows:

In line 4, after the word "to," insert the following: "place the name of," and strike out the word "pay," same line.

In line 5, after the word "Infantry," insert the following: "on the pension rolls and pay him a pension of."

The amendments were agreed to.

The bill as amended was laid aside to be reported favorably to the House.

MARGARET H. TOWNSEND.

The next business on the Private Calendar was the bill (H. R. 5105) granting a pension to Margaret H. Townsend.

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 the name of Margaret H. Townsend, former wife of Charles Townsend, late private in Company H, Tenth Regiment New Hampshire Volunteer Infantry, and pay her a pension of \$12 per month.

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

GEORGE G. VOGEL.

The next business on the Private Calendar was the bill (H. R. 2203) granting a pension to George G. Vogel.

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 George G. Vogel, formerly a private in Company M, Ninth Regiment Kansas Volunteer Cavalry, and Company C, Third United States Infantry, and pay him a pension of \$12 per month.

The Committee on Invalid Pensions recommended the following amendment:

In line 8, after the word "pension," insert the words "at the rate of."

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

MARY B. HULINGS.

The next business on the Private Calendar was the bill (H. R. 8197) for the relief of Mrs. Mary B. Hulings.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby authorized and directed to place the name of Mary B. Hulings on the pension roll, and that she be paid a pension at the legal rate as the widow of Thomas M. Hulings, colonel Forty-ninth Pennsylvania Infantry, who was killed at the battle of the Wilderness May 10, 1864.

The Committee on Invalid Pensions recommended the following amendments:

In line 5, after the word "roll," insert the following: "subject to the provisions and limitations of the pension laws."

In line 6, after the word "Hulings," insert the word "late."

In lines 7 and 8 strike out the following: "who was killed at the battle of the Wilderness May 10, 1864."

Amend the title so it will read: "A bill for the relief of Mary B. Hulings."

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

MARCIA C. BARNES.

The next business on the Private Calendar was the bill (H. R. 4611) granting a pension to Marcia C. Barnes.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, authorized and directed to place the name of Marcia C. Barnes, widow of Charles Barnes, late brevet brigadier-general and colonel of the Sixth Pennsylvania Heavy Artillery Volunteers, upon the pension roll and grant her a pension at the rate of \$40 per month from and after the passage of this act, the same to be in lieu of any pension now drawn.

The Committee on Invalid Pensions recommended the following amendments:

In line 5 strike out the words "brevet brigadier-general and."

In line 7 strike out the word "grant" and insert in lieu thereof the word "pay."

In line 8 strike out the word "forty" and insert in lieu thereof the word "twenty-five."

In lines 8 and 9 strike out the following: "from and after the passage of this act, the same to be."

In line 9 strike out the words "any pension now drawn" and insert in lieu thereof the words "the pension she now receives."

Amend the title so as to read: "A bill granting an increase of pension to Marcia C. Barnes."

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

MARY C. CASE.

The next business on the Private Calendar was the bill (H. R. 2762) granting a pension to Mary C. Case, of Holdrege, Phelps County, Nebr.

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 Mary C. Case, widow of Augustus Phillips, late a first lieutenant of Company D, One hundred and eighty-fourth Regiment New York Volunteers, and pay her a pension at the rate of \$25 per month from March 27, 1879.

The Committee on Invalid Pensions recommended the following amendments:

In line 9 strike out "twenty-five" and insert "seventeen."

From lines 9 and 10 strike out the words "from March 27, 1879."

Amend the title so it will read: "A bill granting a pension to Mary C. Case."

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

ORDER OF BUSINESS.

Mr. DAYTON. Mr. Chairman, I ask unanimous consent to return to Calendar No. 428, which is a bill to correct the naval record of George W. Sherrard.

I want to say that this is a bill recommended by the Navy Department itself.

The CHAIRMAN. Unanimous consent is asked to return to the bill H. R. 8614, Calendar No. 428.

Mr. SULLIVAN. I shall object.

Mr. DAYTON. I hope the gentleman will not object. This is a bill recommended by the Department itself.

The CHAIRMAN. Objection is made; and the Chair informs the committee—

Mr. DAYTON. I hope the Chair will give me an opportunity to explain the bill.

Mr. TALBERT. Mr. Chairman, just here, if I may be permitted, before the House went into Committee of the Whole this evening I asked unanimous consent that all cases for the removal of charges of desertion be passed over to-night, and that order was made by the House. It can not, as I understand it, be vacated by the Committee of the Whole, but as my friends have come to me and appealed to me personally, and have called my attention to three or four of these cases, I have reached the conclusion that they are meritorious—

The CHAIRMAN. The Chair thinks the point of order raised by the gentleman is well taken.

Mr. TALBERT. I do not make the point of order, but simply say to these gentlemen that after we go back into the House I shall make no objection if they then ask unanimous consent to vacate that order.

Mr. RAY of New York. After we have passed the pension bills, if there is time left, these bills can be taken up.

Mr. TALBERT. That is what I suggest.

The CHAIRMAN. The Chair desires to inform the committee that the pension bills have all been disposed of.

And then, on motion of Mr. RAY of New York, the committee rose; and Mr. HOPKINS having resumed the chair as Speaker pro tempore, Mr. EVANS, Chairman of the Committee of the Whole House on the Private Calendar, reported that that committee had had under consideration certain Senate and House bills, and had directed him to report them back, some with and some without amendments, and with a favorable recommendation; also, that they had instructed him to report back the bill (H. R. 5963) with the recommendation that the bill do lie on the table.

The SPEAKER pro tempore. The Clerk will report the first bill.

WHELOCK G. VEAZEY.

The first business was the bill (H. R. 5963) granting a pension to Whelock G. Veazey.

Mr. RAY of New York. I move that that bill do lie upon the table, for the reason that Colonel Veazey is dead.

The motion was agreed to.

BILLS PASSED.

The following bills reported from the Committee of the Whole without amendments were severally considered, the House bills ordered to be engrossed and read a third time, read the third time, and passed; and the Senate bills ordered to a third reading, read the third time, and passed:

A bill (S. 1462) granting an increase of pension to Enoch G. Adams;

A bill (H. R. 8770) to repeal chapter 164, laws of 1871, approved March 3, 1871, being an act entitled "An act granting a pension to Hiram R. Rhea;"

A bill (H. R. 8515) to increase the pension of William H. Savage;

A bill (S. 1320) granting a pension to Sophia J. Chilcott;

A bill (S. 1837) granting a pension to Sarah E. Cotton;

A bill (S. 1521) granting a pension to Sarah M. Spyker;

A bill (H. R. 2113) granting an increase of pension to Lucy Ord Mason;

A bill (H. R. 7501) granting a pension to Daniel J. Melvin;

A bill (H. R. 7523) granting an increase of pension to Mary Speier;

A bill (H. R. 3025) increasing the pension of William S. Demott;

A bill (H. R. 3663) granting a pension to George Barnes;

A bill (H. R. 6680) granting a pension to Mrs. Janet Wemple; and

A bill (H. R. 5105) granting a pension to Margaret H. Townsend.

