

By Mr. HALL: Petitions of John W. Geary Post, No. 90, of Phillipsburg, Pa., and Sergeant William I Post, No. 419, of Stormstown, Pa., Grand Army of the Republic, in support of House bill No. 7094, entitled "A bill to establish a Branch Soldiers' Home at or near Johnson City, Washington County, Tenn."—to the Committee on Military Affairs.

By Mr. HULL: Resolutions of Company H, Fifty-first Regiment Iowa National Guard, favoring the passage of House bill No. 7936, increasing the appropriations for arming and equipping the military of the States and Territories—to the Committee on Militia.

Also, petition of the Ministerial Association of Des Moines, Iowa, urging the enactment of a clause in the Hawaiian constitution forbidding the manufacture and sale of intoxicating liquors and a prohibition of gambling and the opium trade—to the Committee on the Territories.

By Mr. KNOX: Resolutions of Ladd & Whitney Post, No. 185, Grand Army of the Republic, of Lowell, Mass., in favor of House bill No. 7044, to establish a Branch Soldiers' Home at or near Johnson City, Tenn.—to the Committee on Military Affairs.

By Mr. LOUDENSLAGER: Petition of the Woman's Christian Temperance Union of Daretown, N. J., urging the enactment of a clause in the Hawaiian constitution forbidding the manufacture and sale of intoxicating liquors and a prohibition of gambling and the opium trade—to the Committee on the Territories.

By Mr. LENTZ: Papers to accompany House bill to correct the military record of William F. Barr, of Brice, Ohio—to the Committee on Military Affairs.

By Mr. MANN: Resolutions of the First Cavalry Illinois National Guards, favoring the passage of House bill No. 7936, increasing the appropriations for arming and equipping the military of the States and Territories—to the Committee on Militia.

Also, petition of Smith, Rothermel & Hasbrouck and other insurance firms of Chicago, Ill., in favor of the bill to substitute a tax on the gross premiums of insurance companies in lieu of the stamp tax—to the Committee on Ways and Means.

Also, petition of Jenkin Lloyd Jones, editor of Unity, Chicago, Ill., in opposition to the passage of House bill No. 6071, relating to second-class mail matter—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of Chicago Typographical Union No. 16, Chicago, Ill., in favor of the passage of House bill No. 6872, to print the label of the Allied Printing Trades on all publications of the Government; also favoring bill 6882, relating to hours of daily service, and bill 5440, to protect free labor from prison labor—to the Committee on Labor.

Also, affidavit of W. H. Smith, to accompany House bill granting a pension to Lucy D. Young—to the Committee on Pensions.

By Mr. MERCER: Protests of R. F. Hodgkin, J. A. Helgren, Hugh McIntosh, John Rosick, and John L. Pierce, of Omaha, Nebr., against the passage of House bill No. 6071, relating to second-class mail matter—to the Committee on the Post-Office and Post-Roads.

Also, letters of John H. Klinker and J. H. Sullis, of Benson, Nebr., in favor of the Grout bill taxing oleomargarine—to the Committee on Agriculture.

Also, protest of the Omaha (Nebr.) Central Labor Union and the Building Trades Council of Omaha, against the leasing of public lands—to the Committee on the Public Lands.

By Mr. MESICK: Petition of First Methodist Episcopal Church of Reed City, Mich., urging the enactment of a clause in the Hawaiian constitution forbidding the manufacture and sale of intoxicating liquors and a prohibition of gambling and the opium trade—to the Committee on the Territories.

By Mr. NEVILLE: Petitions of Reuben Lisco and other citizens of Deuel County, Nebr., and Max Beer and others, of North Platte, Ewing, and Belmont, Nebr., asking that the Government continue the manufacture and distribution of blackleg vaccine—to the Committee on Agriculture.

By Mr. NOONAN: Resolution of the Chicago Board of Trade, in favor of Senate bill No. 1439, relating to an act to regulate commerce—to the Committee on Interstate and Foreign Commerce.

By Mr. PAYNE: Papers to accompany House bill No. 9582, for the relief of Adella M., widow of William Anthony, of U. S. S. Maine—to the Committee on Invalid Pensions.

Also, petition of the Woman's Christian Temperance Union of East Auburn, N. Y., for the prohibition of the sale of liquor in Army canteens, etc.—to the Committee on Military Affairs.

By Mr. RIDGELY: Petition of Tapping Post, No. 268, Grand Army of the Republic, of Altamont, Kans., favoring the establishment of a Branch Soldiers' Home for disabled soldiers at or near Johnson City, Tenn.—to the Committee on Military Affairs.

By Mr. RIXEY: Papers to accompany House bill No. 9230, for the relief of Mrs. Bessie H. Lester, of Culpeper, Va.—to the Committee on Claims.

By Mr. SHATTUC: Resolution of the Chamber of Commerce of Cincinnati, Ohio, favoring the passage of Senate bill No. 1439,

to amend the act to regulate commerce—to the Committee on Interstate and Foreign Commerce.

By Mr. HENRY C. SMITH: Papers to accompany House bill granting a pension to Casper Miller—to the Committee on Invalid Pensions.

Also, statement to accompany House bill for the relief of Mrs. Mary F. Gray—to the Committee on Invalid Pensions.

By Mr. SPRAGUE: Petition of George H. Maintien Post, No. 133, Grand Army of the Republic, of Plainville, Mass., in favor of House bill No. 7094, for the establishment of a Branch Soldiers' Home at or near Johnson City, Tenn.—to the Committee on Military Affairs.

By Mr. VREELAND: Petitions of T. D. Welch and others, of West Almond; Michael Zister and others, of Allegany; C. Haskell and others, of Freedom; H. D. Palmer and others, of Almond, N. Y., for a law subjecting food and dairy products to the laws of the State or Territory into which they are imported—to the Committee on Interstate and Foreign Commerce.

By Mr. WEAVER: Petition of the Herb Medicine Company, of Springfield, Ohio, for the repeal of the stamp tax on medicines—to the Committee on Ways and Means.

Also, petition of Z. W. Mitchell, of Springfield, Ohio, in opposition to the passage of House bill No. 6071, relating to second-class mail matter—to the Committee on the Post-Office and Post-Roads.

By Mr. WEEKS: Petition of the Elysian Manufacturing Company, Detroit, Mich., for the repeal of the stamp tax on medicines, perfumery, and cosmetics—to the Committee on Ways and Means.

By Mr. WILSON of New York: Resolutions of War Veterans and Sons' Association, of Brooklyn, recommending the construction of war vessels in the Brooklyn Navy-Yard—to the Committee on Naval Affairs.

SENATE.

MONDAY, March 12, 1900.

The Senate met at 10 o'clock a. m.

Prayer by Rev. STOWELL L. BRYANT, of the city of Washington.

The Secretary proceeded to read the Journal of the proceedings of Saturday last.

Mr. CARTER. I ask that the further reading of the Journal be dispensed with.

Mr. COCKRELL. No; let the Journal be read. It will take only a minute or two.

Mr. CARTER. Very well.

The Secretary resumed and concluded the reading of the Journal, and it was approved.

Mr. COCKRELL. I ask unanimous consent that the morning hour may begin at 12 o'clock to-day.

The PRESIDENT pro tempore. The Senator from Missouri asks unanimous consent that the morning hour may commence to-day at 12 o'clock. Is there objection? The Chair hears none, and it so ordered.

Mr. CARTER. I ask that the order made by unanimous consent be now executed by proceeding to read the remainder of the Alaskan bill.

CIVIL GOVERNMENT FOR ALASKA.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 3419) making further provision for a civil government for Alaska, and for other purposes.

The Secretary resumed the reading of the bill at section 735, page 321, and read to the end of section 1068, on page 444.

Mr. BATE. The time allowed for the formal reading of the bill this morning has now been concluded.

The PRESIDENT pro tempore. Petitions and memorials are in order.

PETITIONS AND MEMORIALS.

Mr. PLATT of New York presented memorials of the Telephone Items; Fabrics, Fancy Goods, and Notions, and the Washington County Advertiser, of Fort Edward, all in the State of New York, remonstrating against the passage of the so-called Loud bill, relating to second-class mail matter; which were referred to the Committee on Post Offices and Post-Roads.

He also presented a petition of Local Lodge No. 196, International Association of Machinists, of Watervliet, N. Y., praying for the enactment of legislation to increase the salary of machinists employed in the Government Printing Office, at Washington, D. C.; which was referred to the Committee on Printing.

He also presented a petition of Local Union No. 715, United Brotherhood of Carpenters and Joiners, of New York City, praying for the enactment of legislation to protect free labor from prison competition, and also to regulate the hours of daily service of laborers and mechanics employed upon the public works of the

United States; which was referred to the Committee on Education and Labor.

He also presented a petition of Cherry Creek Grange, No. 527, Patrons of Husbandry, of Cherry Creek, N. Y., praying for the enactment of legislation to regulate the manufacture and sale of oleomargarine; which was referred to the Committee on Agriculture and Forestry.

Mr. PENROSE presented a petition of sundry citizens of Sligo, Pa., praying for the adoption of certain amendments to the interstate-commerce law; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Commercial Exchange of Philadelphia, Pa., praying for the enactment of legislation to increase American shipping; which was ordered to lie on the table.

He also presented a petition of Valley Grange, No. 52, Patrons of Husbandry, of Millville, Pa., praying that appropriations be made for the extension of the rural free-delivery system; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the Trades and Labor Assembly of Newcastle, Pa., praying for the enactment of legislation to protect free labor from prison competition, and also to regulate the hours of daily service of laborers and mechanics employed upon the public works of the United States; which was referred to the Committee on Education and Labor.

He also presented a petition of 48 citizens of Allentown, Pa., and a petition of 79 citizens of Corry, Pa., praying for the establishment of an Army veterinary corps; which were referred to the Committee on Military Affairs.

He also presented a petition of 176 citizens of Reading, Pa., and a petition of the Woman's Christian Temperance Union of Landisville, Pa., praying for the enactment of legislation to prohibit the importation, manufacture, and sale of intoxicating liquors and the importation and sale of opium in Hawaii; which were referred to the Committee on Pacific Islands and Puerto Rico.

He also presented a petition of sundry citizens of Johnstown and Ebensburg, Pa., praying for the enactment of legislation to restrict American traders in the New Hebrides Islands from selling firearms and intoxicating liquors to the natives; which was referred to the Committee on Foreign Relations.

He also presented a petition of 72 railway mail clerks of Pennsylvania praying for the enactment of legislation to provide for the classification of clerks in first and second class post-offices; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. HEITFELD presented the petition of Ida M. Weaver, president, and Frances M. Wood, secretary, on behalf of the Equal Suffrage Association of Idaho, praying that the word "male" be eliminated from the suffrage clauses of the constitution to be formed for the government of Hawaii, Cuba, Puerto Rico, and other new territories; which was referred to the Committee on Pacific Islands and Puerto Rico.

Mr. ALLEN presented memorials of the Herald, of Juniata; the Platte River Zeitung, of Fremont, and the News-Herald, of Fairfield, all in the State of Nebraska, remonstrating against the passage of the so-called Loud bill, relating to second-class mail matter; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented petitions of Local Union No. 57, International Brotherhood of Bookbinders, of Omaha; of the Commercial Club, of Hastings, and of sundry citizens of Hooker County, all in the State of Nebraska, praying for the construction of irrigation works required for the reclamation and settlement of the arid public lands, and also that all the public lands be held for the benefit of the whole people, and that no grants of title to any of these lands be given to any but actual settlers and home builders thereon; which were referred to the Committee on Irrigation and Reclamation of Arid lands.

Mr. CULBERSON presented the petition of D. F. Sutherland, representative of the Twentieth district in the Texas legislature, praying for the establishment of a national industrial institute for the girls of this country; which was referred to the Committee on Education and Labor, and ordered to be printed in the Record, as follows:

To the Congress of the United States:

I come to you in the name of 5,000,000 women of these United States, in the name of our mothers, wives, sisters, and daughters, and ask you, the representatives of the greatest nation in the world, for the enactment of a law establishing a national industrial institute for the girls of this our common country.

That such a school is necessary does not need to be argued. To provide for the common defense Congress has established the Military Academy at West Point and the Naval Academy at Annapolis; of these institutions every American citizen is proud. From these our young men go forth prepared to fight the battles of our country, and to lead our armies on to victory, better educated in the art of scientific killing.

Our greatest battles, the ones which determine the destiny of this nation, are the bloodless ones fought in the home, fought by the wife and the mother. Here the true principles of justice are established, the foundations of domestic tranquility first laid, the general welfare promoted, and the blessings of liberty to ourselves and our posterity receive their original guaranty.

Congress has power to provide for the general welfare, and who would or could say that the general welfare would not be promoted by the establishing of a national institute where our girls could be better educated in all those things necessary to a well-regulated and well-governed home, which must stand forth the future men and women of this country on whom we must depend for the perpetuation of our national honor and glory.

If you will give them this school the time will soon come when its good influence will be felt in every home from one end of this country to the other, and its blessings will permeate every department of our National Government.

Its cost would be but a small item compared to the general good accomplished.

Let Congress say to the women of America, "We are educating our boys at West Point and Annapolis that they may be prepared against the day of battle when the hour of bloody conflict must come, and we will educate our girls that they may be better qualified for the higher and important duties of life and home."

The women of this country want and need an industrial school, and especially is this true of the poorer classes.

Thousands of poor girls in this country would hail with delight the establishing of a school by this Government where they could prepare themselves for a life of usefulness and happiness instead of eking out a mere existence, as they are now compelled to do. Does not this Government owe this to the women of America who have given their husbands and sons to make and execute its laws and their boys to die for its flag?

It matters little to them where this school is located, but that it is located somewhere matters much.

There is a city in Texas where this school could be established, the equal, if not the superior, to any other place for this purpose in the United States. Here the climate is as genial as in sun-kissed Italy, the water as pure as ever gushed from the mountains, a constant breeze which fans the rosy tint to the cheek again, water as healing as the pool of Siloam, the great health emporium of the Southwest, San Antonio. In this city the well stay well and thousands come here and get well. Let the national industrial institute for girls be built, and should it come to Texas and San Antonio, our people will join hands with the United States Government in no uncertain way, and the people of this country shall know that we think that there is nothing too good for American women. For them I plead to you and plead now.

D. F. SUTHERLAND,

Representative Twentieth District in Texas Legislature.

Mr. BURROWS presented the petition of Edward M. Clark and 10 other citizens of Lansing, Mich., and the petition of William C. Markham and 3 other citizens of Charlotte, Mich., praying for the enactment of legislation to provide for the classification of clerks in first and second class post-offices; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented the petition of John J. Reynolds and sundry other citizens of Battle Creek, Mich., and the petition of A. S. Burson and sundry other citizens of Kalamazoo, Mich., praying for the enactment of legislation to grade substitute letter carriers; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented petitions of the Michigan Malleable Iron Company, of Detroit; the Aspinwall Manufacturing Company, of Jackson; the Gale Manufacturing Company, of Albion; the Fuller Buggy Company, of Jackson; the T. M. Bissell Plow Company, of Eaton Rapids; the American Harrow Company, of Detroit; the White Lead Works, of Detroit; the Varnish Company, of Detroit; the Steel and Spring Company, of Detroit, and the Acme White Lead and Color Works, of Detroit, all in the State of Michigan, praying that an appropriation be made to provide for the construction of a new fireproof Patent Office building; which were referred to the Committee on Public Buildings and Grounds.

He also presented memorials of the Bay View Magazine, of Flint; the News, of Morenci; the Observer and the Ideal, of Luther; the Banner, of Hastings; the News, of Coral; the Philanthropic Index and Review, of Kalamazoo; the Messenger, of South Haven; the Monitor, of Fife Lake; the Signal, of Springport; the Leader, of Grand Marais; the Visitor, of Bangor; the Sentinel, of Utica; the Herald, of Casnovia; the Le Patriote, of Bay City; the Michigan Volksblatt, of Detroit; the Clarion, of Lapeer; the Banner, of Brown City; the State Republican, of Lansing; the Observer, of Romeo; the Justice, of Detroit; the Michigan Artisan, of Grand Rapids, and the Record, of Watervliet, all in the State of Michigan, remonstrating against the passage of the so-called Loud bill relating to second-class mail matter; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. GALLINGER. I present the memorial of Helena Hartned Mitchell, president, and Helen E. Jamison, secretary, of the Junior Equal Suffrage Club of the District of Columbia, remonstrating against the insertion of the word "male" in the suffrage clause of whatever form of government shall be recommended for Hawaii, Cuba, Puerto Rico, or any other newly acquired possessions; and also a letter on the same subject from Susan B. Anthony. I move that the memorial and accompanying letter be referred to the Select Committee on Woman Suffrage.

The motion was agreed to.

Mr. COCKRELL presented a paper to accompany the bill (S. 3125) granting a pension to Emily A. Larimer; which was referred to the Committee on Pensions.

MONEYS DUE THE CHEROKEE INDIANS.

Mr. COCKRELL. I present a petition of the Eastern or Emigrant Cherokees, so called, praying for the payment to them per capita of the fund pledged to them by the ninth article of the treaty of 1846 and found due them by the award of the Executive

Department of the United States, as authorized by the act of Congress of March 3, 1893. Accompanying the petition are certain exhibits which are very important, and I move that the petition and papers be printed as a document, and referred to the Committee on Indian Affairs.

The motion was agreed to.

REPORTS OF COMMITTEES.

Mr. CARTER, from the Committee on Military Affairs, to whom was referred the bill (S. 3063) for the relief of Charles Hurre, reported it with an amendment, and submitted a report thereon.

Mr. PERKINS, from the Committee on Fisheries, to whom was referred the bill (S. 3353) to establish a fish hatching and fish station in the State of Indiana, reported it with an amendment, and submitted a report thereon.

Mr. HOAR, from the Committee on the Judiciary, to whom was referred the bill (S. 3254) to amend section 953 of the Revised Statutes of the United States, relating to the signing of a bill of exceptions, reported it without amendment.

Mr. PETTUS, from the Committee on the Judiciary, to whom was referred the bill (S. 1596) to equalize and regulate the duties of the judges of the districts courts of the United States in the State of Alabama, reported it with an amendment, and submitted a report thereon.

Mr. SULLIVAN. I am directed by the Committee on the District of Columbia, to whom the subject was referred, to report a joint resolution and submit a report thereon.

The joint resolution (S. R. 103) providing for the introduction of testimony in behalf of the defendant in all preliminary hearings of a criminal nature was read twice by its title.

JOHN W. GUMMO.

Mr. PENROSE. I move that the Committee on Claims be discharged from the further consideration of the bill (S. 2256) for the relief of John W. Gummo, and that the bill be referred to the Committee on Military Affairs.

The motion was agreed to.

BILLS INTRODUCED.

Mr. PENROSE introduced a bill (S. 3532) to correct the military record of Richard H. Lee; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 3533) granting an increase of pension to Michael G. Lawrence; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 3534) granting an increase of pension to Helen G. Heiner; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. PLATT of New York introduced a bill (S. 3535) for the relief of the Brooklyn Ferry Company, of New York; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. GALLINGER introduced a bill (S. 3536) restoring to the pension roll the name of Mary J. Calvin; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. SEWELL introduced a bill (S. 3537) to grant authority to change the name of the steamship *Paris*; which was read twice by its title, and referred to the Committee on Commerce.

Mr. SULLIVAN introduced a bill (S. 3538) for the relief of Lytle A. Rather, administrator of John Oswald, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 3539) for the relief of Rachel R. McMullen, administratrix of Thomas J. McMullen; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. MORGAN introduced a bill (S. 3540) for the relief of the estate of Alfred Hambrick, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. MASON introduced a bill (S. 3541) granting an increase of pension to Charles H. Holt; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 3542) to provide for the education of the blind, and for other purposes; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 3543) to authorize the President to appoint and retire John B. Jeffery with the rank and grade of major; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 3544) to allow the Postmaster-General to grant leave of absence with full pay (in addition to the leave now granted by law) to any letter carrier or employee in a free-delivery post-office; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also introduced a bill (S. 3545) for the relief of Mrs. Lavinia M. Payne; which was read twice by its title, and referred to the Committee on Claims.

Mr. TELLER (by request) introduced a bill (S. 3546) to authorize the acquisition of square No. 229, in the city of Washington, D. C., and providing for a hall of records, and for other purposes; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

CIVIL GOVERNMENT FOR ALASKA.

Mr. WARREN submitted four amendments intended to be proposed by him to the bill (S. 3419) making further provision for a civil government for Alaska, and for other purposes; which were ordered to be printed.

ESTATE OF JOHN BIRDSALL, DECEASED.

Mr. PLATT of New York submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of State be, and he is hereby, requested to furnish the Senate with copies of the correspondence between the Department of State and Mrs. Annie Birdsall, administratrix of the estate of John Birdsall, deceased, or her attorney, and also copies of the correspondence between the Department of State and the Attorney-General in regard to the protest and claim of the said administratrix.

INTERVENTION IN SOUTH AFRICAN WAR.

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

Resolved, That the President be requested, if not incompatible with the public interest, to inform the Senate whether or not any communication has been received by this Government from its consular representative at Pretoria embodying the request of the Presidents of the South African Republics for mediation or intervention with a view to ending the war now in progress between these Republics and Great Britain as reported in the public press; and, if not incompatible with the public interest, to furnish the Senate with copies of such communication or communications.

YELLOWSTONE NATIONAL PARK.

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

Resolved, That the Secretary of War be directed to transmit to the Senate copies of all communications received by the Department from Hiram M. Chittenden, engineer in charge of improvements in the Yellowstone National Park, relative to present condition and appropriate plans for the development of the system of roads in said park.

RAILROAD TRETTLES IN WASHINGTON COUNTY, ME.

The PRESIDENT pro tempore. The morning business is closed.

Mr. RAWLINS. Mr. President—

Mr. HALE. I should like very much to have the Senate take up and pass a local bill.

The PRESIDENT pro tempore. Will the Senator from Utah yield to the Senator from Maine?

Mr. RAWLINS. Yes, sir; I yield for that purpose.

Mr. HALE. I ask the Senate to proceed to the consideration of the bill (S. 2679) declaring certain trestles of the Washington County Railroad Company to be lawful structures.

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

The first amendment was, in section 1, page 2, line 3, after the word "structures," to strike out the words:

In their present position, condition, and elevation, and shall be so held and taken to be, anything in any law or laws of the United States to the contrary notwithstanding.

And in lieu thereof to insert the following proviso:

Provided, That such modifications are made in their present position, condition, and elevation as the Secretary of War may order in the interests of navigation.

So as to make the section read:

That the trestle on the Eastport Branch of the Washington County Railroad, being the property of the Washington County Railroad Company, and running from the extreme point of land south of Pleasant Point, in the town of Perry, county of Washington and State of Maine, to the extreme northern end of Carlow's Island, in the town of Eastport, in said county and State; and a certain other trestle, also the property of said railroad company, in the East Machias River, in said county of Washington and State of Maine, at the extreme end of said river, near the village of East Machias, in said county and State, be, and both of said trestles hereby are, declared to be lawful structures: *Provided*, That such modifications are made in their present position, condition, and elevation as the Secretary of War may order in the interests of navigation.

The amendment was agreed to.

The next amendment was to strike out section 2, in the following words:

SEC. 2. That the Washington County Railroad Company, its successors or assigns, is authorized to have and maintain its said trestles at their present site and elevation and in their present condition.

The amendment was agreed to.

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

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

SALES OF INDIAN LANDS IN NEBRASKA AND KANSAS.

Mr. WARREN. I desire to call up for passage the bill (S. 3207) approving a revision and adjustment of certain sales of Otoe and Missouri lands in the States of Nebraska and Kansas.

The PRESIDENT pro tempore. Does the Senator from Utah yield to the Senator from Wyoming?

Mr. RAWLINS. I yield to the Senator.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Indian Affairs with an amendment, on page 2, line 2, after the word "representatives," to strike out:

According to the provisions of the act of Congress approved March 3, 1893, entitled "An act to provide for the adjustment of certain sales of lands in the late reservation of the confederated Otoe and Missouri tribes of Indians in the States of Nebraska and Kansas."

And to insert:

In the following manner, to wit: The Secretary of the Interior shall cause notice to be given to said purchasers, their heirs and legal representatives, respectively, of the amounts of the deferred payments found to be due and unpaid on their respective purchases under the adjustment hereby confirmed; and within one year thereafter it shall be the duty of such purchasers, their heirs and representatives, respectively, to make full payment in cash of the amounts thus found to be due by them, severally, and in default of such payment within said period of one year the entry of any purchaser so in default shall be forthwith canceled and the lands shall be resold for the benefit of the Indians at not less than the appraised value thereof, and in no case at less than \$2.50 per acre, as provided in the act under which they were originally sold. Upon making such complete payment within the time so fixed each purchaser, his heirs or legal representatives, shall be entitled to receive a patent for the lands so purchased.

The amendment was agreed to.

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

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

CONSIDERATION OF PENSION BILLS.

Mr. GALLINGER. The Senator from Utah kindly consents that I may make a request of the Senate.

Mr. President, I rise to request that if at a quarter past 4 this afternoon no Senator shall be occupying the floor in the discussion of any public measure the Senate shall proceed to the consideration of unobjected pension bills on the Calendar, to continue until the hour of 5 o'clock.

The PRESIDENT pro tempore. From what time?

Mr. GALLINGER. From a quarter past 4.

The PRESIDENT pro tempore. The Senator from New Hampshire asks unanimous consent that at a quarter past 4 this afternoon, if no Senator is occupying or desires to occupy the floor, unobjected pension bills may be considered until 5. Is there objection? The Chair hears none, and it is so ordered.

Mr. TELLER. I did not understand what the request was.

The PRESIDENT pro tempore. That at a quarter past 4 o'clock this afternoon, if no Senator is occupying or desires to occupy the time, unobjected pension bills may be considered.

JOSEPH McCUNE.

Mr. BURROWS. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Utah yield to the Senator from Michigan?

Mr. RAWLINS. Yes, sir.

Mr. BURROWS. I ask unanimous consent to call up the bill (H. R. 5299) granting an increase of pension to Joseph McCune. There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

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 McCune, late of Company A, Sixth Regiment Michigan Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

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

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

The bill was read the third time, and passed.

INDIANA STATE CLAIMS.

Mr. FAIRBANKS. I should like to have the permission of the Senator from Utah to ask for the present consideration of the joint resolution (S. R. 66) authorizing and directing the Secretary of the Treasury to pay certain claims of the State of Indiana.

Mr. RAWLINS. I yield to the Senator from Indiana.

The PRESIDENT pro tempore. The joint resolution has been read hitherto. Is there objection to its present consideration?

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the joint resolution.

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

STEAMER THETIS.

Mr. PERKINS. If the Senator from Utah will kindly yield, I will ask unanimous consent to call up the bill (S. 3138) to provide for necessary repairs to the steamer *Thetis* for service as a revenue cutter.

Mr. RAWLINS. I yield to the Senator from California.

Mr. PERKINS. I thank the Senator from Utah.

The PRESIDENT pro tempore. The bill will be read for information.

The Secretary read the bill, and, by unanimous consent, the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes to appropriate \$50,000 for the purposes of repairing and equipping the steamer *Thetis* for service as a vessel of the Revenue-Cutter Service.

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

RELATIONS WITH THE PHILIPPINES.

Mr. SULLIVAN. Mr. President, I give notice that on next Thursday, at the convenience of the Senate, after the routine morning business, I shall submit some remark on the question of our relations with the Philippines.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. H. L. OVERSTREET, one of its clerks, announced that the House had passed the following bills:

A bill (S. 35) granting a pension to Louise Donath;

A bill (S. 236) granting an increase of pension to Mary Ellen Lauriat;

A bill (S. 237) granting an increase of pension to Cutler D. Sanborn;

A bill (S. 240) granting a pension to Nancy Ellen Bessom;

A bill (S. 269) granting an increase of pension to William Hamley;

A bill (S. 526) granting an increase of pension to Joseph M. Waddell;

A bill (S. 548) granting an increase of pension to John F. McMahon;

A bill (S. 872) granting an increase of pension to William H. H. Nevitt;

A bill (S. 899) granting an increase of pension to Mary A. Dennis;

A bill (S. 917) granting an increase of pension to Sarah E. Campbell;

A bill (S. 992) granting an increase of pension to Frederick Auer;

A bill (S. 1003) granting a pension to Julia M. Johnson;

A bill (S. 1058) granting a pension to John Bailey;

A bill (S. 1059) granting a pension to Silas B. Hensley;

A bill (S. 1295) granting a pension to Louisa Hale;

A bill (S. 1326) granting a pension to Mary Jackman;

A bill (S. 1469) granting an increase of pension to Philip P. Gatchell;

A bill (S. 1711) granting an increase of pension to Charles L. Green;

A bill (S. 1712) granting a pension to Arminda D. Davis;

A bill (S. 1771) granting a pension to Ellie Kee;

A bill (S. 1796) granting an increase of pension to Rebecca P. Quint;

A bill (S. 2158) granting a pension to Joseph B. Presdee;

A bill (S. 2219) granting an increase of pension to Mary F. Hopkins;

A bill (S. 2223) granting an increase of pension to John M. Morse; and

A bill (S. 2367) granting a pension to Susan Stratton.