The following bills reported from the Committee of the Whole with amendments were severally considered, the amendments agreed to, the House bills ordered to be engrossed and read a third time, read the third time, and passed; and the Senate bills ordered to a third reading, read the third time, and passed:

A bill (H. R. 983) to grant an increase of pension to Nathaniel Houghton, late colonel Twenty-fifth Ohio Volunteer Infantry;

A bill (S. 73) granting a pension to William L. Grigsby, of Belvidere, in the county of Thayer, Nebr.;

A bill (H. R. 3185) granting a pension to Lovezila L. Patterson;

A bill (H. R. 711) granting a pension to Anna M. Tate;

A bill (H. R. 4449) granting a pension to Charles Beckwith;

A bill (H. R. 1855) granting an increase of pension to David C. Waring;

A bill (H. R. 6793) granting an increase of pension to James F. McKinley;

A bill (H. R. 5245) granting a pension to Florence N. Waldron, helpless daughter of Capt. Samuel F. Waldron, Company I, Thirty-third Regiment New Jersey Infantry Volunteers (title amended);

A bill (H. R. 7733) granting an increase of pension to Elizabeth Rogers;

A bill (H. R. 1897) granting a pension to Mrs. Susan A. Huber, of Louisville, Ky.;

A bill (H. R. 4979) granting a pension to Charles A. Foster, late acting assistant surgeon, United States Army (title amended);

A bill (H. R. 864) granting a pension to Marie E. Hess, widow of Florian Hess;

A bill (H. R. 2119) to grant a pension to Miss Sallie Work;

A bill (H. R. 93) granting an increase of pension to Isaiah F. Force;

A bill (H. R. 4143) to pension Mrs. John W. Holt (title amended);

A bill (H. R. 378) granting a pension to Lowell H. Hopkinson;

A bill (H. R. 3953) granting a pension to Calvin P. Lynn (title amended);

A bill (H. R. 8636) granting a pension to John X. Griffith, late of Company A, Seventy-seventh Illinois Volunteer Infantry (title amended);

A bill (H. R. 2253) granting an increase of pension to Joseph Monteith;

A bill (H. R. 1181) granting an increase of pension to Carrie F. Bissell, of Pueblo, Colo.;

A bill (S. 1181) to increase the pension of Anna E. Botsford, widow of Eli W. Botsford, late major of Sixteenth Regiment Ohio Volunteers;

A bill (H. R. 9210) granting an increase of pension to George H. Baldwin;

A bill (H. R. 2762) granting a pension to Mary C. Case, of Holdrege, Phelps County, Nebr.;

A bill (H. R. 8819) granting a pension to Gemima Millsap;

A bill (H. R. 7952) granting a pension to W. C. Ryan (title amended);

A bill (S. 3178) granting a pension to Olevia S. Washburn;

A bill (H. R. 7623) granting a pension to Catherine Wiltse;

A bill (S. 431) granting a pension to Ann M. Madden;

A bill (H. R. 2123) increasing the pension of William P. Haskell, lieutenant, Company I, Fourteenth Regiment Indiana Infantry (title amended);

A bill (S. 655) granting a pension to Harriet R. Matlack;

A bill (S. 178) granting a pension to Susan A. Paddock;

A bill (H. R. 7793) to increase the pension of Susan Brownlow Boynton;

A bill (H. R. 6928) granting a pension to Eva Seeley, of Washington, D. C.;

A bill (H. R. 5809) granting a pension to Charles E. Taylor;

A bill (H. R. 4469) increasing the pension of Katherine L. Cushing, widow of William B. Cushing, late commander in United States Navy;

A bill (H. R. 1825) to increase the pension of David Parker;

A bill (H. R. 8834) granting a pension to John B. Hays;

A bill (H. R. 6988) for the relief of Emory T. Hipple;

A bill (S. 2299) granting a pension to Caroline A. Slocum;

A bill (H. R. 2669) granting a pension to Henry H. Tucker (title amended);

A bill (S. 1825) granting an increase of pension to Robert P. Wild;

A bill (H. R. 2203) granting a pension to George G. Vogel;

A bill (H. R. 8197) for the relief of Mrs. Mary B. Hulings (title amended);

A bill (H. R. 4611) granting a pension to Marcia C. Barnes (title amended); and

A bill (H. R. 5775) granting a pension to Lewis K. Whitmore, a locomotive engineer in the military service and employ of the United States during the late civil war.

MARY C. CASE.

The next business reported from the Committee of the Whole was the bill (H. R. 2762) granting a pension to Mary C. Case, of Holdrege, Phelps County, Nebr.

Mr. RAY of New York. Mr. Speaker, I move to amend that bill by striking out "seventeen" and inserting "twenty-five." By an error in a pencil memorandum on that bill the amount "seventeen" was put in when it should have been "twenty-five," as the committee reported it. I have the record of the committee here, and I make that motion so as to carry out the wishes of the committee.

The SPEAKER pro tempore. The Chair will state that the question will be put on the committee amendment, and the object of the gentleman from New York can be reached by voting down the amendment recommended by the Committee of the Whole. The Clerk will report the amendment.

The Clerk read as follows:

In line 9 strike out "twenty-five" and insert "seventeen."

Mr. RAY of New York. I ask that that be voted down.

The question was taken; and the amendment was rejected.

Mr. RAY of New York. The bill reads "twenty-five."

The SPEAKER pro tempore. The question is on the second amendment, which the Clerk will report.

The Clerk read as follows:

In line 9, after the word "month," strike out the words "from March, 1897."

The amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

Mr. RAY of New York. I move to reconsider the votes by which the several bills have been passed, and also move to lay that motion on the table.

The latter motion was agreed to.

GEORGE W. SHERRARD.

Mr. DAYTON. Mr. Speaker, I ask unanimous consent for the present consideration of the following bill.

The Clerk read as follows:

A bill (H. R. 8614) to correct the naval record of George W. Sherrard.

Be it enacted, etc., That the Secretary of the Navy be, and he is hereby, authorized and directed to amend the naval record of George W. Sherrard, late an enlisted first-class boy, who served on U. S. S. *Princeton*, *Daylight*, and *Shenandoah*, was transferred to the *Princeton*, and marked on the rolls of said vessel as having "never reported," and grant him a discharge: *Provided*, That said Sherrard shall not by the passage of this act be entitled to any bounty or back pay of any kind.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

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

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

WILLIAM H. HUGO.

Mr. JETT. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 1032) for the relief of William H. Hugo.

The bill was read, as follows:

Be it enacted, etc., That the laws regulating appointments in the Army of the United States be, and they are hereby, suspended for the purposes of this bill, and that, in view of his services to his country, the President is hereby authorized to nominate and, by and with the advice and consent of the Senate, to appoint William H. Hugo, now of Fort Bayard, N. Mex., a first lieutenant of cavalry in the Army of the United States, and thereupon to place him on the retired list of the Army with the pay and emoluments of a retired officer with the rank of a first lieutenant, without regard and in addition to the retired list now authorized by law.

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

Mr. RIDGELY. I would like an explanation of the bill.

Mr. BISHOP. I object.

JOHN WELTY.

Mr. FENTON. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 4650) for the relief of John Welty, of Portsmouth, Ohio.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to so amend and correct the military record of John Welty, of Portsmouth, Scioto County, Ohio, late a private soldier in Company B, Fifty-sixth Regiment Ohio Volunteer Infantry, as to remove the charges of desertion and to show that said Welty was captured by the enemy on June 23, 1862, and paroled on June 28, 1862, and permitted by Major-General Grant, commanding the district, to pass from Memphis, Tenn., to his home in Ohio, to remain until notified of his exchange or otherwise ordered; and duly exchanged by General Orders No. 10, War Department, January 10, 1863, and ordered to return to his command; and absent without leave until March 5, 1863, when he enlisted in the Navy of the United States for two years, served faithfully, and was honorably discharged at the expiration of his service: *Provided*, That no pay or allowances shall become due by reason of this act.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

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

N. WARD CADY.

Mr. ALEXANDER. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 6098) to correct the military record of N. Ward Cady, late major, Second Mounted Rifles, New York Volunteers, and to grant him an honorable discharge.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to set aside the findings of the court-martial in the case of N. Ward Cady, late major, Second Mounted Rifles, New York Volunteers, and to grant to said N. Ward Cady an honorable discharge from said company and regiment.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The amendment recommended by the committee was read, as follows:

Provided, That no pay or allowances shall become due by reason of the passage of this act.

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

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

The SPEAKER pro tempore. The hour of 10.30 having arrived, in accordance with the rules, the House stands adjourned until to-morrow at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, the following executive and other communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of War, transmitting a letter from the Quartermaster-General of the Army recommending an increase in the number of post quartermaster-sergeants—to the Committee on Military Affairs, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a communication from the Secretary of the Navy submitting an estimate of appropriation for one steam water boat for Norfolk Navy-Yard—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of the Interior submitting an estimate of appropriation to pay Caleb A. Ensign, United States deputy surveyor—to the Committee on Appropriations, and ordered to be printed.

A letter from the president of the Board of Commissioners of the District of Columbia, transmitting the annual report of the Capital Railway Company for the year ending December 31, 1897—to the Committee on the District of Columbia, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. FLETCHER, from the Committee on Interstate and Foreign Commerce, to which was referred House bill 8351, reported in lieu thereof a bill (H. R. 9552) permitting the building of a dam across Rainy Lake River, accompanied by a report (No. 844); which said bill and report were referred to the House Calendar.

Mr. BISHOP, from the Committee on Private Land Claims, to which was referred the bill of the House (H. R. 3606) for the relief of the citizens of Auburn, Cal., and quieting title to lands therein, reported the same with amendment, accompanied by a report (No. 876); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. CUMMINGS, from the Committee on the Library, to which was referred the joint resolution of the House (H. Res. 96) granting permission for the erection of a monument in Washington, D. C., for the ornamentation of the national capital and in honor of Samuel Hahnemann, reported the same without amendment, accompanied by a report (No. 880); which said joint resolution and report were referred to the Committee of the Whole House on the state of the Union.

Mr. BINGHAM, from the Committee on the Post-Office and Post-Roads, to which was referred the bill of the House (H. R. 4747) fixing the salary of the postmaster at Washington, D. C., reported the same without amendment, accompanied by a report

(No. 881); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. CUMMINGS, from the Committee on the Library, to which was referred the joint resolution of the Senate (S. R. 113) providing for the erection of a bronze tablet in some suitable place in the Capitol Building commemorative of the officers and men of the United States Navy who perished in the loss of the battle ship *Maine* in the harbor of Havana, February 15, 1898, reported the same with amendment, accompanied by a report (No. 884); which said joint resolution and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. CASTLE, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2866) granting a pension to Myntie L. Hamilton, reported the same with amendment, accompanied by a report (No. 845); which said bill and report were referred to the Private Calendar.

Mr. WARNER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 772) granting an increase of pension to William Taylor, reported the same with amendment, accompanied by a report (No. 847); which said bill and report were referred to the Private Calendar.

Mr. HENRY of Connecticut, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1466) granting an increase of pension to Ransom S. Angell, late private of Company G, First Regiment Wisconsin Cavalry, reported the same with amendment, accompanied by a report (No. 848); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 668) granting a pension to Frances E. Pease, reported the same without amendment, accompanied by a report (No. 849); which said bill and report were referred to the Private Calendar.

Mr. RAY of New York, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1751) granting an increase of pension to Moses M. Crants, reported the same with amendment, accompanied by a report (No. 850); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 584) granting a pension to Mary I. Valentine, reported the same with amendment, accompanied by a report (No. 851); which said bill and report were referred to the Private Calendar.

Mr. KERR, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3517) granting a pension to Rhoda A. Van Niman, reported the same without amendment, accompanied by a report (No. 852); which said bill and report were referred to the Private Calendar.

Mr. CASTLE, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8299) granting an increase of pension to Thomas S. Tefft, reported the same with amendment, accompanied by a report (No. 853); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7321) granting a pension to Lauritz Olsen, reported the same with amendment, accompanied by a report (No. 854); which said bill and report were referred to the Private Calendar.

Mr. DRIGGS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8630) granting an increase of pension to William Tompkins, reported the same without amendment, accompanied by a report (No. 855); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4189) granting a pension to Newton W. Cooper, reported the same with amendment, accompanied by a report (No. 856); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 4488) to increase the pension of Peter Castle, late of Company D, Fourth Provisional New York Cavalry, reported the same with amendment, accompanied by a report (No. 857); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 6411) granting an increase of pension to Henry K. Opp, reported the same with amendment, accompanied by a report (No. 858); which said bill and report were referred to the Private Calendar.

Mr. HENRY of Mississippi, from the Committee on War Claims, to which was referred House bill 8522, reported in lieu thereof a

resolution (House Res. No. 265) for the relief of Theodore C. Greenhill, accompanied by a report (No. 859); which said resolution and report were referred to the Private Calendar.

Mr. DAVISON of Kentucky, from the Committee on War Claims, to which was referred the bill of the House (H. R. 5774) for the relief of the heirs of Ann H. Shaler, of Campbell County, Ky., reported the same with amendment, accompanied by a report (No. 860); which said bill and report were referred to the Private Calendar.

Mr. MESICK, from the Committee on War Claims, to which was referred the bill of the House (H. R. 2495) for the relief of Anna R. Kershner, administratrix of the estate of Col. Phillip Kershner, reported the same without amendment, accompanied by a report (No. 861); which said bill and report were referred to the Private Calendar.

Mr. OVERSTREET, from the Committee on War Claims, to which was referred the bill of the House (H. R. 7690) for the relief of Hamilton M. Sailors, reported the same without amendment, accompanied by a report (No. 862); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 7545) for the relief of the heirs of David B. Sanders, deceased, reported the same without amendment, accompanied by a report (No. 863); which said bill and report were referred to the Private Calendar.

Mr. DAVISON of Kentucky, from the Committee on War Claims, to which was referred House bill 646, reported in lieu thereof a resolution (House Res. No. 266) for the relief of A. T. Sands, accompanied by a report (No. 864); which said resolution and report were referred to the Private Calendar.

Mr. OTJEN, from the Committee on War Claims, to which was referred the bill of the Senate (S. 546) for the relief of the estate of A. H. Herr, deceased, late of the District of Columbia, reported the same with amendment, accompanied by a report (No. 865); which said bill and report were referred to the Private Calendar.

Mr. COOPER of Texas, from the Committee on War Claims, to which was referred House bill 7980, reported in lieu thereof a resolution (House Res. No. 267) for the relief of citizens of Brenham, Washington County, Tex., accompanied by a report (No. 866); which said resolution and report were referred to the Private Calendar.

He also, from the same committee, to which was referred House bill 647, reported in lieu thereof a resolution (House Res. No. 268) for the relief of Francis Millets, widow, accompanied by a report (No. 867); which said resolution and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 648) for the relief of Elizabeth Fulwiler, reported the same with amendment, accompanied by a report (No. 868); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on War Claims, to which was referred the bill of the House (H. R. 8334) for the relief of Jesse P. Hartman, reported the same without amendment, accompanied by a report (No. 869); which said bill and report were referred to the Private Calendar.

Mr. COOPER of Texas, from the Committee on War Claims, to which was referred House bill 831, reported in lieu thereof a bill (H. R. 9557) for the relief of the Methodist Episcopal Church (colored), corner of Fifth avenue and East Second street, at Rome, Ga., accompanied by a report (No. 871); which said resolution and report were referred to the Private Calendar.

He also, from the same committee, to which was referred House bill 6969, reported in lieu thereof a resolution (House Res. No. 269) for the relief of St. John's Catholic Church, at Summersville, Nicholas County, W. Va., accompanied by a report (No. 872); which said resolution and report were referred to the Private Calendar.

Mr. SULZER, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 8389) to reappoint Warren C. Beach a captain in the Army and to place him on the retired list in addition to the number now authorized, reported the same without amendment, accompanied by a report (No. 873); which said bill and report were referred to the Private Calendar.

Mr. COOPER of Texas, from the Committee on War Claims, to which was referred House bill 8521, reported in lieu thereof a resolution (House Res. No. 270) for the relief of the trustees of the Presbyterian Church, of Frenchcreek, Upshur County, W. Va., accompanied by a report (No. 874); which said resolution and report were referred to the Private Calendar.