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

A bill (H. R. 153) for the relief of Elizabeth Johns;

A bill (H. R. 163) for the relief of Henry O. Morse;

A bill (H. R. 205) granting an increase of pension to George C. Snyder;

A bill (H. R. 206) granting a pension to Isaac D. Smith;

A bill (H. R. 434) granting an increase of pension to Jesse Smith;

A bill (H. R. 470) granting a pension to Jane Dykes;

A bill (H. R. 539) granting a pension to Louisa S. Wilson;

A bill (H. R. 541) granting a pension to Ellen Norwood;

A bill (H. R. 1201) granting a pension to James McNutt;

A bill (H. R. 1458) granting an increase of pension to John E. Whinnery;

A bill (H. R. 1507) granting an increase of pension to William H. La Count;

A bill (H. R. 1616) to correct the naval record of Joseph Pitt, alias Joseph Marr, and to erase the name of Joseph Marr and substitute the name of Joseph Pitt on the records of the United States Navy;

A bill (H. R. 1754) granting a pension to Helen M. Hull;

A bill (H. R. 1763) granting a pension to Ella F. Sydnor;

A bill (H. R. 1890) to increase the pension of John Houk;

A bill (H. R. 1944) granting an increase of pension to Eli C. Walton;

A bill (H. R. 1989) granting a pension to Marie Wiersang;

A bill (H. R. 2170) granting a pension to Angeline Eyestone;

A bill (H. R. 2303) granting an increase of pension to Lavinia M. Payne;
 A bill (H. R. 2382) granting an increase of pension to Eli Overhultz;
 A bill (H. R. 2389) granting an increase of pension to Edward Boyle;
 A bill (H. R. 2465) to grant an honorable discharge to George W. Shank;
 A bill (H. R. 2681) granting an increase of pension to Calista F. Hall;
 A bill (H. R. 2792) granting a pension to Peter Cummings;
 A bill (H. R. 2802) granting an increase of pension to John W. Brisbois;
 A bill (H. R. 2809) granting an increase of pension to Moses F. Woods;
 A bill (H. R. 2865) granting an increase of pension to Louis H. Gein;
 A bill (H. R. 3012) granting a pension to Sarah Claggett;
 A bill (H. R. 3167) granting an increase of pension to Thomas H. Cook;
 A bill (H. R. 3206) to correct the naval record of Thomas Dunn;
 A bill (H. R. 3470) granting an increase of pension to George W. Weeden;
 A bill (H. R. 3522) granting a pension to Lucy S. Bane;
 A bill (H. R. 3640) granting a pension to Mary Pollock;
 A bill (H. R. 3694) granting an increase of pension to James Bottoms;
 A bill (H. R. 3809) granting increase of pension to Elisha B. Seaman;
 A bill (H. R. 3863) granting an increase of pension to Alfred Dyer;
 A bill (H. R. 3966) granting an increase of pension to David Talmon;
 A bill (H. R. 4047) granting an increase of pension to James S. Jordan;
 A bill (H. R. 4298) granting an increase of pension to John M. McCord;
 A bill (H. R. 4441) granting an increase of pension to Samuel C. Krickbaum;
 A bill (H. R. 4648) granting an increase of pension to William G. McLain;
 A bill (H. R. 4655) granting a pension to Elizabeth C. Rice;
 A bill (H. R. 4854) granting a pension to James L. Whidden;
 A bill (H. R. 4961) granting an increase of pension to Margaret Gangloff;
 A bill (H. R. 5126) granting an increase of pension to James J. McMains;
 A bill (H. R. 5180) granting an increase of pension to Thomas Adams;
 A bill (H. R. 5346) granting a pension to Elizabeth B. Norris;
 A bill (H. R. 5390) granting an increase of pension to Maria E. Mailley;
 A bill (H. R. 5503) granting an increase of pension to Samuel Hanson;
 A bill (H. R. 5544) granting a pension to Loua A. Morgan;
 A bill (H. R. 5546) granting an increase of pension to George White;
 A bill (H. R. 5882) granting an increase of pension to John B. Fairchild;
 A bill (H. R. 5949) granting a pension to Frederick Weber;
 A bill (H. R. 6028) granting a pension to John H. Meeker;
 A bill (H. R. 6031) granting an increase of pension to James W. Carmody;
 A bill (H. R. 6092) granting a pension to Louisa Stearns;
 A bill (H. R. 6139) granting a pension to Lucinda Haggard;
 A bill (H. R. 6144) granting an increase of pension to Margaret A. Porter;
 A bill (H. R. 6161) granting an increase of pension to John Landegan;
 A bill (H. R. 6284) granting an increase of pension to James Crawley;
 A bill (H. R. 6527) granting an increase of pension to George Myers;
 A bill (H. R. 6700) granting an increase of pension to Maria Andrews;
 A bill (H. R. 6701) granting a pension to Serelda C. McGrew;
 A bill (H. R. 6911) granting an increase of pension to James R. Sawtelle;
 A bill (H. R. 7114) granting an increase of pension to John S. Parker;
 A bill (H. R. 7264) granting a pension to Hannah C. Smith;
 A bill (H. R. 7322) granting an increase of pension to Frederick E. Vance;
 A bill (H. R. 7368) granting an increase of pension to Sherman D. Plues;
 A bill (H. R. 7622) granting an increase of pension to Peter M. Heaton; and

A bill (H. R. 7896) granting an increase of pension to Samuel Lybarger.

ENROLLED BILL SIGNED.

The message further announced that the Speaker of the House had signed the enrolled bill (H. R. 6767) to grant an American register to the steamer *Windward*; and it was thereupon signed by the President pro tempore.

RELATIONS WITH THE PHILIPPINES.

Mr. RAWLINS. Mr. President, I ask for the reading of the bill introduced by the Senator from Wisconsin [Mr. SPOONER] and favorably reported to the Senate by the Republican majority of the Committee on the Philippines.

The PRESIDENT pro tempore. The Chair lays before the Senate the bill (S. 2355) in relation to the suppression of insurrection in, and to the government of, the Philippine Islands, ceded by Spain to the United States by the treaty concluded at Paris on the 10th day of December, 1898. The bill will be read.

The Secretary read the bill, as follows:

Be it enacted, etc., That when all insurrection against the sovereignty and authority of the United States in the Philippine Islands, acquired from Spain by the treaty concluded at Paris on the 10th day of December, 1898, shall have been completely suppressed by the military and naval forces of the United States, all military, civil, and judicial powers necessary to govern the said islands shall, until otherwise provided by Congress, be vested in such person and persons, and shall be exercised in such manner, as the President of the United States shall direct for maintaining and protecting the inhabitants of said islands in the free enjoyment of their liberty, property, and religion.

Mr. RAWLINS. Mr. President, that is but the "prologue to the swelling act of the imperial theme." I next ask for the reading of the joint resolution introduced by the Senator from Indiana [Mr. BEVERIDGE].

The PRESIDENT pro tempore. The Chair lays before the Senate the joint resolution (S. R. 53) defining the policy of the United States relative to the Philippine Islands. The joint resolution will be read.

The Secretary read the joint resolution, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Philippine Islands are territory belonging to the United States; that it is the intention of the United States to retain them as such and to establish and maintain such governmental control throughout the archipelago as the situation may demand.

Mr. RAWLINS. Mr. President, as a further basis of what I may say, I will read two paragraphs from an English author, Sir Sherston Baker, on international law. He says, on page 60, paragraph 9:

Nevertheless, in order to make such transfer—

Referring to the transfer of territory from one nation to another—

valid, the authority, whether de facto or de jure, must be competent to bind the state; hence the necessity of examining into and ascertaining the powers of the rulers, as the municipal constitutions of different states throw many difficulties in the way of alienations of their public property, and particularly of their territory. Especially in modern times the consent of the governed, express or implied, is necessary before the transfer of their allegiance can regularly take place.

I next read paragraph 12, on page 61. Speaking further upon the same subject, this author says:

But in modern times sales and transfers of national territory to another power can only be made by treaty or some solemn act of the sovereign authority of the state. And such transfers of territory do not include the allegiance of its inhabitants without their consent, express or implied, and a change of sovereignty does not involve any change in the ownership of private property. The new sovereignty, however, acquires the same right of eminent domain as that held by the former.

The same right only as that held by the former.

Mr. President, I next read a paragraph from 1 Kent's Commentaries, on page 178. This great authority uses the following language under the heading of "Territories ceded or acquired:"

With respect to the cession of places or territories by a treaty of peace, though the treaty operates from the making of it, it is a principle of public law that the national character of the place agreed to be surrendered by treaty continues as it was under the character of the ceding country until it be actually transferred.

Mr. President, it has been claimed that the bill introduced by the distinguished Senator from Wisconsin, who is an acute and able lawyer, finds its warrant, at least in its operative parts, as a copy from the act of Congress of 1803, under which what is known as the Louisiana Territory was taken possession of by the United States. In order that we may see precisely to what extent that is true, I ask the Secretary to read in this connection the act of October 31, 1803.

The Secretary read as follows:

CHAPTER I.—An act to enable the President of the United States to take possession of the territories ceded by France to the United States by the treaty concluded at Paris on the 30th of April last, and for the temporary government thereof.

Be it enacted, etc., That the President of the United States be, and he is hereby, authorized to take possession of and occupy the territory ceded by France to the United States by the treaty concluded at Paris on the 30th day of April last between the two nations; and that he may for that purpose, and in order to maintain in the said Territories the authority of the United States, employ any part of the Army and Navy of the United States, and of the force

authorized by an act passed the 3d day of March last, entitled "An act directing a detachment from the militia of the United States, and for erecting certain arsenals," which he may deem necessary; and so much of the sum appropriated by the said act as may be necessary is hereby appropriated for the purpose of carrying this act into effect, to be applied under the direction of the President of the United States.

SEC. 2. And be it further enacted, That until the expiration of the present session of Congress, unless provision for the temporary government of the said territories be sooner made by Congress, all the military, civil, and judicial powers exercised by the officers of the existing government of the same shall be vested in such person and persons, and shall be exercised in such manner, as the President of the United States shall direct for maintaining and protecting the inhabitants of Louisiana in the free enjoyment of their liberty, property, and religion.

Approved October 31, 1803.

Mr. RAWLINS. Mr. President, it will be perceived that that act, passed in 1803, was to enable the President of the United States to effect the transfer and receive the possession of the territory included within the treaty of cession between France and the United States; that it was to enable him to act pending the period of transition from the time of the making of the treaty until there should be a change in the national character of the territory ceded within the principle laid down in the authorities from Kent which I have cited.

That act was to remain in force by its terms only until the expiration of the session of Congress at which it was passed, if not sooner superseded. It was designed to operate only pending the transfer of possession. It was to cease to operate the moment the authority of the United States became established and its jurisdiction completed by the actual transfer of possession. As a matter of fact, that required only from the 31st day of October, 1803, the date of the passage of the act, until the 1st day of October, 1804, a period of eleven months, when that act ceased to operate.

An act similar in purpose, almost identical in terms, was passed in 1819 by Congress to subvert precisely the same purpose and to enable the President to consummate the change of national character in respect to territory obtained by the cession from Spain of Florida. That act by its terms was also limited in its operation until the expiration of the session of Congress at which it was passed. But it took longer in that case to complete the transfer of possession. Spain, in accordance with her usual dilatory habit, was reluctant to give up possession, and it required four years to complete the transfer. In the end it was only accomplished by the forcible action of a portion of our Army under the command of General Jackson, who was appointed as one of the persons to carry out the authority thus vested in the President to enter the territory and to take possession of it. Thereupon that act ended as soon as the authority and jurisdiction of the United States over the Territory of Florida was established.

The Senator from Massachusetts [Mr. LODGE] affirmed that there had been a similar act in regard to the territory ceded by Mexico to the United States by the treaty of July 4, 1848, the treaty of Guadalupe Hidalgo; but I am satisfied that the Senator, upon further examination, will find that no such act was passed in respect to that territory.

Now, Mr. President, the act to which I have made reference, the act of 1803, differed wholly in its purpose from that which has been introduced, the proposed act which is now under consideration. The bill introduced by the Senator from Wisconsin [Mr. SPOONER] provides "that when all insurrection against the sovereignty and authority of the United States in the Philippine Islands, acquired," etc., "shall have been completely suppressed by the military and naval forces of the United States"—that is, when the jurisdiction and authority of the United States have been completely established everywhere in those islands, when there has been accomplished the actual delivery of the possession of that territory, when the national character of those islands has been fixed under the unqualified sovereignty of the United States—then, and then only, is this proposed act to begin to operate.

It will thus be seen that this act is only to take effect at that point when the act of 1803 and the act of 1819 were to cease to operate. This begins in its operation where their operation ended. Their operation was to continue only during the transitory period; this is to begin after that period is ended and is to operate after the full authority of the United States has been established.

Mr. President, the Senator from Wisconsin, I think, in framing this bill perceived the anomalous situation of our Government in respect to the Philippine Islands. As a matter of fact, those people in those islands have never rendered or acknowledged allegiance to us. They therefore are not in rebellion in the technical sense of that word. To-day and during all the time past, at least since February 4 of last year, they have been a belligerent people, fighting in self-defense against a war of subjugation waged upon them by the authority of the President of the United States, such war never having been directly and expressly declared by Congress.

I take it that the main purpose of this measure is to relieve the situation of that anomaly. I believe its main purpose is to make a declaration or recognition of the existence of a state of war between the United States and the people of the Philippine Islands, because this bill says:

That when all insurrection against the sovereignty and authority of the United States in the Philippine Islands, acquired from Spain by the treaty

concluded at Paris on the 10th day of December, 1898, shall have been completely suppressed by the military and naval forces of the United States, etc.

That is a recognition by Congress of the existence of a state of war. It comes to us, it seems to me, in disguise, to subvert that purpose to relieve the Administration from that anomalous position in which it is now found.

Mr. President, the bill introduced by the Senator from Wisconsin [Mr. SPOONER] and the resolution offered by the Senator from Indiana [Mr. BEVERIDGE] constitute, as I understand it, the programme of the Republican party and of the Administration. There have been two notable speeches delivered in the Senate in support of the policy thus outlined. One of those speeches was delivered by the Senator from Indiana [Mr. BEVERIDGE], and the other was delivered last week by the junior Senator from Massachusetts [Mr. LODGE]. Those two speeches were elaborate and carefully prepared, and in elegance of diction and manner of presentation they were all that could be desired. They were heralded to the country with the plaudits of the Administration and its friends. We have a right, I believe, to presume that in those two speeches are found all and the best that can be said in support of carrying out the programme outlined in the bill and in the resolution.

Mr. President, I am opposed to carrying out that programme. No vote of mine will aid in the execution, or rather in the permanent establishment, of this policy. I am opposed to that programme because, as I conceive it, without any disrespect to the opinions of others, I conceive it to be in violation, if carried out, of the fundamental principles on which our free institutions rest. I am opposed to it because it proposes to cut loose from the Constitution of our country. It seems to me not only to be extra-constitutional, but also unconstitutional. It proposes the assumption and exercise of authority and a rule by despotic sway—an authority not conferred by the Constitution or in any grant of power conveyed in the Constitution by the people of the United States.