He also, from the same committee, to which was referred House bill 6853, reported in lieu thereof a resolution (House Res. No. 271) for the relief of the Methodist Episcopal Church South at Charleston, W. Va., accompanied by a report (No. 875); which said resolution and report were referred to the Private Calendar.

Mr. BROWNLOW, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 3056) to correct

the military record of Joseph Graham, reported the same with amendment, accompanied by a report (No. 877); which said bill and report were referred to the Private Calendar.

Mr. COX, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 1794) to remove the charge of desertion now standing against George Alcott on rolls of the War Department, reported the same with amendment, accompanied by a report (No. 878); which said bill and report were referred to the Private Calendar.

Mr. BROWNLOW, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 4239) to complete the military record of James Hicks, formerly captain Company M, Twelfth Regiment Ohio Cavalry Volunteers, reported the same with amendment, accompanied by a report (No. 879); which said bill and report were referred to the Private Calendar.

Mr. JETT, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 2646) for the relief of Edward C. Parsons, reported the same with amendment, accompanied by a report (No. 883); which said bill and report were referred to the Private Calendar.

Mr. FENTON, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 8854) to correct the military record of William Hazelbeck, of Portsmouth, Ohio, reported the same with amendment, accompanied by a report (No. 885); which said bill and report were referred to the Private Calendar.

ADVERSE REPORTS.

Under clause 2 of Rule XIII, adverse reports were delivered to the Clerk and laid on the table, as follows:

Mr. GIBSON, from the Committee on War Claims, to which was referred the bill of the House (H. R. 6022) for the relief of the heirs at law of Maj. Tarleton Woodson, deceased, in accordance with the findings of the Court of Claims, reported the same adversely, accompanied by a report (No. 870); which said bill and report were laid on the table.

Mr. WILLIAMS of Pennsylvania, from the Committee on Mines and Mining, to which was referred the bill of the House (H. R. 1099) to amend section 2324, Revised Statutes, relating to mining claims, reported the same adversely, accompanied by a report (No. 882); which said bill and report were laid on the table.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles; which were thereupon referred as follows:

A bill (H. R. 7664) for the relief of Charles Howard—Committee on Naval Affairs discharged, and referred to the Committee on Military Affairs.

A bill (H. R. 9508) to remove the charge of desertion against John J. Herlihy—Committee on Military Affairs discharged, and referred to the Committee on Naval Affairs.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. FLETCHER, from the Committee on Interstate and Foreign Commerce: A bill (H. R. 9552) permitting the building of a dam across the Rainy Lake River (in lieu of H. R. 8351)—to the House Calendar.

By Mr. BENNETT: A bill (H. R. 9553) in reference to photographing any guns which would give the strength of any fortification of the United States—to the Committee on Military Affairs.

By Mr. BARLOW: A bill (H. R. 9554) granting certain lands to the city of Santa Barbara, Cal.—to the Committee on the Public Lands.

By Mr. BABCOCK: A bill (H. R. 9555) to amend the law providing for the police fund and firemen's relief fund of the District of Columbia—to the Committee on the District of Columbia.

By Mr. MUDD: A bill (H. R. 9556) supplementary to the act of 1882, chapter 244, approved June 27, 1882, entitled "An act to authorize the Southern Maryland Railroad Company to extend a railroad into and within the District of Columbia"—to the Committee on the District of Columbia.

By Mr. YOUNG of Virginia: A bill (H. R. 9558) authorizing and directing the Secretary of the Navy to proceed to acquire by condemnation, for the use of the Gosport Navy-Yard, a certain tract of land known as the Cedar Grove property—to the Committee on Naval Affairs.

Also, a bill (H. R. 9559) authorizing the erection of a bridge over the "Rudee Inlet," Princess Anne County, Va.—to the Committee on Interstate and Foreign Commerce.

By Mr. HARTMAN: A bill (H. R. 9597) creating the Middle

Creek Forest Reserve, in the State of Montana, and for other purposes—to the Committee on the Public Lands.

By Mr. CHICKERING: A bill (H. R. 9598) to encourage enlistments by veterans of the late war during the coming war with Spain—to the Committee on Invalid Pensions.

By Mr. BELL: A joint resolution (H. Res. 200) for the independence of Cuba, and for other purposes—to the Committee on Foreign Affairs.

By Mr. RIDGELY: A joint resolution (H. Res. 201) recognizing the political independence of the Republic of Cuba, for United States intervention, and appropriating funds to feed the starving Cubans—to the Committee on Foreign Affairs.

By Mr. WHEELER of Alabama: A joint resolution (H. Res. 202) relative to the Cuban question—to the Committee on Rules.

By Mr. CUMMINGS: A joint resolution (H. Res. 203) granting permission for the erection of a monument or statue in the city of Washington, D. C., in honor of the late Benjamin F. Stephenson, founder of the Grand Army of the Republic—to the Committee on Public Buildings and Grounds.

By Mr. MARSH: A joint resolution (H. Res. 204) declaring war between the Government of Spain and the dependencies thereof and the United States of America and her Territories—to the Committee on Foreign Affairs.

By Mr. HARTMAN: A joint resolution (H. Res. 205) to recognize the independence of the Republic of Cuba—to the Committee on Foreign Affairs.

By Mr. MERCER: A joint resolution (H. Res. 206) recognizing the independence of the Republic of Cuba—to the Committee on Foreign Affairs.

By Mr. HENRY of Mississippi, from the Committee on War Claims: A resolution (House Res. No. 265) for the relief of Theodore C. Greenhill, of Franklin County, Ala. (in lieu of H. R. 8522)—to the Private Calendar.

By Mr. DAVISON of Kentucky, from the Committee on War Claims: A resolution (House Res. No. 266) for the relief of A. T. Sands (in lieu of H. R. 646)—to the Private Calendar.

By Mr. COOPER of Texas, from the Committee on War Claims: A resolution (House Res. No. 267) for the relief of citizens of Brenham, Washington County, Tex. (in lieu of H. R. 7980)—to the Private Calendar.

Also, from the Committee on War Claims, a resolution (House Res. No. 268) for the relief of Francis Millet's widow (in lieu of H. R. 647)—to the Private Calendar.

Also, from the Committee on War Claims, a resolution (House Res. No. 269) for the relief of St. John's Catholic Church, at Summerville, Nicholas County, W. Va. (in lieu of H. R. 6969)—to the Private Calendar.

Also, from the Committee on War Claims, a resolution (House Res. No. 270) for the relief of the trustees of the Presbyterian Church, of Frenchcreek, Upshur County, W. Va. (in lieu of H. R. 3521)—to the Private Calendar.

Also, from the Committee on War Claims, a resolution (House Res. No. 271) for the relief of the Methodist Episcopal Church South, at Charleston, W. Va. (in lieu of H. R. 6853)—to the Private Calendar.

By Mr. LEWIS of Washington: A resolution (House Res. No. 272) asking information from the President of the United States as to what were the views he communicated to the Spanish Government as the views of the Government of the United States upon the report of the court of inquiry on the destruction of the *Maine*, and asking that such information be communicated at once—to the Committee on Foreign Affairs.

By Mr. MARSHALL: A memorial of the legislature of the State of Ohio, asking that one of the new battle ships be named *Ohio*—to the Committee on Naval Affairs.

By Mr. CUMMINGS: A memorial of the legislature of the State of New York, relative to the proposed Pan-American Exposition—to the Committee on Ways and Means.

By Mr. PERKINS: A memorial of the house of representatives of the State of Iowa, in favor of making Port Arthur a subport of entry—to the Committee on Ways and Means.

Also, a memorial of the senate of the State of Iowa, in favor of making Port Arthur a subport of entry—to the Committee on Ways and Means.