If this policy is to be carried out, it seems to me it must be by an authority self-assumed and usurped. I am opposed to this programme, because to carry it out, in my judgment, would be unjust, immoral, and a breach of the plighted faith of this nation. I am opposed to it, because, in my judgment, it would be destructive of all the best interests, material, moral, social, and political, both of the people of the United States and of the people of the Philippine Islands. I am opposed to it because it is not growth; it is not progress; it is not expansion; it is reaction and retrogression; it is death to all the highest and best ideals of those who created this Republic.

Mr. President, I am opposed to it because it does not look forward, but carries us back to the old régimes of despotism, to the principles of the Holy Alliance; to the divine right of kings to rule without the consent of the governed; to overthrow republics; to enslave peoples, and do that against which Monroe fulminated the proclamation of 1823. Those who are opposed to the programme which has been outlined for us can console themselves with the reflection that they have behind them and in aid of them morally all the best thought of the great men whose careers have adorned and made illustrious the history of our country.

Mr. President, I always feel more comfortable—and I am entirely sincere in this statement—when I can find a fulcrum for my argument in the great historic State of Massachusetts. Reference has been made to the illustrious names of men who have had the honor of representing that State in the councils of this nation—John Quincy Adams, Daniel Webster, and others. I desire to invite the attention of the Senate to some remarks made by John Quincy Adams on the Fourth of July, 1821, in this city. Speaking upon the mission of America, he said:

She has seen that probably for centuries to come all the contests of that acedama, the European world, will be contests between inveterate power and emerging right. Wherever the standard of freedom and independence has been or shall be unfurled, there will her heart, her benedictions, and her prayers be. But she goes not abroad in search of monsters to destroy. She is the well-wisher to the freedom and independence of all. She is the champion and vindicator only of her own. She will recommend the general cause by the countenance of her voice and the benignant sympathy of her example. She well knows that by once enlisting under other banners than her own, were they even the banners of foreign independence, she would involve herself beyond the power of extrication in all the wars of interest and intrigue, of individual avarice, envy, and ambition which assume the colors and usurp the standard of freedom. The fundamental maxims of her policy would insensibly change from liberty to force. The froglit upon her brows would no longer beam with the ineffable splendor of freedom and independence; but in its stead would soon be substituted an imperial diadem, flashing in false and tarnished luster the murky radiance of dominion and power. She might become the dictatress of the world; she would no longer be the ruler of her own spirit.

Mr. BATE. From whom is the Senator reading?

Mr. RAWLINS. From John Quincy Adams.

I may, without impropriety, refer to some words of Daniel Webster, to whom the junior Senator from Massachusetts last week made reference. Speaking in the Senate in 1846, he used this language:

An arbitrary government may have territorial governments in distant possessions, because an arbitrary government may rule its distant territories by different laws and different systems. Russia may govern the Ukraine

and the Caucasus and Kamchatka by different codes or ukases. We can do no such thing. They must be of us, part of us, or else estranged. I think I see, then, in progress what is to disfigure and deform the Constitution. * * * I think I see a course adopted that is likely to turn the Constitution under which we live into a deformed monster, into a curse rather than a blessing, into a great frame of unequal government, not founded on popular representation, but founded in the grossest inequalities; and I think if it go on—for there is a great danger that it will go on—that this Government will be broken up.

Mr. President, it has been insisted that that prophecy has been falsified by experience. But it may not be true. It seems to me that to-day we are standing upon the brink of a precipice, beyond which those words contemplated that disaster would come upon us and upon our free institutions and upon our Republic.

Alaska was ceded to us. Another distinguished Senator from Massachusetts spoke in behalf of the ratification of the treaty by which that transfer was to be effected. Charles Sumner used this language in the Senate, speaking with reference to Alaska:

But there is one other point on which I file my caveat. This treaty must not be a precedent for a system of indiscriminate and costly annexation. Sincerely believing that republican institutions under the primacy of the United States must embrace this whole continent, I can not adopt the sentiment of Jefferson, who, while confessing satisfaction in settlements on the Pacific coast, saw there in the future nothing but "free and independent Americans," bound to the United States only by "ties of blood and interest," without political unity. Nor am I willing to restrain myself to the principle so tersely expressed by Andrew Jackson in his letter to President Monroe: "Concentrate our population, confine our frontier to proper limits, until our country, to those limits, is filled with a dense population."

But I can not disguise my anxiety that every stage in our predestined future shall be by natural processes, without war, and I would add, even without purchase. There is no territorial aggrandizement which is worth the price of blood. Only under peculiar circumstances can it become the subject of peculiar contract. Our triumph should be by growth and organic expansion in obedience to "preestablished harmony," recognizing always the will of those who are to become our fellow-citizens. All this must be easy if we are only true to ourselves. Our motto may be that of Goethe, "Without haste, without rest." Let the Republic be assured in tranquil liberty, with all equal before the law, and it will conquer by its sublime example. More happy than Austria, who acquired possessions by marriage, we shall acquire them by the attraction of republican institutions.

Bella gerant alii; tu, felix Austria, nube;
Nam quæ Mars alii, dat tibi regna Venus.

The famous epigram will be just as applicable to us, inasmuch as our acquisitions will be under the sanction of wedlock to the Republic. There may be wedlock of a people as well as of a prince. Meanwhile, our first care should be to improve and elevate the Republic, whose sway will be so comprehensive. Plant it with schools; cover it with churches; fill it with libraries; make it abundant with comfort, so that poverty shall disappear; keep it constant in the assertion of human rights. And here we may fitly recall those words of antiquity, which Cicero quoted from the Greek, and which Webster in our day quoted from Cicero, "You have a Sparta; adorn it."

Mr. President, the Senator from Massachusetts [Mr. LODGE], who spoke last week, entertained the Senate by a masterly piece of eloquence, but he did not take as his text the principle which is found enunciated in the quotations which I have read to the Senate.

I have a right to refer to another distinguished statesman from Massachusetts, who, by long and meritorious and patriotic and honorable service to his country, is entitled to a place in history along with the names of the men to whom I have made reference. That Senator is here; he has spoken for himself, and will no doubt, whenever occasion requires, speak for himself; but the utterances which I have read to the Senate there is no doubt find a full indorsement in his judgment as they have found in his utterances in the Senate.

The junior Senator from Massachusetts last week said that he preferred to "err with Pope than to shine with Pye." He meant to classify himself with Pope and to classify the men who took the view which has been expressed in the utterances of Adams and Webster and Sumner and Hoar in the category of Pye—he, Pope; they, Pye; he, historian, poet, sage, philosopher; he to be a gigantic figure in future history; they to dwindle down, to use his own language, beyond the point of detection of the ken of the antiquarian's microscope.

Mr. President, the Senator from Massachusetts and other Senators have affected to believe that they find warrant for the programme which they have outlined regarding the Philippine Islands—and it now develops that the same programme is to pertain to Puerto Rico—in Jefferson, the author of the Declaration of Independence, the great founder of the Democratic party. The junior Senator from Massachusetts in substance said that the principle or declaration that all just governments derive their powers from the consent of the governed was but an aphorism, a loose, impractical generalization taken from Rousseau by Jefferson and inserted in a revolutionary proclamation to bolster a rickety rebellion against the mother country; which, when it had served that purpose as a makeshift, was in practice here discarded by the very man who had made use of it.

The Senator devoted more than a third of his three hours' speech to what he conceived to be a pulverization of this keystone in the arch of liberty, the consent of the governed. He said that when Jefferson obtained the cession of Louisiana, it was without any regard to the 30,000 people who inhabited it; that that cession utterly ignored and disposed of, without their consent, the Indians who roamed over or had their habitation upon that vast territory. I

desire, rather than to let the Senator from Massachusetts speak for Jefferson, to resent this slander upon this great man by reading what he himself said upon that subject.

In his message which referred to this, his message of October 17, 1803, found in Messages and Papers, Volume I, page 357, he referred to the fact that the right of deposit at the port of New Orleans had been suspended as to citizens of the United States. He further referred to the fact as to troubles which would constantly arise there by reason of foreign control of the mouth of that great channel of commerce, the Mississippi River. He then uses this language:

Whilst the property and sovereignty of the Mississippi and its waters secure an independent outlet for the produce of the Western States and an uncontrolled navigation through their whole course, free from collision with other powers and the dangers to our peace from that source, the fertility of the country, its climate, and extent promise in due season important aids to our Treasury, an ample provision for our posterity, and a wide spread for the blessings of freedom and equal laws.

Mr. President, what were to be the rights of the inhabitants under the arrangement which Jefferson made? They were to be given free choice as to the country to which they should render allegiance: they were to be protected in their homes and in all their rights and property. If they continued to reside in the ceded territory, they were to have all the rights, privileges, and immunities accruing to citizens of the United States under the Constitution of our country. Thus there was no possibility of wrong to accrue to any one of those people. They were not made citizens unless they elected to become so by their free consent.

How did Jefferson regard the Indians and how did he propose to deal with them? Let us read his own words upon the subject. On page 358 he says:

With the wisdom of Congress it will rest to take those ulterior measures which may be necessary for the immediate occupation and temporary government of the country—

The original act was to continue in force until the expiration of the session of Congress which passed it—

for its incorporation into our Union, for rendering the change of government a blessing to our newly adopted brethren.

That was the great end for which this territory was acquired. As to the Indians, he says:

For securing to them the rights of conscience and of property; for confirming to the Indian inhabitants their occupancy and self-government, establishing friendly and commercial relations with them, and for ascertaining the geography of the country acquired, etc.

Permit me, Mr. President, to allude to the Indians. The proposition of the Senator from Massachusetts was that they were governed without their consent and disposed of without any regard to their wishes. No Indian tribe ever had any tax imposed upon them. They have never been amenable to the law, civil or criminal, of the United States. They have been left in that regard as free and independent communities, to be subject alone to the laws and customs of the tribe. They had no fixed habitation in that vast territory. They roamed over it; they camped, and hunted the wild beasts that infested it.

Jefferson and those who followed after him and who acted upon his theory and upon his principle never took from them one foot of that land, one iota of that right, vague and uncertain as it was, without their consent obtained by treaties regularly made and ratified. This Government only has interposed to prevent them from committing depredation upon the lives and property of American citizens, acting only as to them in self-defense of its people and its property.

There is, therefore, absolutely no warrant in any contention as to the Indians for the statement that Jefferson abandoned the principle that governments derive their just powers from the consent of the governed. But in this same message Mr. Jefferson, at that time further interpreting his purpose in that regard, said—and I read from page 361:

Separated by a wide ocean from the nations of Europe and from the political interests which entangle them together, with productions and wants which render our commerce and friendship useful to them and theirs to us, it can not be the interest of any to assail us, nor ours to disturb them. We should be most unwise, indeed, were we to cast away the singular blessings of the position in which nature has placed us, the opportunity she has endowed us with of pursuing, at a distance from foreign contentions, the paths of industry, peace, and happiness, of cultivating general friendship, and of bringing collisions of interest to the umpirage of reason rather than of force.

Mr. President, I have already alluded to the fact that Mr. Jefferson's doubt and fear was not that the Constitution did extend to this territory, but that it did not, and that if it did not it could not be held. That was a plain, natural, and logical conclusion, because if the Constitution did not extend by its authority there, Congress could not in virtue of the Constitution extend its arm of control there. To hold that it was outside of the Constitution would be to emasculate the power with respect to it of every governmental agency and department created and owing its existence under and by virtue of the Constitution.

But that was settled at a very early date. By no act of Congress was the Constitution expressly extended to the Louisiana Territory. I refer now to a noted historical incident in the career

of our country after the duel between Hamilton and Aaron Burr, in which the former lost his life. Aaron Burr went West and entered into consultation and conference with Blennerhasset, and finally with Clark, who had his home in New Orleans. In a little time he was charged with having waged war against the United States. The act charged in the indictment was laid in the Territory of New Orleans, a part of the Louisiana purchase. The treason consisted, according to the charge, in levying war against New Orleans for the purpose of setting up at that point an empire to include Mexico. He was arrested and made application for discharge by a writ of habeas corpus, which came before the Supreme Court of the United States.

The unanimous opinion of that court was delivered by our first great Chief Justice. In the course of that opinion Chief Justice Marshall quoted from the Constitution of the United States:

Treason against the United States shall consist only in levying war against them or in adhering to their enemies, giving them aid and comfort.

Did that provision apply only to the States? It says distinctly:

Treason against the United States shall consist only in levying war against them.

They did not seek to try Burr under the civil law or under the Code Napoleon for treason defined in that law, which operated in Louisiana, except as it was inconsistent with the Constitution of the United States, but, according to this modern theory, without any regard to consistency with the Constitution of the United States. They proceeded upon the idea that this provision constituted the definition of the crime. It was in virtue of that that Burr was to be prosecuted for the act committed in the Territory of New Orleans, and that the limitations upon this power to prosecute him—the offense as here defined—also pertained to that case and he was entitled to the benefits of those limitations. What are the limitations? I read them:

Treason against the United States, shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court.

Burr claimed the benefit of that limitation. What did Marshall say? On page 41 of this volume he says:

To complete the crime of levying war against the United States there must be an actual assemblage of men for the purpose of executing a treasonable design. In the case now before the court, a design to overturn the Government of the United States in New Orleans by force, would have been unquestionably a design which, if carried into execution, would have been treason, and the assemblage of a body of men for the purpose of carrying it into execution would amount to levying of war against the United States.

The Senator from Ohio [Mr. FORAKER] challenged any authority anywhere prior to about 1850 for the contention that the Constitution operated within outlying territories of the United States. The Senator from Kentucky [Mr. LINDSAY] who made, as he always does, in harmony with his great and well-merited reputation as a lawyer, a very able presentation of the questions involved and their legal phases, if I understood him correctly, took the position that the rights, privileges, and immunities in these territories ceded from France and from Spain and from Mexico to the United States, which had been successfully claimed before the courts by their inhabitants, had all been derived from and were dependent upon the stipulations of the treaties between the governments in those cases. I do not think that contention does credit to the great reputation of the distinguished Senator, with all due respect.

Let us see what follows from that. When these respective governments ceded the territories in question to the United States, they thereby retained no residuary sovereignty or dominion over those territories or their future inhabitants. The inhabitants, or those who might thereafter go into those territories, or be born in those territories within the jurisdiction and sovereignty of the United States, could not be told that their rights, privileges, and immunities were dependent upon the grace of any foreign prince or potentate. That contention is utterly absurd. A citizen of Arizona, can not by any treaty stipulation between this country and any foreign prince or potentate have his rights stipulated away. It is not the subject-matter of treaty stipulation.

What did these treaties undertake to deal with? And first as to the treaty with Spain ceding Florida, the territory which had belonged to Spain. It was a legitimate subject of treaty stipulation. Spain ceded her sovereignty and control over it to the United States. That ended that phase of it. What more? There were inhabitants, subjects of the Kingdom of Spain then occupying that land. Their interests and their rights were in a measure involved in that transfer.

Mr. BACON. To which Spanish transfer does the Senator from Utah refer?