By Mr. VEHSLEGE: A memorial of the legislature of the State of New York, relative to the proposed Pan-American Exposition—to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

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

By Mr. COOPER of Texas, from the Committee on War Claims: A bill (H. R. 9557) for the relief of the Methodist Episcopal Church (colored), corner of Fifth avenue and East Second street, at Rome, Ga. (in lieu of H. R. 831)—to the Private Calendar.

By Mr. BARBER (by request): A bill (H. R. 9560) for the relief of John T. F. Brown—to the Committee on Military Affairs.

By Mr. BOUTELL of Illinois: A bill (H. R. 9561) for the relief of William L. Orr—to the Committee on Claims.

Also, a bill (H. R. 9562) for the relief of Phoebe Dake Cleveland—to the Committee on Pensions.

By Mr. BRODERICK: A bill (H. R. 9563) for the relief of John Gibson—to the Committee on Pensions.

By Mr. CARMACK: A bill (H. R. 9564) for the relief of the estate of Wiley J. Davis, deceased, late of Hardeman County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 9565) for the relief of George W. Winford, of Shelby County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 9566) for the relief of William Stidham, of Fayette County, Tenn.—to the Committee on War Claims.

By Mr. CLARDY: A bill (H. R. 9567) for the relief of the administrator of Charles C. Young, of Madisonville, Ky.—to the Committee on War Claims.

By Mr. CUMMINGS: A bill (H. R. 9568) for the relief of W. R. Austin & Co.—to the Committee on Claims.

By Mr. DAVENPORT: A bill (H. R. 9569) for the relief of Timothy A. Allen—to the Committee on Invalid Pensions.

By Mr. DAYTON: A bill (H. R. 9570) for the relief of Wildey Lodge, No. 27, Independent Order of Odd Fellows, of Harpers Ferry, W. Va.—to the Committee on War Claims.

Also, a bill (H. R. 9571) granting an increase of pension to David T. Sipe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9572) granting an increase of pension to Robert L. Boseley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9573) for the relief of the estate of John Hutton, deceased—to the Committee on War Claims.

Also, a bill (H. R. 9574) granting arrears of pension to Jane Stonebreaker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9575) granting a pension to Jane Allen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9576) granting a pension to James Ryan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9577) granting an increase of pension to James L. T. Sharp—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9578) for the relief of Dennis A. Litzinger—to the Committee on War Claims.

Also, a bill (H. R. 9579) to relieve Eli Shuman from the charge of desertion—to the Committee on Military Affairs.

Also, a bill (H. R. 9580) for the relief of the estate of Jeremiah Kibler, deceased—to the Committee on War Claims.

Also, a bill (H. R. 9581) for the relief of Jacob Shank—to the Committee on War Claims.

Also, a bill (H. R. 9582) for the relief of Harmon Snyder—to the Committee on War Claims.

Also, a bill (H. R. 9583) to relieve Ludwig Rupprecht of the charge of desertion—to the Committee on Military Affairs.

By Mr. DOVENER: A bill (H. R. 9584) for the relief of John W. Vandine, of Halls Mills, Wetzel County, W. Va.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9585) granting a pension to George Edward Littleton, late a pilot of steam vessels of the United States—to the Committee on Pensions.

By Mr. GAINES: A bill (H. R. 9586) for the relief of the widow and minor children of Second Lieut. Robert C. Hoggins, Company C, Twenty-fourth Missouri Infantry—to the Committee on Military Affairs.

By Mr. HARTMAN: A bill (H. R. 9587) for the relief of William Flannery—to the Committee on Claims.

By Mr. HAY: A bill (H. R. 9588) for the relief of Zebedee Gray, deceased, late of Clarke County, Va.—to the Committee on War Claims.

By Mr. JOY: A bill (H. R. 9589) granting a pension to Helen G. Sydenham—to the Committee on Pensions.

By Mr. KERR: A bill (H. R. 9590) to increase the pension of Jesse C. Wheeler—to the Committee on Invalid Pensions.

By Mr. KULP: A bill (H. R. 9591) to correct the military record of Private Richard F. Bucher, of Sunbury, Pa.—to the Committee on Military Affairs.

By Mr. LACEY: A bill (H. R. 9592) to muster Franklin V. Ayres—to the Committee on Military Affairs.

By Mr. RAY of New York: A bill (H. R. 9593) to increase the pension of Michael Meehan—to the Committee on Invalid Pensions.

By Mr. YOUNG of Virginia: A bill (H. R. 9594) for the relief of Mrs. Martha Louise Whittaker—to the Committee on War Claims.

Also, a bill (H. R. 9595) for the relief of T. W. Keaton—to the Committee on War Claims.

By Mr. FENTON: A bill (H. R. 9596) for the relief of John W. Washburn—to the Committee on Military Affairs.

By Mr. STEWART of Wisconsin: A bill (H. R. 9599) for the relief of M. C. McGeehan—to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ADAMS: Petition of General Clinton B. Fisk Prohibition League, of Philadelphia, Pa., for intervention on the part of the United States in regard to Cuba and for the maintenance of the Monroe doctrine—to the Committee on Foreign Affairs.

Also, petition of the National Wholesale Lumber Dealers' Association, favoring the passage of the bankruptcy bill, known as the Torrey bill, now before the House, or, in the event of that failing, the Henderson bill, now before the Senate—to the Committee on the Judiciary.

Also, petition of Fourth of July Lodge, No. 196, Knights of Pythias, of Philadelphia, Pa., asking for the passage of House bill No. 6468, granting land at Hot Springs, Ark., for the purpose of erecting and maintaining a sanitarium thereon—to the Committee on the Public Lands.

By Mr. BARBER: Memorial of the representatives of the Religious Society of Friends for Pennsylvania, New Jersey, and Delaware, respecting the controversy between the United States and Spain—to the Committee on Foreign Affairs.

By Mr. BARHAM: Petition of the Woman's Christian Temperance Union of Mendocino City, Cal., for a law to regulate the interstate commerce of cigarettes and to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph—to the Committee on the Judiciary.

By Mr. BRADLEY: Petitions of John B. Sneof & Son, A. L. Downes, S. Buzery, and others, in favor of the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. BULL: Petition of the Young People's Christian Union of the Universalist Church of Chapel Four Corners, Cumberland, R. I., asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. CAPRON: Petition of the Young People's Christian Union of the Universalist Church of Chapel Four Corners, Cumberland, R. I., to forbid the sale of alcoholic liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. CONNELL: Resolutions of Panooka Lodge, No. 308, Knights of Pythias, of Scranton, Pa., in favor of House bill No. 6468, granting land at Hot Springs, Ark., for the purpose of erecting and maintaining a sanitarium thereon—to the Committee on the Public Lands.