Mr. RAWLINS. The treaty in regard to Florida. What should be done with those people; as to those precise inhabitants living upon the territory at the time of cession who were then and had been citizens and subjects of Spain and entitled to her protection? When the territory was ceded, their rights, being a matter of international concern, it was agreed they should be protected by

certain guaranties applying personally to them and not to the territories; preserving their rights, securing to them the free exercise of religion, the rights, privileges, and immunities of citizenship, giving them the free choice as to what government they would render allegiance. Beyond that the treaty did not undertake to go. Next as to the treaty with Mexico. What did it provide? I will read the clause. It is found on page 495 of the Public Treaties of the United States:

Mexicans now established in territories previously belonging to Mexico, and which remain for the future within the limits of the United States, as defined by the present treaty, shall be free to continue where they now reside, or to remove at any time to the Mexican Republic, retaining the property which they possess in the said territories, or disposing thereof, and removing the proceeds wherever they please, without their being subjected, on this account, to any contribution, tax, or charge whatever.

Those who shall prefer to remain in the said territories may either retain the title and rights of Mexican citizens or acquire those of citizens of the United States.

Thus giving them their free choice as to what government they would render their allegiance.

But they shall be under the obligation to make their election within one year from the date of the exchange of ratifications of this treaty; and those who shall remain in the said territories after the expiration of that year, without having declared their intention to retain the character of Mexicans, shall be considered to have elected to become citizens of the United States.

In the said territories property of every kind now belonging to Mexicans not established there shall be inviolably respected. The present owners, the heirs of these, and all Mexicans who may hereafter acquire said property by contract, shall enjoy with respect to guaranties equally ample as if the same belonged to citizens of the United States.

Now, article 9. Let me read that:

The Mexicans who, in the territories aforesaid, shall not preserve the character of citizens of the Mexican Republic, conformably with what is stipulated in the preceding article, shall be incorporated into the Union of the United States, and be admitted at the proper time (to be judged of by the Congress of the United States) to the enjoyment of all the rights of citizens of the United States, according to the principles of the Constitution; and, in the meantime, shall be maintained and protected in the free enjoyment of their liberty and property, and secured in the free exercise of their religion without restriction.

That I may do no injustice to the Senator from Kentucky [Mr. LINDSAY], I will quote exactly what he said upon this subject. I had the honor a week or two ago to ask the Senator from Kentucky a question referring to cases arising in the territory ceded by Mexico to the United States, which I had digested in a speech I delivered something more than a year ago. The Senator from Kentucky undoubtedly refers to that question in this language:

I was asked the other day how I explained the decisions of the Supreme Court in cases arising in Territories acquired by the treaty with Mexico, to the effect that Congress could not provide for twice punishing a man for the same offense and could not make applicable to that territory a bill of attainder, and could not dispense with the trial by jury in cases at common law involving more than \$20, and could not take away from the accused the right to confront the witnesses who may testify against him, and could not put a man on trial without previous information of the nature of the accusation.

My explanation is that the Constitution of the United States protects the citizens of the United States against any one of those abuses of power, and that the inhabitants of the territory acquired from Mexico were made citizens of the United States by the ratification of a treaty which clothed them with American citizenship, and in express and unqualified terms secured to them the enjoyment of the rights of citizens of the United States according to the principles of the Constitution.

Those who represent what they term the anti-imperial sentiment of the country will not, of course, accept the explanation as satisfactory. They propose to look beyond and behind the stipulations contained in the treaties with France, Spain, Mexico, and Russia, and, doing so, to commit the Supreme Court to a rule of decision that will preclude the judiciary department of the Government from recognizing the power of Congress to exercise sound legislative discretion in carrying out so much of the treaty of Paris as provides that—

"The civil and political status of the native inhabitants of the territories ceded to the United States shall be determined by the Congress."

In the numerous cases to which I have made reference arising in the territory ceded by Mexico in 1848—cases which held that the defendant could not be denied the free exercise of religion; cases which held that a defendant in the territory could not be tried except by an impartial jury of twelve men; cases which held that the defendant must be informed of the cause and nature of the accusation; cases which held that in respect of the people in that territory Congress could pass no ex post facto law or bill of attainder; cases maintaining the right of the defendant in an action at common law to a jury trial, etc.—unfortunately for the position and contention of the Senator from Kentucky, in not one of those cases was the defendant in a position to claim any right, privilege, or immunity under the treaty with Mexico. Not one of them was a Mexican or ever had been a Mexican. Every one of them had gone to that territory after it had been acquired from Mexico and while it was under the absolute dominion and control of the United States.

In not one of those cases was any such privilege or immunity set up or claimed by the defendant. In no one of those cases did the Supreme Court allude to the treaty or any treaty as the basis of the privilege set up and claimed by the defendant. Nor did any judge of the Supreme Court of the United States nor the court itself, in any of the cases which have been cited, ever base the decision upon the ground that the Constitution secured the rights claimed by virtue of being extended by an act of Congress, evidently realizing that an act of Congress is an inadequate basis upon which

to rest the Constitution. In every case the Supreme Court of the United States said the power of this Government was restrained in its legislation and in the exercise of power in the Territory by those great principles of constitutional liberty which constitute restriction upon the powers both of the State and the Federal Government; that the citizens, each and every one of them, arraigned and charged, was entitled to the protection of that instrument wherever he might be, whether in a State or Territory, anywhere within the political jurisdiction of the United States. That is the ground upon which all these cases rest.

Mr. President, the cases go back to the very inception. For instance, in 3 Howard there is the case of Pollard vs. Hagan, page 212, and the part of the syllabus bearing upon this question is as follows:

Under the Florida treaty the United States did not succeed to those rights which the King of Spain had held by virtue of his royal prerogative, but possessed the territory subject to the institutions and laws of its own government.

Further in the opinion of the court—and it was a very distinguished and able court, among its members being Mr. Justice Story—page 224, this language is employed:

And all constitutional laws are binding on the people in the new States and the old ones whether they consent to be bound by them or not. Every constitutional act of Congress is passed by the will of the people of the United States, expressed through their representatives, on the subject-matter of the enactment; and when so passed it becomes the supreme law of the land and operates by its own force on the subject-matter in whatever State or Territory it may happen to be. The proposition, therefore, that such a law can not operate upon the subject-matter of its enactment without the express consent of the people of the new State where it may happen to be contains its own refutation and requires no further examination.

Further on, page 225, this language is used:

It can not be admitted—

This is very pertinent to the proposition of the Senator from Kentucky:

It can not be admitted that the King of Spain could, by treaty or otherwise, impart to the United States any of his royal prerogatives, and much less can it be admitted that they have capacity to receive or power to exercise them. Every nation acquiring territory, by treaty or otherwise, must hold it subject to the constitution and laws of its own government and not according to those of the government ceding it.

These are very early cases, long before 1850. In practice the men who framed the Constitution and those who immediately followed them in control of the Government of the United States never had a doubt that Congress only had authority by virtue of the Constitution to legislate at all for the Territories; that when it did legislate it must find its source of power in the people's grant of power—the Constitution; that it must be exercised in the mode which that instrument prescribes; that the act of Congress must have the concurrence of the President; that it must be circumscribed within the limitations which that instrument prescribes for the exercise of Congressional power.

It is a plain and inevitable proposition that you can not go in virtue of the Constitution and leave the Constitution behind you. If you cut loose from it, you have nothing to support your authority. Such was the idea of those who founded this Government, and in all of the early statutes they did not say the Constitution is hereby extended to the Territories, but they said all legislation, national and local, must not be inconsistent with the Constitution of the United States, thus presupposing it to be already there.

But after 1850 there was a question raised whether the Constitution extended, and but for one reason it never would have found lodgment in any human brain within the confines of our country. What was that? The Constitution contained in one of its clauses a recognition of slavery. A party grew up in this country opposed to the further extension of slavery. If the Constitution went by its own inherent force into new territory, it would carry with it the recognition of the right to hold slaves. Benton revolted at the idea. He limited his contention, to use his own words, as quoted by the Senator from Ohio, to that one provision in the Constitution. But he was overruled. The cases to which I have alluded, the Dred Scott case, the decision in regard to the scope of the revenue laws of the United States, and numerous cases to which I referred at the last session of Congress and which have been frequently referred to since, all disposed of that idea.

But, Mr. President, by the thirteenth amendment the reason of the objection to the extension of the Constitution which was made by Benton and those who agreed with him was eliminated, and the reason ceasing to their minds, undoubtedly the principle fell with it, that that provision of the Constitution did not so extend. Why should anyone, against this overwhelming practice, against all the numerous decisions from the foundation of our Government down to the present time, at this time seek to curtail and circumscribe the principles of the Constitution?

Mr. President, the Senator from Kentucky in his speech, great and masterly in statement, but utterly unwarranted in its premises, virtually appeals to the Supreme Court to override all the precedents in order that we may say that people of our own flesh and blood, citizens of this our common country, who may see fit to take up their abodes in some of the distant possessions which it

is claimed have come to us, shall not there have their rights conserved by this Constitution of ours. I understand well enough that a court, when it finds that a former decision was erroneous and mistaken, will not hesitate, upon sufficient reason, to overrule it; but when it involves a question of constitutional construction or even statutory construction, the court will not overrule it except when it feels constrained to do so in order to carry into effect the great end and purposes for which the Constitution was ordained or the statute enacted.

But now the Senator from Kentucky invites the Supreme Court to ignore the great purpose for which the Constitution was framed, namely, to secure to the people of the United States, the entire body of citizenship, native born or naturalized, to secure to all of them and to their posterity, wherever they might be (and they knew they were a migrating, a progressive, an expanding people, they were State builders), wherever they might go, within the political jurisdiction of this Government, not limiting it to the particular number of square feet of the original thirteen States, the rights and blessings of constitutional liberty.

And in 10 Howard, a very early case, that idea is expressed so potently and so tersely that it seems to me that high authority ought not to be gainsaid. I read from page 96 of 10 Howard:

The Constitution was, in the language of the ordinance—

That is the ordinance of 1787—

adopted by common consent, and the people of the Territories must necessarily be regarded as parties to it—

The people of the Territories must necessarily be regarded as parties to it—

and bound by it, and entitled to its benefits, as well as the people of the then existing States. It became the supreme law throughout the United States. And so far as any obligations of good faith had been previously incurred by the ordinance, they were faithfully carried into execution by the power and authority of the new Government.

Thus, Mr. President, you can not find warrant in our Constitution or structure of government to rule with despotic sway according to an unrestrained, arbitrary will anywhere.

This was one of the things which the framers of the Constitution intended to overthrow for all time and as to all territory.

Now we turn to this last treaty, the treaty with Spain. I have before me Senate Document No. 62, Part I, and I turn to page 8. This question is dealt with in Articles IX and X of the treaty.

Mr. SPOONER. Will the Senator from Utah allow me to ask him a question?

The PRESIDING OFFICER (Mr. KEAN in the chair). Does the Senator from Utah yield to the Senator from Wisconsin?

Mr. RAWLINS. I yield to the Senator.

Mr. SPOONER. Is it the Senator's theory that immediately upon the acquisition by the United States of the territory the Constitution *proprio vigore* extends over it?

Mr. RAWLINS. I will answer that question. I will answer it now if the Senator desires.

Mr. SPOONER. At your leisure. I do not want to interrupt the Senator.

Mr. RAWLINS. I will answer it in more detail as I progress.

Mr. SPOONER. I beg pardon for interrupting the Senator. I do not want to interfere with the line of his argument at all.

Mr. RAWLINS. I will proceed with my argument, if it is the same to the Senator, on the right acquired by treaty.

This Article X first deals with the Spanish subjects, natives of the Peninsula residing in the territory over which Spain, by the present treaty, relinquishes or cedes her sovereignty. It deals with those who were born upon the Peninsula of Spain. It gives them the right of choice as to which Government they shall render their allegiance, protects them in their property and in their homes, and conserves their rights in the same language as in the case of the Florida treaty. Now, that is all; nothing more. That only applies, of course, to those who come within that description. It does not operate to protect and subserve the rights or privileges or immunities of anybody else. Next it deals with another class of cases in the following language:

The civil rights and political status of the native inhabitants of the Territories hereby ceded to the United States shall be determined by the Congress.

Now, that covers only those who come within that description. The native inhabitants of the Philippine Islands are to be dealt with in the language of this treaty. Their civil and political status are to be dealt with by Congress. That does not include Englishmen, Germans, or Frenchmen, or any other of the great variety of nationalities who may be there. They do not come within its terms. It includes no American, of course, for he is not a native of those islands. It does not include any Chinamen, and there are more than 100,000 of them there, as I understand, nor any Japanese. You find, therefore, nothing in this. The Senator from Kentucky [Mr. LINDSAY] bases the entire superstructure of our authority upon this first clause.

Now, that brings me to the question the Senator from Wisconsin [Mr. SPOONER] asked me a while ago. Here are large classes of people who do not come within any of the provisions of any of

these treaties. What is to become of their rights? We can not get any power, arbitrary, despotic, to dispose of the native inhabitants. That is left to Congress in the treaty. By this treaty the King of Spain does not undertake to grant any of his royal prerogatives, any of his autocratic power, if he possess any, to the United States or to Congress or to anybody else to deal with these people. The Supreme Court has said, and it is a very plain proposition (I can not see how anyone would question it), that this Government of ours is incapable of receiving any such grant if the King of Spain or any foreign potentate should undertake to make it; but he does not undertake to make it in this case.

But there are other people who do not come within any of the provisions, to whom it makes no possible reference. What are we to do with them? Well, with respect to any territory ceded, the cession does not change the national character of the territory—so says Chancellor Kent—pending the transitory period from the time of the cession until delivery of possession has actually taken place. What will become of the territory if no disposition of it is made? Of course it must be determined by the authority which is entitled to speak for the United States so far as it concerns the United States. To speak how? To speak by virtue of the authority which it possesses. Derived from what source? From the people of the United States. How? By the Constitution, which constitutes the people's grant of power. What is that authority under the Constitution? When you have answered that, then you have answered the entire inquiry.

It is the Congress which is to speak, with the concurrence of the President, legislating in the method which the Constitution prescribes after the possession of any ceded territory has been, actually transferred, has been accepted, and the authority of the constitutional power of this Government is established there. It is established under the Constitution, by virtue of the Constitution, with all the limitations which the Constitution prescribes, and the Constitution is there just as much as it is in the District of Columbia or as it is in any other of the Territories over which the jurisdiction of the United States has become finally and permanently established.

Mr. President, in a sense, of course, the Constitution is in the territory by virtue of an act of Congress. It is in virtue of it, just as the control of a piece of property comes within the dominion of the person to whom it is transferred. He holds it, and certain incidental rights go with it, subject to certain conditions and certain laws. So it is for the proper constitutional authority of the United States to accept territory by formal, solemn act and to assert final dominion. The dominion of other powers over it having come to an end finally, then authority is established there by virtue of the Constitution, and all the inhabitants who live there, citizens of the United States or otherwise, have secured to them all the rights, privileges, and immunities which that instrument accords to citizens anywhere.

Political power, the power to govern and the right to vote, is one thing. The Constitution does not confer that right upon anyone. The right to a trial by jury it does secure to everybody. It makes no reference to the right to go and cast a ballot to hold a particular office. The Constitution confers no such right. Suppose the Constitution is there; no right to anyone is derived in those respects, because that instrument does not purport to confer such rights anywhere. But it is otherwise as to those provisions designed to secure the blessings of liberty, individual liberty, the right to life, liberty, the pursuit of happiness, the free exercise of religion, to be exempt from unreasonable searches and seizures, not to have passed any ex post facto law to operate upon him, or any bill of attainder working corruption of his blood, not to be subject to punishment for treason except within the limitation prescribed by the Constitution, that Congress may not grant any title of nobility anywhere.

These outlying territories, when our authority is once established there, are a part of the land, and they and all the people within them are subject to the supreme law of the land. That is the answer which I make to the Senator from Wisconsin. We do not get any right over the native inhabitants of the Philippine Islands by that treaty. It confers none. May Congress dispose of them? How? What is Congress? Cut loose from the Constitution and ignore it, and tell me, what is Congress? Obliterate it and cast it out of your mind, and answer the question, What is Congress?

How is Congress to exercise its power if you are to ignore the Constitution, if it is so much waste, blank paper? Are we to organize into a mob? Are we to be like the forty tyrants? Are we to become marauders and freebooters, cut loose from the Constitution, which is the only source of authority to act? No; we are the Congress as defined in the Constitution. How are we to act? All revenue bills must originate in the other House. We are to proceed according to the constitutional methods, with the concurrence of the President. In legislating we must not undertake by edict of legislation to take property from one and give it to another without due process of law. That is not legislation.

After our authority is established there, when the laws of war end or the conditions upon which the writ of habeas corpus may be suspended, you can not hang a Filipino without trial. You can not punish him twice for the same offense; you can not cast him down into a dungeon to await the incoming tide to take away his life. Can you? If so, how? Even in war the Supreme Court of the United States has said in the Milliken case (4 Wallace):

This Constitution of ours operates in war, as well as in peace, in all places, and under all circumstances. It is a law for the rulers as well as for the people; each and every one everywhere within our political jurisdiction is bound by it.

The PRESIDING OFFICER (Mr. KEAN in the chair). The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (H. R. 8245) temporarily to provide revenues for the relief of the island of Puerto Rico, and for other purposes.

Mr. FORAKER. I ask that the unfinished business be temporarily laid aside without prejudice, and that the Senator from Utah may have unanimous consent to conclude his remarks.

The PRESIDING OFFICER. The Senator from Ohio asks unanimous consent that the unfinished business be temporarily laid aside and that the Senator from Utah be allowed to proceed with his remarks. If there is no objection, it will be so ordered. The Senator from Utah will proceed.

Mr. RAWLINS. Mr. President, without further reference to the constitutional question, I next invite the attention of the Senate to some moral phases of the question which pertains to the Philippines.

The Senator from Massachusetts [Mr. LODGE] complained that while the Republican party or the Administration had a simple, clear and well-defined, positive policy in regard to the Philippines, those who were in opposition to that had not presented anything except that which was vague, uncertain, and elusive.

We find in the resolution of the Senator from Indiana [Mr. BEVERIDGE] what seems to be a clear and positive declaration. It is easily understood. So far as I am concerned, and I speak, of course, only for myself, it would be useless for me to outline what I would do under any hypothesis which does not exist. If we propound a policy to-day, we in the opposition are utterly powerless to carry it into execution.

But, Mr. President, the policy is to defeat the purpose of the dominant power so far as it is expressed, if I understand it, in these two measures. That is an affirmative policy of itself. I think I see in your hand a bludgeon, which, if let loose, which, if not stricken from your hand, will work detriment not only to the intended victim, but to yourselves and to ourselves, and I will, if I can, strike it from your hands and prevent you from doing that harm which must be the consequence if you are permitted to go on. Hence, you shall receive no vote of mine in aid of carrying out this programme. But if we defeat the programme, what, then, should you do?

Mr. President, if I should be permitted to speak upon this question, I think it would resolve itself largely into a detail of transportation and an ocean voyage. If those who are in the majority in the Senate ask me what I would advise them to do, I would point them to Spion Kopje, to do what Buller did when he found himself there in an untenable position—to execute a masterly and orderly retreat. I am trying to conform to the dictates of the Constitution, to our moral obligations, and to fulfill the pledges which have been put forth by our people.

The Senator from Massachusetts said that we invite the Republican party to make promises. He says promises and hesitations to the Asiatic or Malay mind simply excite, exasperate those people to a breach of the peace and disturbance, and make them want to kill somebody. When I read that it struck me as a most peculiar proposition. That can not be true of all promises. I think the distinguished Senator must have had in his mind the promises of the Republican party. The thing has gone to that extent where those promises almost have that effect sometimes upon the Anglo-Saxon mind.

Mr. President, it can not be that the gallant young Malay, when he has succeeded in extracting a promise from his sweetheart, straightway goes off and kills somebody. The expectation of fulfillment of the promise presupposes confidence. Without this, human society could not exist, mankind could not be. On these things perhaps more than all else men depend for present and eternal happiness. If there is anything that sweetens life; that elevates the soul from the groveling to the sublime and the God-like; that touches the æolian chords of sympathy, causing them to vibrate in unison with tones of healing to misery, awakening to ecstasy the wretched downcast spirit, it emanates from the purest word distilled into the ear—the sweet promise of an eternity of joy as the reward of a life of virtue.

Mr. President, the Senator proposes to strike promise and hope away from the vocabulary of the Filipino. There is to be for him no rule prescribed in advance to which he may conform his future

conduct. He is not to be permitted to know to-day what his fate will be to-morrow. That proposition, to my mind, is for malevolence, the most diabolical which ever emanated from human lips. The Senator from Massachusetts could not have meant that. He must have meant the promise which turned to perfidy, the perfidious violation of plighted faith, the promise made to the ear and broken to the hope, the bitterness of soul which arises from confidence betrayed and expectations thwarted.

Mr. President, these things tend to excite the human mind and exasperate the human soul and lead to bloodshed and disturbance not only in the Asiatic territory but in the territory inhabited anywhere with people having the motives and aspirations and the characteristics of humanity.

Mr. President, our troubles in the Philippine Islands are not due to the fact that promises were made. Those people were led to believe by the proclamation of the President, issued through Otis, by the proclamation of the President, issued through General Miller, that this great white Republic of ours had spoken to them with a deceptive and a forked tongue. That drove them to exasperation, and to that must be ascribed the waste and the bloodshed and the deaths of our brave soldiers.

Mr. President, the Senator from Massachusetts says that no pledges or promises were made under the authority of the United States to the Filipino people. The Senator says, in the first place—and I invite attention to that proposition—that there were no soldiers in the Philippine Islands in antagonism to the authority of Spain at the time of the declaration of war by the United States against Spain. He says the report that there were 5,000 Filipinos in arms in Luzon turned out to be untrue; that no such thing existed.

Our consul-general at Manila officially reported to the President of the United States that there were 5,000 Filipinos in arms; that the insurrection was going on, and that Spaniards were being killed and were being brought into Manila daily before that declaration of war. That document was sent to us by the sanction and approval of the President, and it is embodied in Senate Document No. 62. Our consul-general at Singapore, Mr. Pratt, officially reported to the President prior to the 1st day of May, about the 28th day of April, just after the declaration of war with Spain, that Aguinaldo was then at Singapore and was directing the operations of the armed insurgents, 5,000 in number, in the island of Luzon, waging war against Spain.

General Anderson was the first to arrive in Luzon. He went there with the expeditionary forces and arrived there about the 2d or 3d day of July. General Anderson refers to this statement and says that it is true. He says this in an article on "Our rule in the Philippines," printed recently in the *North American Review*. I quote his language:

On the 1st of July, 1898, I called on Aguinaldo with Admiral Dewey. He asked me at once whether "the United States of the North" either had recognized or would recognize his government—I am not quite sure as to the form of his question, whether it was "had" or "would." In either form it was embarrassing. My orders were, in substance, to effect a landing, establish a base, not to go beyond the zone of naval cooperation, to consult Admiral Dewey, and to wait for Merritt. Aguinaldo had proclaimed his government only a few days before (June 28) and Admiral Dewey had no instructions as to that assumption. The facts as to the situation at that time I believe to be these: Consul Williams states in one of his letters to the State Department that several thousand Tagals were in open insurrection before our declaration of war with Spain. I do not know as to the number, yet I believe the statement has foundation in fact.

So we have the concurrent testimony of Williams and Pratt and General Anderson that this fact is true; and yet against this consensus of authority the Senator from Massachusetts says that it false. He does not give us the benefit of the authority upon which he bases that assertion.

As soon as our war was declared, our consul-general at Singapore had an interview, as he reported to the Administration here, with Aguinaldo in the presence of certain other persons. He says in that report that Aguinaldo was then carrying on the war against Spain independently. He first urged upon him the importance of ceasing such independent warfare against Spain and of cooperating with the United States.

He reports that Aguinaldo said that he was willing to cooperate to subserve the purpose which he then declared to our consul-general, namely, that he would be satisfied with the same treatment which the United States proposed to accord to Cuba. Thereupon our consul-general, our sole representative at that port at that time, said that would be satisfactory, and he telegraphed to Admiral Dewey that Aguinaldo would go at his instance to Hongkong to join the forces of the United States, and that Admiral Dewey telegraphed back: "Tell Aguinaldo to come as soon as possible;" that on the first vessel outgoing from Singapore Aguinaldo took his departure, but arrived in Hongkong too late to go with Dewey's fleet to Manila. Then Mr. Wildman, consul-general of the United States at Hongkong, tells us that a proclamation summoning the Filipino people to arms had been prepared at Hongkong and was carried to Luzon by the American Navy.

What was that proclamation? It summoned the people to arms;

declared that the United States and its forces were going there as their liberators, to bring to them that for which they struggled. At the very first conference between Aguinaldo and Pratt at Singapore, on the 26th day of April, Aguinaldo declared the purpose of his cooperation in the war of the Filipino people against Spain was to achieve independence and self-government. These facts were at once communicated, as will appear by an examination of the documents, laid by the sanction of the President before the Senate, to the Administration.

About the 6th of June, after Aguinaldo arrived—Aguinaldo arrived in Luzon on the 19th day of May—the Filipino people flocked to his standard. He began his operations, and in an incredibly short time he had 9,000 Spanish prisoners in his custody. He was in possession before the arrival of the first expeditionary forces of the United States of all of Luzon outside of the city of Manila, and the Spanish army there were his prisoners.

When Anderson arrived, did he carry any message from the Administration repudiating the pledges which had been made by Pratt and by Wildman? General Anderson has told us to the contrary. You must remember now, Mr. President, that the Administration was fully advised prior to the arrival of Anderson, prior to the 1st day of June; that the Secretary of State, and presumably the President, was fully advised of the expectations of the Filipino people and what the nature of their cooperation with the United States was to be. If a man asks the service of another, and that other says to him, "You may have it for a certain price," and the first tells the latter to go to work, and he does so, it is a contract recognized as obligatory in every forum of justice.

This Government, from the President down to the consul-general, knew before Anderson arrived with the first expeditionary force in the Philippine Islands that the object of the services which Aguinaldo and his forces were rendering to the United States was to compass and bring about their independence and self-government.

Let us see what General Anderson says upon that subject. I read from the *North American Review*. He says:

Whether Admiral Dewey and Consuls Pratt, Wildman, and Williams did or did not give Aguinaldo assurances that a Filipino government would be recognized, the Filipinos certainly thought so, probably inferring this from their acts rather than from their statements.

The Secretary of State, Mr. Day, knew that they thought so, and he writes to Consul-General Pratt and summarizes the promises which had been made by our sole representative there to those people and to the leaders of those people. Secretary Day says, in substance, "Your reports to us disclose an understanding on the part of Aguinaldo and the Filipino people that our object there, the object of the cooperation between them and us, is to achieve their independence."

A delegation of Filipino people called on Consul-General Pratt, at Singapore, and delivered an address on the 9th of June. In response the consul-general, among other things, presented a flag to those people. In the address which the Filipino spokesman made to our consul-general he said he hoped that this great nation, the American nation, would persevere in its policy of humanity and in confirmation of the arrangement made between Pratt and Aguinaldo on the 26th day of April. Pratt responded, and, among other things, presenting an American flag, he said:

The red stripes are the emblem of the blood shed by our ancestors for freedom and independence, as you Filipino people are shedding your blood. The white signifies the purity of motive, the blue the azure sky, the stars the equality of the independent States constituting the Republic. Take it and keep it as a souvenir of this occasion.

That was promptly communicated to the Administration, and has been sent to Congress with the sanction of the President of the United States.

General Anderson refers to an incident which is of peculiar significance. I read what he says:

About the middle of July the insurgent leaders in Cavite invited a number of our Army and Navy officers to a banquet. There was some postprandial speech making, the substance of the Filipino talk being that they wished to be annexed, but not conquered. One of our officers in reply assured them that we had come not to make them slaves, but to make them free men. A singular scene followed. All the Filipinos rose to their feet, and Buencomeno, taking his wineglass in his hand, said: "We wish to be baptized in that sentiment." Then he and the rest poured the wine from their glasses over their heads.

Prior to July 1 these people had made a formal declaration of their independence; they had organized a provisional government; Aguinaldo had issued a proclamation, which Wildman says he helped him to prepare to this end in Hongkong before his departure.

Mr. President, such were the circumstances which General Anderson says gave those people the right to believe, and they did believe, that the end of all this was to be their freedom and independence. It would be unfair to say that the Administration was proceeding in matters of such serious consequence as this without consideration of the facts. It is fair to presume that the Administration knew these things which the consular officers reported officially to the authorities at Washington.

Secretary Day telegraphed both to Pratt and to Willman not to make unauthorized representations to the Filipinos. That was well enough; but the Filipino people had been relying upon these promises, and it was the duty of the Administration, if it wished to repudiate them, to bring notice to those who were concerned of the repudiation. There was no one more naturally to whom such a notice might be given than the commander of our first expeditionary forces that landed there; and yet Anderson tells us that he had no instructions; that he had no authority to speak one way or the other upon the question. The first question propounded to him by Aguinaldo, he says, was: "Had the United States recognized or would the United States recognize his government?" In either form, he says, it was embarrassing, because he had been given no authority to speak.

General Merritt was invited by Aguinaldo by letter to speak as to what the purposes and intentions of the Government of the United States were. General Merritt, when he arrived in the latter part of July, took control. Why was it that he was not given definite instructions to repudiate the pledges and promises which our consular representatives had made to those people, and which had been officially communicated to the President? But when Aguinaldo and the Filipino people asked Merritt what our purpose was, he says, "I have no authority to speak;" but he went one step farther, and he said, "I think you can rely upon the good faith of the United States."