By Mr. DANFORD: Numerous petitions of Nile R. Moore and other citizens of Bellevue; J. F. Culler and others, of Gibsonton; citizens of Hellerton and vicinity; A. Rogers and others, of Philadelphia and Delaware County, all in the State of Pennsylvania; Peter Cooper Council, No. 19, Junior Order United American Mechanics, and others, of Newark; numerous citizens of Jackson Township, Ocean County; C. H. Stewart and others, of Riverside; P. H. Packer and others, of Seabright; George H. Powell and others, of Vincentown; Henry Irelan and others, of Pennville; August Soffel and others, of Woodside; Wallhill Council, No. 144, and others, of Hamburg; Charles Rex and others, of Oceanic; many citizens of Lumberton Township; Robert Holmes and many others, all of the State of New Jersey; James G. Blaine Council, No. 766, Junior Order United American Mechanics, and many citizens of Philadelphia; Loma Rowl and others, of Mount Carmel; F. W. Liggett and others, of Pitcairn; Edmond Price and others, of Freedom Township; J. B. Clark and others, of Mount Nebo; Joseph P. Snyder and others, of Moundsdale; Milton Hess and others, of Shaff; J. S. Peters and others, of Best; Daughters of Liberty and others, of Tacony; Charles Drickemiller and others, of Hoffman; many citizens of Ross Township, Allegheny County; many citizens of Carbon County; many citizens of Pottstown; many citizens of Shales Township, Allegheny County; many citizens of Fayette City, all of the State of Pennsylvania; William B. Lambie and many others, of Baltimore; Public Spirit Council, No. 154; Prince Frederick, Charles Wintersburg, and others, of Cresaptown; Charles H. Watts and others, of Woodboro; Eklo Council, No. 134, Junior Order United American Mechanics, of Eklo; many citizens of Bishops Head and Dorchester; 100 citizens of Bloomington and vicinity; many citizens of Wellington, all of the State of Maryland; Junior Order United American Mechanics and others, of the borough of Bronx; employees of W. H. Kemp Company, 178 Hudson street, and others, of New York City; Kit Shuman and others, of Walden; Fred Clark and others, of Seneca Falls; Acirra Council, No. 15, Daughters of Liberty, and others, of Syracuse; W. S. Slaine and others, Daughters of Liberty, and others, of Port Jefferson, all of the State of New York; F. H. Dexter and 300 others, of Springvale; D. H. Waterhouse and others, of Portland; G. E. M. Smiley and others, of York Village; E. A. Garland and others, of Lewiston, all of the State of Maine; L. E. Kennedy and 499 others, of Hancock County; James Welch and 100 others, of Congo, and many citizens of Attica, all of the State of Ohio; T. L. Stanley and others, of Colorado Springs; many citizens of

Denver, and many others, all of the State of Colorado; K. A. Johnson and others, of Fulp; John G. Boyer and others, of Walnut-cove; W. H. Long and others, of Greensboro, all of the State of North Carolina; C. P. Ricketts and many others, of St. Louis, Mo.; Irving Phelps and others, of Winstead; many citizens of Bridgeport and vicinity, all of the State of Connecticut; C. H. Smith and 100 others, of Clifton Forge, Va.; E. W. Summers and others, of Summers; U. S. G. Haddox, of Elkins, all of the State of West Virginia; C. H. Miller and many others, of Oakland, Cal.; R. S. Bean and others, of Manchester; Henry C. Osborne and others, of Gilsom, all of the State New Hampshire; C. C. Pope and others, of Chicago; S. J. Friedline and others, of Dixon, Lee County, all of the State of Illinois; F. R. Bingham and others, of Spokane, State of Washington; C. G. Bowsfield and others, of St. Paul, Minn.; John H. Fisher and others, of East Las Vegas, N. Mex.; F. R. Hemschulder and others, of Clayton, Del.; G. S. Whitcomb, and others, of Springfield, Vt., and Daughters of Liberty and others, of Riverpoint, R. I., urging the enactment of legislation which will more effectually restrict immigration and prevent the admission of illiterate, pauper, and criminal classes to the United States—to the Committee on Immigration and Naturalization.

By Mr. DAVEY: Four petitions of citizens of New Orleans, La., in favor of the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. DAYTON: Eight petitions of A. C. Garrison and others, Lindsay Blaker and others, S. B. Hall and others, R. E. Mason and others, all of Pleasantville; French Ashby and others, U. G. Deahl and others, of Preston County; S. K. Jacobs and others, of Worthington, and Finley Oakes, jr., and others, of Marion County, all in the State of West Virginia, in favor of legislation to more effectually restrict immigration and prevent the admission of illiterate, pauper, and criminal classes to the United States—to the Committee on Immigration and Naturalization.

Also, papers to accompany House bill granting an increase of pension to Robert L. Boseley—to the Committee on Invalid Pensions.

Also, paper in support of House bill granting a pension to David T. Sipe—to the Committee on Invalid Pensions.

Also, paper to accompany House bill for the relief of Wildey Lodge, No. 27, Independent Order of Odd Fellows, of Harpers Ferry, W. Va.—to the Committee on War Claims.

Also, paper to accompany House bill for the relief of Jacob Shank—to the Committee on War Claims.

Also, petition of W. H. Swiger and 79 citizens of Barbour County, W. Va., in favor of the repeal or modification of the civil-service law—to the Committee on Reform in the Civil Service.

Also, papers to accompany House bill to remove the charge of desertion against Eli Sherman—to the Committee on Military Affairs.

Also, papers to accompany House bill granting a pension to Jane Allen, widow of J. E. Allen—to the Committee on Invalid Pensions.

Also, paper to accompany House bill granting a pension to James Ryan—to the Committee on Invalid Pensions.

Also, paper to accompany House bill granting a pension to Jane Stonebreaker—to the Committee on Invalid Pensions.

Also, paper to accompany House bill for the relief of the estate of Jeremiah Kibler, deceased—to the Committee on War Claims.

Also, papers to accompany House bill in support of the claim of Dennis A. Letzinger for relief—to the Committee on War Claims.

Also, paper to accompany House bill for the relief of James L. F. Sharp—to the Committee on Invalid Pensions.

Also, paper to accompany House bill for the relief of Herman Snyder—to the Committee on War Claims.

Also, paper to accompany House bill for the relief of the estate of John Hutton—to the Committee on War Claims.

Also, petition of Rich W. Heafer, corporal, Company K, First Regiment Virginia Infantry, in the war with Mexico, to accompany House bill No. 8785—to the Committee on Pensions.

Also, petition of John Stuart, alias John Vanderpool, of Harpers Ferry, W. Va., first-class boy on the sloop of war *Saratoga* in the war with Mexico, to accompany House bill No. 8784—to the Committee on Pensions.

By Mr. DINGLEY: Petition of a union mass meeting at Turner, Me., urging the enactment of legislation to protect State anti-cigarette laws and to forbid the interstate transmission of lottery messages by telegraph—to the Committee on Interstate and Foreign Commerce.

Also, petitions of Turner Grange, No. 23, Patrons of Husbandry, of Turner Center, Me., and Methodist Episcopal Church of Dresden, Me., for the passage of a bill which forbids the sale of alcoholic liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. ELLIS: Petitions of Woman's Christian Temperance Union and Independent Order of Good Templars, of Dallas, Oreg., in favor of the passage of a bill to prohibit the sale of liquor in

Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. FENTON: Petition of J. A. Shriver, D. J. Stableton, and others, to accompany House bill No. 9391, to increase the pension of Thomas L. Park—to the Committee on Invalid Pensions.

By Mr. FITZGERALD: Petitions of the New England Metal Association, Clothing Manufacturers' Association, and New England Confectioners' Club, all of Boston, Mass., in favor of the so-called anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. FOSS: Resolution of the National Wholesale Lumber Dealers' Association, for a just and uniform bankruptcy law—to the Committee on the Judiciary.

Also, petitions of the Woman's Christian Temperance Union of Morrison, Whiteside County, Ill., for the passage of a bill to protect State anti-cigarette laws, to forbid the interstate transmission of gambling matter by telegraph, and to raise the age of protection for girls—to the Committee on the Judiciary.

Also, petition of the Congregational Church of Harvey, Ill., for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

By Mr. FOX: Petition of T. J. Bailey and other citizens of the State of Mississippi, in favor of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. GREENE: Petition of Reno Post, No. 112, Grand Army of the Republic, Department of Nebraska, to grant a pension to John Brown, of Company A, Fifty-eighth Regiment Pennsylvania Infantry—to the Committee on Invalid Pensions.

By Mr. HAY: Four petitions of citizens of Rockingham County, Shenandoah County, and Charlottesville, Va., favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of the heirs of Benjamin Starkey, deceased, late of Clarke County, Va., requesting reference of his claim to the Court of Claims under act of March 3, 1883—to the Committee on War Claims.

Also, petition of the heirs of Moses R. Richards, deceased, late of Frederick County, Va., praying that his war claim be referred to the Court of Claims—to the Committee on War Claims.

By Mr. HENRY of Indiana: Letter of Rev. William A. Oxtoby, of Muncie, Ind., in favor of the passage of the so-called anti-scalping ticket bill—to the Committee on Interstate and Foreign Commerce.

By Mr. HICKS: Petitions of Levi Koontz, W. H. Miller, Charles B. St. Clair, L. H. Reynolds, and other citizens of South Fork, Pa., in favor of legislation to more effectually restrict immigration and prevent the admission of illiterate, pauper, and criminal classes to the United States—to the Committee on Immigration and Naturalization.

Also, resolution of Lodge No. 174, of Altoona, Pa., Brotherhood of Railway Trainmen, in favor of the passage of the so-called anti-scalping ticket bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of Logan Lodge, No. 79, Knights of Pythias, of Altoona, Pa., indorsing House bill No. 6468, praying for a lease of public land from the Government for the establishment of a national Pythian sanitarium—to the Committee on the Public Lands.

Also, petition of Blair County Woman's Christian Temperance Union, Mrs. S. B. Bain, president; Woman's Christian Temperance Union of Altoona, Mrs. N. J. Walker, president, and the Ministerial Association of Altoona, Pa., favoring the passage of a bill to substitute voluntary arbitration for railway strikes—to the Committee on Labor.

Also, petitions of the Woman's Christian Temperance unions of Altoona and Blair County, Pa., praying for the enactment of legislation prohibiting kinetoscope reproductions of prize fights and transmission through mails of newspaper descriptions of prize fights, etc.—to the Committee on Interstate and Foreign Commerce.

Also, petitions of the Young People's Society of Christian Endeavor of Eighth Avenue Methodist Episcopal Church, Humane Society of Central Pennsylvania, Young People's Society of Christian Endeavor of Second Presbyterian Church, and Woman's Christian Temperance unions of Altoona and Blair County, Pa., favoring the bill which forbids the sale of alcoholic liquors in Government buildings—to the Committee on Public Buildings and Grounds.

Also, petition of the Humane Society of Central Pennsylvania and Woman's Christian Temperance Union of Altoona, Pa., for the passage of a bill to prohibit the interstate transmission of gambling matter by telegraph—to the Committee on the Judiciary.

Also, petitions of the Woman's Christian Temperance unions and Ministerial Association of Altoona, Young People's Society of Christian Endeavor of Eighth Avenue Methodist Episcopal

Church, and the Humane Society of Pennsylvania, favoring the passage of a bill to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

By Mr. HILBORN: Petitions of the Woman's Christian Temperance unions of Colusa, Suisun, and Woodland, Cal., and Baptist, Christian, Congregational, and Methodist Episcopal churches of Woodland, Cal., praying for the enactment of legislation prohibiting interstate gambling by telegraph, telephone, or otherwise, to raise the age of protection for girls to 18 years in the District of Columbia, and to protect State anti-cigarette laws—to the Committee on the Judiciary.

Also, petition of Mrs. Valeria M. Foster, of West Oakland, Cal., urging the passage of a bill to protect the State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

Also, resolutions of the Chamber of Commerce of San Francisco, Cal., relative to an act to regulate commerce so as to give it the largest degree of efficiency—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the Chamber of Commerce of San Francisco, Cal., in relation to domestic transportation privileges on the Pacific Coast—to the Committee on Foreign Affairs.

By Mr. HOOKER: Petition of citizens of Allegany, N. Y., in favor of the passage of the so-called anti-scalpers bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Woman's Christian Temperance unions of Belfast, Mayville, South Dayton, and Otto; Methodist Episcopal Church of Dunkirk; the Methodist Episcopal and Baptist churches of Brocton; two Epworth leagues, Christian Endeavor Society, and Portland Grange, of Brocton, N. Y., to raise the age of protection for girls, to forbid the interstate transmission of lottery messages by telegraph, and in favor of a bill to protect State anti-cigarette laws—to the Committee on the Judiciary.

Also, petitions of certain societies and churches of Belfast, Mayville, South Dayton, Otto, Dunkirk, and Brocton, N. Y., urging the passage of a bill to prohibit the sale of liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. HOWELL: Petition of the Woman's Christian Temperance Union of South River, N. J., for the passage of a bill which forbids the sale of intoxicating liquors within 200 feet of a church, school, or charitable institution—to the Committee on the District of Columbia.

By Mr. HURLEY: Petition of the National Wholesale Lumber Dealers' Association, favoring the passage of the bankruptcy bill known as the Torrey bill, now before the House, or, in the event of that failing, the Henderson bill, now before the Senate—to the Committee on the Judiciary.

Also, resolution of the National Lumber Dealers' Association, indorsing the principles of currency reform set forth in the report of the Indianapolis monetary convention and maintaining the gold standard—to the Committee on Banking and Currency.

By Mr. LIVINGSTON: Petitions of citizens of Douglasville, Ga., in favor of the so-called anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. LOW: Petition of E. F. Murray and others, in favor of the so-called anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. McALEER: Resolutions of Washington Lodge, No. 29, of Philadelphia, Pa., Knights of Pythias, in favor of House bill No. 6468, granting land at Hot Springs, Ark., for the purpose of erecting and maintaining a sanitarium thereon—to the Committee on the Public Lands.

By Mr. McCALL: Petition of the Chamber of Commerce of Boston, Mass., asking for the passage of a bill to prevent the adulteration of flour—to the Committee on Ways and Means.

By Mr. MARSH: Resolutions of Iron Molders' Union No. 44, of Quincy, Ill., asking for the passage of House bill No. 6095, protecting free labor against convict labor—to the Committee on Labor.

Also, petition of citizens of Quincy, Ill., in favor of the passage of the so-called anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. MIERS of Indiana: Petitions of the Methodist Episcopal Church of Bedford, Ind., asking for the passage of bills to raise the age of protection for girls to 18 years in the District of Columbia, to protect State anti-cigarette laws, and to forbid the transmission of lottery messages by telegraph—to the Committee on the Judiciary.

Also, petition of the Methodist Episcopal Church of Bedford, Ind., for the passage of a bill prohibiting the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. OTEY: Petitions of citizens of Lynchburg and Lawyers,

State of Virginia, in favor of the passage of the so-called anti-scalping ticket bill—to the Committee on Interstate and Foreign Commerce.

By Mr. PRINCE: Petition of the Woman's Christian Temperance Union of Morrison, Whiteside County, Ill., for the passage of bills to forbid interstate transmission of lottery and other gambling matter by telegraph and to raise the age of protection for girls to 18 years—to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance Union of Morrison, Ill., favoring the bill which forbids the sale of alcoholic liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. ROBINSON of Indiana: Petition of various citizens of Fort Wayne, Ind., favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. SHELDEN: Petitions of the Brotherhood of Locomotive Engineers and the Order of Railway Conductors of Marquette and Escanaba, and citizens of Iron Mountain, Mich., urging the early passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

Also, petitions of certain labor organizations of Norway, Escanaba, Marquette, and Iron Mountain, Mich., in opposition to the so-called anti-scalping bill or any similar measure—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of Crystal Falls Lodge, No. 128, of Crystal Falls, Mich.; Baraga Lodge, of Baraga, Mich., and Mayflower Lodge, No. 183, of Thompson, Mich., Knights of Pythias, in support of House bill No. 6468, granting land at Hot Springs, Ark., for the purpose of erecting and maintaining a sanitarium thereon—to the Committee on the Public Lands.

Also, petitions of Farrell Division, No. 94, Brotherhood of Locomotive Engineers, and S. M. Stevens Lodge, No. 150, Brotherhood of Locomotive Firemen, of Marquette, Mich., in favor of the passage of certain bills in the interest of labor—to the Committee on Labor.