Let us proceed in this line a little further. We have seen that pledges were made, that their repudiation was never brought home to the Filipino people, or to their leaders. They were permitted to go on sacrificing their lives in a struggle which this nation of ours knew was for the purpose of achieving their own independence and self-government. Manila was captured. Aguinaldo and those acting with him, his associates, obtained possession not only of Luzon, but of all or almost all the other islands of the archipelago. I read what General Anderson says on that subject. He says:

We—

That is, the American forces—

We held Manila and Cavite. The rest of the island was held, not by the Spaniards, but by the Filipinos. On the other islands the Spaniards were confined to two or three fortified towns. At the time referred to we could not claim to hold by purchase, for we had not then received Spain's quit claim deed to the archipelago. Making allowance for difference of time, we took Manila almost to the hour when the peace preliminaries were signed in Washington.

The same thing is corroborated by General Merritt. I next refer to a statement by General Otis. On page 76 of General Otis's report he uses this language:

And thus, in December, 1898, we find in northern and southeastern Luzon, in Mindoro, Samar, Leyte, Panay, and even on the coast of Mindanao and in some of the smaller islands, the aggressive Tagalo, present in person, and, whether civilian or soldier, supreme in authority. The success which attended the political efforts of Aguinaldo and his close associates and gave them such sudden and unexpected power was not calculated to induce them to accept subordinate positions in a reestablished government, and the original premeditated intention to control supremely at least a portion of the Filipino people had become firmly fixed. The cry for liberty and independence was everywhere being raised.

I next refer to page 94 of the same report, where General Otis says:

General Aguinaldo was now at the zenith of his power. He had recently suppressed rebellion which had raised its head in central Luzon. He had assembled a pliant congress, many members of which had been appointed by him to represent far-distant congressional districts, and which had voted him the dictator of the lives and fortunes of all the inhabitants of the Philippines. He dominated Manila, and when he ordered that the birthday of the martyred Rizal should be appropriately observed there, business was paralyzed and not a native dared to pursue his accustomed daily labors. Not a province had the courage to oppose his appointed governors, backed by their Tagalo guards, although a few of those governors had previously suffered martyrdom for the zeal exhibited in collecting money and sequestering private property. The southern islands were obedient.

Thus in this last statement not only Aguinaldo and his government were everywhere, even dominated the city of Manila.

What further occurred? The authority of Spain had been completely destroyed in those islands beyond all possibility of restoration. General Greene said in a report made August 27, 1898—I read from page 374, Senate Document 62—

The Spanish Government is completely demoralized, and Spanish power is dead beyond possibility of resurrection. Spain would be unable to govern these islands if we surrendered them.

General Merritt says in his testimony given before the Peace Commission at Paris, found on page 369, in answer to a question propounded by Mr. Gray. I will first read the question. It is as follows:

Mr. GRAY. Suppose by final treaty with Spain we should abandon Luzon and all the Philippines, exacting such terms and conditions and guaranties as we should think necessary, and abandon them entirely, reserving only a coaling station, perhaps; what do you think they would do about it?

General MERRITT. I think in the island of Luzon they would fight to the bitter end. I have talked with a number of them, intelligent men, who said their lives were nothing to them as compared with the freedom of the country, getting rid of Spanish government.

Mr. DAVIS. Do you think Spain would be able to reduce them?

General MERRITT. No, sir.

I read further from General Merritt. This question was propounded by Mr. DAVIS and is to be found on page 368:

Mr. DAVIS. Suppose the United States, by virtue of a treaty with Spain, should take Luzon, all the Philippines, or a part, by virtue of a treaty, paying no attention to the insurgents, how would that be taken by Aguinaldo? General MERRITT. I think Aguinaldo and his immediate following would resist it, but whether he could resist to any extent I do not know, because his forces are divided.

Thus, Mr. President, General Merritt informed our peace commissioners at Paris that to do what they afterwards did would necessarily bring war in those islands.

Mr. FRYE, the distinguished presiding officer of the Senate, when he was in Paris, evidently had in mind that there had been an alliance between the United States and the Filipino people in the struggle against Spain. I read from page 488 the following:

Mr. FRYE. I would like to ask just one question in that line. Suppose the United States in the progress of that war found the leader of the present Philippine rebellion an exile from his country in Hongkong and sent for him and brought him to the islands in an American ship, and then furnished him 4,000 or 5,000 stands of arms, and allowed him to purchase as many more stands of arms in Hongkong, and accepted his aid in conquering Luzon, what kind of a nation, in the eyes of the world, would we appear to be to surrender Aguinaldo and his insurgents to Spain to be dealt with as they please?

A. We become responsible for everything he has done; he is our ally, and we are bound to protect him.

Mr. President, I next read from a report made by Major Bell, who is most highly commended by General Merritt, who has rendered very distinguished service in the United States Army in the Philippine Islands, and whose veracity will scarcely be doubted, who made, by official direction, a special investigation of the conditions of the Filipino people immediately after the arrival of the first expeditionary forces, about the 1st of July. He says:

There is not a particle of doubt but what Aguinaldo and his leaders will resist any attempt of any government to reorganize a colonial government here. They are especially bitter toward the Spaniards, but equally determined not to submit any longer to being a colony of any other government.

Mr. President, these are some of the witnesses whom I call, witnesses whose standing and authority can not be questioned, witnesses who were entitled to speak upon this subject, most of them witnesses of the transactions of which they give account. They have official sanction, and they inform us that these things existed, and they can not be disputed.

I desire to render every presumption in favor of right conduct of this Government and all those who may represent it. I do not desire to infer anything which is not reasonable—not inevitable. I would draw no conclusion which does not seem to me to be imperative; but now, in all candor I ask, Mr. President, whether, in looking back over the past transactions for the last two years, we have dealt openly, frankly, honorably, and justly with those people?

I am willing to make all necessary allowances to the President and to any particular officer; the multitude of duties which they have to perform distract their attention. I am willing to concede, for the purposes of what I have to say, that the President of the United States did not become fully conscious of the actual state of affairs across the ocean in that far-distant land. That is not the question which I desire to raise; but I do take an account of those past things—although Senators say we ought not to do so—because it is only by taking into account the things which have passed that we may accurately be able to determine the things of the present and be able to judge what is best to do for the future.

These facts, first, the aspiration and expectation of independent government on the part of the Filipino people, under the leadership of Aguinaldo; second, knowledge of this Government that such was their expectation; third, inducements held out to them, by our representatives, whether directly authorized or not, that that expectation would not be disappointed; fourth, the information which our own officers, after investigation, gave to us officially that to undertake to disappoint that expectation would lead to bloodshed and war, by Bell and Anderson, and reiterated by Otis—while we understood these facts and that such would be the result, we demanded of Spain the cession of absolute sovereignty over a territory of which she had irretrievably lost possession, not a foot of which was under her control.

We demanded the cession of her so-called sovereignty to the United States, for which we paid to her \$20,000,000. That fatal step was taken (because it was a fatal step, and no man can dispute it) with the full knowledge of the facts communicated to those who were responsible for it that it meant inevitably a conflict of arms with the Filipinos, who had been led by our representatives across the water to cooperate and aid us in our war against Spain with the expected compensation of being able thereby to achieve their own freedom and establish their own self-government and rule their own destinies.

Those who support the policy of the Administration say we must deal with the present. The proposition of the Senator from Massachusetts is that all-sufficient is the evil of the day. He does not want to grope forward and find more evils by probing into the future. He wants us to take no account of the past, and I

agree with him in a measure that the situation of man as expressed by Burke is the preceptor of his duty, but he can not perform his duty unless he looks around him, behind him, and into the future so far as his limited vision may extend.

Whence did this war come? Where will it end? Whither will it lead, Mr. President? Anderson and Otis tell us why it came. Merritt and Bell told our peace commissioners what would bring it about. Knowing that, we did that which they said would and which did bring it about. Mr. President, it was not a freak of chance, a child of destiny. It was not an act of Providence. When the message was sent across the water to Dewey wanting to know which would be the most valuable of those islands for us to take, the answer came back; and the distinguished Senator from Minnesota [Mr. DAVIS], a member of the commission, asked General Merritt whether, if we would take this and ignore those people, the native inhabitants would fight. Merritt said "They will fight."

Mr. President, every nation is endowed with the power of rational volition, and it must suffer the penalty of the failure to exercise it. I am not prepared to concede the contention, discreditable as it is to the Administration, that the events in the past have been mere freaks of chance, the Executive Mansion of my country, like the kingly palace of George the Third, an irresponsible madhouse. The President is an able man, courteous in all his dealings, and I will do him no injustice. He is able to comprehend facts when they are laid before him. He can trace consequences undoubtedly from causes. He was advised of the situation. He acted deliberately, whether of his own motion or by the power which controlled him. For what he did he is responsible. It is in the essence of our institutions that those elected and placed in important positions in our Government must be responsible. If they do not want to take the responsibility of their official conduct, they should not aspire to positions of responsibility.

This war, Mr. President, came because of our promise, in whatever way it was made, which led those people to have the firm conviction that all their fighting and all their sacrifice of life were to end, through our aid to them, in their independence, and which was turned to ashes upon their lips. That disappointment, which came from the proposition embodied in the proclamation framed by the President and issued on the 9th day of January, was the inception of this war. They responded to it virtually by a declaration of war, as General Otis has told us in his report.

Mr. President, what is the nature of our title? What is the present status of the Philippine Archipelago? I should like some Senators who have viewed this case from the standpoint of the permanent retention of the islands and the theory maintained by the Administration, as I understand it, what they think our status is. Kent says a treaty alone does not operate to transfer sovereignty without actual delivery of possession. An authority upon international law says that sovereignty over a people can not be transferred without the consent of the governed. The same authority says that a treaty of cession—and that, of course, is a self-evident proposition—only operates to transfer just such dominion, and no more, as the ceding power possesses. All official reports say that Spain had nothing; the Filipino people had declared their independence and fought for it and had achieved it. It was a fact accomplished before the 10th day of December, the date of the treaty.

Aguineldo and his government, whatever it was—and I am not talking about whether it was a government like that of Germany or Russia, or that of the Sultan of Turkey, or of some South American republic—that government, whatever it was, and however inadequate and unjust in our view of things we may say it was, had control of all the islands and dominated even Manila. Spain had lost everything beyond all power of recovery if we had not taken the cession from her, if we are to believe Merritt and Greene and Otis and people who are competent to speak by reason of their knowledge of the situation. On the 10th of December, when the treaty was made, the President himself, in a proclamation which he issued, I believe dated the 23d of December, gave direction to extend the military authority to every part of the islands which we did not have. If possession, actual delivery of cession, is essential to sovereignty over a people, then we have not yet dominion. Spain delivered to us what she had, which would be properly represented by zero. Our sovereignty to that attached, whatever it was.

Nations in their international relations, according to a low standard, expressed by some writers upon international law, are in a state of lawlessness. Then nothing is right which can not be enforced; nothing is wrong which can not be punished. If a nation is strong enough, it can wage war and subjugate and assert its authority over any land and any people, according to its own sweet will. Of course in that sense the United States had the right, according to that debased and sordid standard, although it acquired nothing by purchase and transfer of Spain, because she had nothing to transfer, because we were powerful and those people feeble, to send our Army there in sufficient force to coerce obedience or cause extermination. But when we inaugurated that campaign,

not of peace but of war, we inaugurated it upon a basis which in justice and morality can not be defended by any right-thinking man.

I state, in the first place, Mr. President, that these people are not rebels. They have never acknowledged allegiance to the United States, and that is a prerequisite to rebellion. Breach of the solemn pledge made to uphold the laws of a country is involved in the charge of rebellion. They are but a belligerent people, fighting in self-defense against a war of subjugation waged by us against them. When will that war end? I do not know whether the Senator from Wisconsin intends that his bill shall take effect next year or whether he expects it to take effect during our lifetime or three hundred years hence, when all insurrection in those islands is completely destroyed. Then, and then only, is this bill to take effect.

In the argument made by our peace commissioners in Paris to the representatives of Spain in trying to negotiate this treaty it was said that these people had been in continuous rebellion against Spanish authority for more than three hundred years. Spain's commissioners answered by saying, "That is true, and here are the sacrifices which we have made against our own welfare." Men who have been there, distinguished officers whose letters I have read, say that the war is not ended, and that in their opinion it will never end. So, perhaps the Senator from Wisconsin really intends to content himself with recognition that a state of hostilities does exist there, and never expects the bill otherwise to go into operation—

Mr. SPOONER. Will the Senator from Utah permit me?

Mr. RAWLINS. Certainly.

Mr. SPOONER. I think the Senator expressly consented to a state of hostilities over there long, long ago, when he voted, with full knowledge of the purpose, to increase the Army at the last session of Congress, knowing that that increase was for the purpose of enabling the President to send troops to be employed as they have been employed. Am I wrong about that?

Mr. RAWLINS. I stated in the beginning that there had been no direct and express recognition of a state of hostilities. A proposition to relieve temporarily the men whose terms of enlistment had expired was before Congress. They were to be retained there unless their places could be supplied by enlistments made by increase of the Regular Army. We voted for that increase. That, in my judgment, was not any more a declaration of war against the people of the Philippine Islands than it was a declaration of war against the people of Cuba, because a large share of that Army, it was then known, would go to Cuba to aid in the preservation of order. It was no more a war against the Filipino people than it was against any other nation with whom we might be at peace.

Mr. SPOONER. Will the Senator permit me?

Mr. RAWLINS. Certainly.

Mr. SPOONER. The Senator apprehended, did he not, when the Army bill was before Congress and he voted for it, that a large portion of those troops provided for were to be sent to the Philippines? Did he suppose they were to be sent there for a picnic or a fight? They were, of course, to relieve troops whose terms had expired, but the supply of men provided by that bill was vastly in excess of that requirement. Will the Senator say that he did not expect those troops to be employed in military operations in the Philippines? And if it was a vile and outrageous crime against liberty, I do not know how the Senator finds justification for his vote in favor of that bill.

The Senator from Massachusetts, stating here upon the floor in open Senate that those troops were to be employed against the Filipinos and his unwillingness that they should be employed, registered his vote against it. The Senator will permit me, and I only take advantage of this occasion inasmuch as he mentioned me, because I sat before him, but I am unable to discover upon what theory of justice it is that the Senate and House of Representatives can raise an army by solemn vote and then criticize the President for using it as they intended that he should and as they expected he would.

Mr. RAWLINS. The Senator asks me whether I expected the Army would be used for a fight or for a frolic. I do not know what may have operated in my mind in that particular respect; whether I expected the Army would be used for a frolic or a fight or a foot race; but I do remember distinctly the circumstances under which that measure came before Congress. I do remember that the venerable chairman of the Committee on Military Affairs made a statement of the situation, and in that statement—I believe it was in the month of February, just prior to the adjournment—he pointed out the fact that the terms of enlistment of the regulars and of the volunteers proper would expire the moment the ratifications of the treaty with Spain were exchanged, and that the President of the United States, after that event had been proclaimed, would not think for one moment of ordering those volunteers into the trenches; that that army was then in that far-distant land and hostilities had been provoked; that the lives of those volunteers and others in that island, by reason of the acts

which had already taken place, unless sufficient force was maintained there, would be in peril.