Also, petitions of citizens of St. Ignace, Menominee, and Pickford, Mich., in favor of the passage of bills to forbid interstate transmission of lottery messages by telegraph, to raise the age of protection for girls to 18 years, and to prohibit the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. SIMPSON: Petition of citizens of Kansas favoring the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of citizens of Hutchinson, Kans., favoring the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. SHAFROTH: Petitions of the Methodist Episcopal Church of Sterling, Colo., favoring bills to raise the age of protection for girls, to forbid the interstate transmission of lottery messages by telegraph, and in favor of a bill to protect State anti-cigarette laws—to the Committee on the Judiciary.

Also, petition of the Methodist Episcopal Church of Sterling, Colo., asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. SULZER: Protest of the American Society for the Prevention of Cruelty to Animals, against the passage of Senate bill No. 2041—to the Committee on Interstate and Foreign Commerce.

By Mr. VEHS�AGE: Resolutions of the New York Produce Exchange, in favor of the passage of Senate bill No. 3354, relating to the interstate-commerce law—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the New York Produce Exchange, favoring the passage of Senate bill No. 3027 and House bill No. 6705, for pure flour—to the Committee on Ways and Means.

Also, resolutions of the Chamber of Commerce of the State of New York, in favor of Senate bill No. 3433, in relation to establishing a commission of public health and defining its duties—to the Committee on Interstate and Foreign Commerce.

By Mr. WEYMOUTH: Petitions of the Baptist and Congregational churches of Sterling, Mass., for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

Also, petitions of the Congregational and Baptist churches of Sterling, Mass., and Young People's Christian Union of South Acton, Mass., favoring the bill which forbids the sale of alcoholic liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. WILLIAMS of Pennsylvania: Resolutions of the American Paper and Pulp Association of New York City, in favor of the passage of Senate bill No. 753, for the establishment of an international American bank—to the Committee on Banking and Currency.

Also, resolutions of the Chamber of Commerce of Cincinnati, Ohio, favoring legislation looking to the maintenance of the levee

system of the Mississippi River—to the Committee on Levees and Improvements of the Mississippi River.

Also, petition of merchants, bank officers, and underwriters of New York City, protesting against the passage of House bill No. 9077, changing the site of the custom-house—to the Committee on Public Buildings and Grounds.

SENATE.

WEDNESDAY, *March 30, 1898.*

Prayer by Rev. JOHN K. MCLEAN, D. D., of Oakland, Cal.

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

HOUSE BILL REFERRED.

The joint resolution (H. Res. 199) to postpone the opening of the Uncompahgre Indian Reservation, in the State of Utah, was read twice by its title, and referred to the Committee on Indian Affairs.

PETITIONS AND MEMORIALS.

Mr. DAVIS presented a memorial of members of the fire department of Anoka, Minn., remonstrating against the passage of Senate bill No. 2736, to establish a division in the Treasury Department regulating insurance companies; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Woman's Christian Temperance Union of Jasper, Minn., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Woman's Christian Temperance Union of Jasper, Minn., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which was referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Jasper, Minn., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Public Buildings and Grounds.

Mr. NELSON presented a petition of the congregation of the First Presbyterian Church of Balaton, Minn., and a petition of the Woman's Christian Temperance Union of Balaton, Minn., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the congregation of the First Presbyterian Church of Balaton, Minn., and a petition of the Woman's Christian Temperance Union of Balaton, Minn., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented petitions of the congregation of the First Presbyterian Church of Balaton, of the Woman's Christian Temperance Union of Balaton, of the Woman's Christian Temperance Union of the Seventh district, and of sundry citizens of Faribault, all in the State of Minnesota, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

Mr. BURROWS presented a petition of the Woman's Christian Temperance Union of White Pigeon, Mich., and a petition of the congregation of the Asbury Methodist Episcopal Church, of Owosso, Mich., praying for the enactment of legislation prohibiting kinetoscope reproductions of prize fights in the District of Columbia and the Territories, and the interstate mail circulation of newspaper descriptions of the same; which were ordered to lie on the table.

He also presented petitions of the Woman's Christian Temperance unions of Algonac and White Pigeon, and of the congregation of the Asbury Methodist Episcopal Church, of Owosso, all in the State of Michigan, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented petitions of the Woman's Christian Temperance unions of Batavia, Grand Ledge, Chesaning, Algonac, and White Pigeon; of the Ladies' Aid Society of the Congregational Church of Grand Ledge, and of the Epworth League of Chesaning, all in the State of Michigan, praying for the enactment of legislation to protect State anti-cigarette laws by providing that ciga-

rettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

He also presented a petition of the congregation of the Asbury Methodist Episcopal Church, of Owosso, Mich., and a petition of the Woman's Christian Temperance Union of White Pigeon, Mich., praying for the enactment of a Sunday-rest law for the District of Columbia; which were referred to the Committee on the District of Columbia.

He also presented petitions of the congregation of the Asbury Methodist Episcopal Church, of Owosso; of the Woman's Christian Temperance unions of White Pigeon, Algonac, and Cadillac, and of Mrs. A. R. Hotchkiss and 354 other citizens of South Haven, all in the State of Michigan, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the Woman's Christian Temperance Union of White Pigeon, Mich., and a petition of the congregation of the Asbury Methodist Episcopal Church, of Owosso, Mich., praying for the enactment of legislation to substitute voluntary arbitration for railway strikes; which were referred to the Committee on Education and Labor.

He also presented a petition of the Woman's Christian Temperance Union of White Pigeon, Mich., and a petition of the congregation of the Asbury Methodist Episcopal Church, of Owosso, Mich., praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which were ordered to lie on the table.

Mr. PENROSE presented a memorial of the representatives of the Religious Society of Friends for Pennsylvania, New Jersey, and Delaware, respecting the controversy between the United States and Spain; which was referred to the Committee on Foreign Relations.

He also presented petitions of 43 citizens of Sheffield, of the congregation of the Baptist Church of Eaglesmere, of the congregation of the Baptist Church of Hawley, and of the Woman's Christian Temperance Union of Parkesburg, all in the State of Pennsylvania, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in the Capitol and all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented petitions of the Central Pennsylvania Conference of the Methodist Episcopal Church; of the Woman's Christian Temperance unions of Parkesburg and Bangor; of the congregations of the Baptist Church of Eaglesmere, the Baptist Church of Hawley, and the Methodist Episcopal Church of Freeport, all in the State of Pennsylvania, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

He also presented petitions of the congregations of the Methodist Episcopal Church of Freeport, the Baptist Church of Eaglesmere, the Baptist Church of Hawley, and the Woman's Christian Temperance Union of Parkesburg, all in the State of Pennsylvania, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

Mr. SMITH presented petitions of sundry citizens of Asbury Park, Moorestown, and Newark; of Division No. 307, Order of Railroad Conductors, of Elizabeth; of Adventure Division, No. 312, of Weehawken, and of members of St. Mary's Abbey, of Newark, all in the State of New Jersey, praying for the passage of the so-called anti-scalping ticket bill; which were ordered to lie on the table.

He also presented a petition of sundry citizens of Boonton, Chatham, Newark, and Paterson, all in the State of New Jersey, 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.

He also presented petitions of the Woman's Christian Temperance unions of Arlington, Cranford, Jersey City, Little Falls, Vineland, Westville, Friesburg, Longbranch, Lambertville, Butler, and Westfield; of the Christian Endeavor Society of Chatham; of the congregations of the Calvary Baptist Church, of East Orange; the Stanley Congregational Church, of Chatham; the De Groot Methodist Episcopal Church, of Newark; the Grace Methodist Episcopal Church, of Plainfield; the First Presbyterian Church of Stanhope; the Presbyterian Church of Atlantic Highlands; the Methodist Episcopal Church of Lambertville; the Baptist Church of Lambertville; the Baptist Church of Avon, and the First Presbyterian Church of Lambertville, all in the State of New Jersey, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become