We were informed that it was necessary as a matter of self-defense, to save the lives of our volunteers, that men should be sent over there; and I do not know whether I voted for that measure or not, but if I did vote for it I voted for it for that reason. Since I cast that vote I have gone more in detail and have been able to ascertain more fully the facts bearing upon the situation, and I am free to say that I do not regret that I did cast that vote, because in spite of the measure which we then passed, the authority which we gave to the President to raise additional troops, those volunteers were ordered into the trenches after the terms of their enlistment had expired.

The Senator insinuates that I say that those acts over there by the soldiers were unholy and cruel and wicked. I said no such thing.

Mr. SPOONER. I did not say that. I spoke of what you called the war upon that people. I beg the Senator to be just. I did not impute to the Senator any observation or criticism of any act of the soldiers over there. He must know that. My observation was elicited entirely by the question which the Senator put to me as to whether there was not a subtle purpose in a line of this bill to recognize the existence of hostilities over there; and I rose simply to call the attention of the Senator to the fact that the existence of hostilities over there was recognized long ago, not only by Congress but by the Senator when the Army bill was passed. That is all.

Mr. RAWLINS. Whatever implication there might be as to the votes which were cast for that Army bill, I have already sufficiently answered it. The Senator did say and wanted to know how I could cast my vote for that bill if I then believed that those soldiers who were thus to be raised were to be employed in a cruel, ruthless, unholy war. I say that I had no right to believe, had no right to expect, from the information which we then possessed, that the President of the United States would employ any part of this army in a cruel, unwarranted, and remorseless war. I have never yet charged that the President intended to do that. But what I did say is that we demanded the cession of those islands from Spain to the United States—we did not do it; but the President and his commissioners were informed by Merritt, by Bell, and others that the result of that transaction would inevitably mean war, and that as a consequence of that, our troops being over there, war was precipitated.

Whose fault it was I do not care now to inquire. Who fired the first gun I do not care to inquire about. The situation was at the time that bill was before Congress that there was armed conflict between forces over there, and that to save the lives of our men they undoubtedly had to act at that time in self-defense. I did not imply by my action then that this army should be affirmatively and aggressively used for the extermination of that people or to wage a remorseless, unholy, and cruel war. I do not make that charge now, but I did vote, and I would perhaps vote again under similar circumstances, for sending soldiers to any place where American citizens or American soldiers might be, to be employed in defense of their lives.

Mr. President, whatever may come of this war, certain it is that it has made plain to the world the sterling stuff of the American volunteer. No propitious climate invited him to the contest. The jungles did not open to make for him a pathway, nor did the water divide in order that he might pass over dry-shod. He was not faced by a foe worthy of his steel. He could not have been inspired by the enthusiasm or actuated by the spirit which prompted him to enter the service of his country for the sake of humanity. Never did conditions, moral or physical, more adverse confront human soldiery; and yet these men never faltered. Day after day, hour after hour, both night and day, they added glory to glory, triumph to triumph. The maxim of the soldier is, "My country; may she ever be right; but right or wrong, my country." The maxim which ought to animate statesmen and lawmakers is, "My country; to continue her in the right; but if in the wrong, to help set her right." That is the answer which I make to the statement of the Senator.

Now, Mr. President, this proposition involves another consideration of far-reaching importance. I have said that I am opposed to this programme because, in my opinion, it does not look forward, but carries us backward to the scenes of despotism. When I speak I speak without impugning the motive of anyone. I am an expansionist. I believe in it by natural and peaceful processes. The progress of our people is natural and inevitable. An artificial barrier can not be set to that progress. I make no question of that kind. But here is a question involved which is of very deep and very great importance—the question involved in the sale and transfer of vast numbers of people.

Mr. President, the density of population of the Philippine Archipelago is twice as great as that in Illinois or in Indiana. It is twenty or thirty times as great as the territory west of the Mississippi, between the Mississippi and the Pacific Ocean. It is teem-

ing with people. There is no vacant territory there. There is nothing there upon which Americans can build homes.

On the other hand, upon this side of the shores of the Pacific there are undeveloped resources. There are riches beyond all comprehension which need only the application of capital and the touch of industry to develop. We can well afford to open more tunnels and sink more shafts to touch the inestimable treasures of mineral which lie everywhere throughout that vast section of country. We have but to husband its waters and reclaim the arid wastes and build sugar factories. Those things will give employment to labor and build homes for the American people.

Mr. President, there is no such resource in the Philippine Archipelago. On the contrary, for three hundred years scarcely enough people from other nations have been going there to be worth mentioning. A few thousand and you have told the whole story; 100,000 Chinamen, and the mixture and combination of races which was depicted by the junior Senator from Massachusetts.

But we are repeating history, Mr. President. More than one hundred years ago, just prior to the time when this Government of ours was established, Great Britain set out on a programme somewhat similar to that, and I want to read briefly a description of that policy which is not dissimilar to that which is now presented for our consideration. I read a description of it as given on page 449 of the Works of Edmund Burke, Volume II. Speaking with reference to Great Britain in its relation to India, he said:

The next sale was that of the whole nation of the Rohillas, which the grand salesman, without a pretense of quarrel, and contrary to his own declared sense of duty and rectitude, sold to the same Sujahul Dowlah. He sold the people to utter extirpation for the sum of £400,000. Faithfully was the bargain performed on our side. Hafiz Rhamet, the most eminent of their chiefs, one of the bravest men of his time, and as famous throughout the East for the elegance of his literature and the spirit of his poetical compositions (by which he supported the name of Hafiz) as for his courage, was invaded with an army of an hundred thousand men and an English brigade.

This man, at the head of inferior forces, was slain valiantly fighting for his country. His head was cut off and delivered for money to a barbarian. His wife and children, persons of that rank, were seen begging a handful of rice through the English camp. The whole nation, with inconsiderable exceptions, was slaughtered or banished. The country was laid waste with fire and sword; and that land, distinguished above most others by the cheerful face of paternal government and protected labor, the chosen seat of cultivation and plenty, is now almost throughout a dreary desert, covered with rushes, and briars, and jungles full of wild beasts.

The British officer who commanded in the delivery of the people thus sold felt some compunction at his employment. He represented these enormous excesses to the president of Bengal, for which he received a severe reprimand from the civil governor.

Further, other transactions in which people were sold are here given:

In Bengal, Surajah Dowlah was sold to Mir Jaffier, Mir Jaffier was sold to Mir Cossim, and Mir Cossim was sold to Mir Jaffier again.

And so on, giving a large number.

All these bargains and sales were regularly attended with the waste and havoc of the country—always by the buyer, and sometimes by the object of the sale.

Mr. President, by reason of these examples, these frightful consequences of undertaking to make the destinies of millions of people depend upon transactions of barter and sale—the frightful consequences flowing over that have, according to the author on international law that I have cited, led in modern times to the well-settled principle founded upon intrinsic justice and sound morality that such things can not lawfully and morally be done in accordance with the principles of international law except with the consent of the governed. We are having repeated now at this, the end of the nineteenth century, the experience which came to Great Britain at the end of the last century, and which has made her rule in India a blight and curse to all its people.

Mr. President, the Senator from Massachusetts claims that, conceding everything else, these islands would be of great benefit to us commercially. He said, as I understood him, that by reason of our possession of those islands our diplomatic officers were enabled to obtain the open door to China, and the Senator paid a glowing eulogy to the present Secretary of State, pointing to that as being a grand consummation of his diplomatic skill.

Mr. President, I can not regard it as does the Senator from Massachusetts. It seems to me to be a triumph of English and not of American diplomacy. The policy of free trade at home and free trade everywhere has been the policy of Great Britain. In the open door in China, Great Britain and Germany and Russia have no sympathy with the myriads of people in that vast Empire. That sovereignty, if it pleases, in accordance with every principle of justice and international law, is entitled to have a tariff barrier around her shores, or she is entitled to tear it down, as in accordance with her own interest she may think proper and best. But what right has Russia, what right has a great trust of nations like Russia, Great Britain, and Germany, to say we will form a conspiracy and say to the Emperor of China and those people: "Obey our behests and tear down your tariff wall?"

It is a precedent to which I can not give my sanction, worthless though that may be. I can not give my sanction that this country shall enter into a combination and conspiracy to dictate to other and feeble nations, as the result of the gigantic power of a

combination or a trust of nations, that their right to control their own affairs and levy their own taxes to subserve their own interests they shall not possess.

Mr. President, this is not the triumph of American policy. This is the triumph of British policy. England and Germany have given us nothing and can give us nothing morally in China. They can not give us freer access to any parts of the markets of that vast number of people. They give us nothing; but if we recognize the Philippine Archipelago as a part of our territory, they have by their combination, their spheres of influence over the diplomatic representatives of the United States, laid down the position that we are to take down our tariff barrier—tear it down to the ocean level.

Mr. President, if we keep the Philippines we are to add the expense of a vast army which for an untold length of time in the future must be kept there on police duty at least. If we are to believe the statements made by the proponents of the policy, which is now under consideration, they are to exercise police patrol, protecting Aguinaldo from Artacho or Artacho from Aguinaldo. The burden of the expense of all this to fall upon the taxpayers of the United States.

Our merchants and our traders and our producers must compete in those islands, and for that market with the traders and merchants and producers of Great Britain, of Russia, of Germany, and of all other countries. They get the benefit and we pay the bill. That is the sum of that transaction, if it is to be carried into effect.

It is similar to that other matchless achievement of the diplomatic skill of our Secretary of State, the Hay-Pauncefote treaty. In that case we are graciously accorded by Great Britain and the European nations the right to construct and maintain that canal at our own expense and principally for the benefit of Great Britain.

Mr. President, these are all departures from the great settled principles and policy and traditions of our Government. I can see nothing, so far as commerce or money making is concerned, to invite us to go on with this policy which is outlined for us. I think it is detrimental and destructive of all our best interests material; I think it is destructive of all our best interests social and political.

The distinguished Senator from Massachusetts likened himself, as did Sir Isaac Newton, another distinguished philosopher whom he did not name, to a little child playing upon the seashore, now and then diverting himself by finding a brighter pebble than ordinary, while the great ocean of truth lay unexplored before him.

Mr. President, when I read over that speech, three hours long, I could not conceive how the Senator thought he was not perfectly familiar with all that is in the air, and all that is upon the land, and all that is in the sea. I believe actually if the Senator should stand upon the seashore and think about the situation, he would come to the conclusion that he could make an improvement upon the handiwork of the Almighty. I think he would conclude that he could dictate and prescribe better laws to control the life of the finny shoals of the mighty deep, and I think he might come to the conclusion that if in prescribing those regulations there should be any disturbance, the explosion of a stick of giant powder in the midst of the finny tribes would calm their fretful, finny souls.

Mr. President, as I read that speech and as I heard part of it, the Senator seemed to me like a man standing upon the housetop ready to hurl a deadly missile into a crowded thoroughfare, reckless of all consequence. He says that certain races have an ineradicable tendency to favor despotism. I believe the Senator takes pride in the fact that a few years ago he was the author of the force bill. More than a third of his speech was devoted to the pulverization of the keystone in the arch of liberty. He wants to cut loose from the Constitution, if I understood him rightly, and govern many millions of people without their consent.

He wants to know where the principle of the consent of the governed begins to operate. He says if it is sacred to all, it must be sacred to one; and he wants to know at what point in the census the principle begins to operate. If it does not operate with one, it can not operate with 30,000. If it can not operate with 30,000, it can not operate as to 10,000,000; and if not as to 10,000,000, then it can not operate as to 100,000,000. Thus he strikes away the foundation upon which our free institutions rest. He goes back to the principle of the Holy Alliance, and by his logic lands dangerously near the divine right of kings to rule people without their consent.

Ah, Mr. President, the Senator says that all born east of Constantinople have an ineradicable, a racial tendency to despotism. If we are to believe what he says, he must have had his birth east of Constantinople. He is a living example of the incorrectness of Buckle's theory that if you catch a Hottentot young enough to put him through a process of education you may make out of him a European.

Mr. President, I can not see how the Anglo-Saxon or the Caucasian has any right to obtrude a despotic sway over the Asiatic or the Malay. No more could I see how some great mogul of Asia

could extend, as they attempted to do in the middle ages, a despotic sway over the Caucasian.

Life, says Emerson, has its scale of degrees, but it is difficult to determine any degree that is positive. It is beyond the purview and discretion of mortals to say that any particular degree or condition of life is the proper one, and that all men must conform to it that life may become like the surface of a tranquil ocean. The highest ideal of happiness of one man may, on the contrary, differ from that of another equally intelligent, and how much more is that true of races.

The peasant is pleased to follow the plow; the sailor, to plow the main with his bark; the soldier, to yield obedience to his commander and rush unconsciously upon the pointed steel; the shepherd, to recline upon some eminence and cast his sluggish eyes upon his grazing herds; the smith delights to forge the metal and see it become plastic in his hands; the heathen thinks he can read in puny relics of wood and stone the divine essence of the gods, and delights to supplicate that he may participate in the joys of some blissful realm delineated by the pencil of his own imagination.

Every Christian has his own peculiar ideas concerning present and eternal happiness. The fact is that no two men, no two races, think alike, reason alike, or hope alike. The thoughts and hopes of men are suggested by the scenes they view, the air they breathe, the land they dwell upon.

Mr. President, we can not rule Asiatic peoples to their advantage and without detriment to ourselves. Nature revolts at the idea. Hence I say that to carry out this policy is destructive of the best interests, material, moral, social, and political, of both the people of the United States and the people of the Philippine Islands.

These words may fall on deaf ears. A fatal fascination for power may prevail.

The time flies of imperialism flutter their dilettante wings in wild delight at every panegyric of power, at every fulsome adulation of those who have gifts to bestow and patronage to dispense. And so it has ever been.

GOVERNMENT OF PUERTO RICO.

Mr. HOAR. Mr. President, I rise to a parliamentary inquiry. What is the attitude of the bill in regard to Puerto Rico?

The PRESIDENT pro tempore. It is the unfinished business.

Mr. HOAR. Is it now before the Senate?

The PRESIDENT pro tempore. It is.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 8245) temporarily to provide revenues for the relief of the island of Puerto Rico, and for other purposes.

Mr. HOAR. What is the pending question upon the bill?

The PRESIDENT pro tempore. The amendment proposed by the Senator from Nevada [Mr. STEWART].

Mr. HOAR. I desire to move an amendment to the bill, or if that amendment be not now in order because of another amendment pending, I desire to give notice of an amendment, and I should like to have it read at the desk.

The PRESIDENT pro tempore. The proposed amendment will be read.

The SECRETARY. Amend by inserting, after line 7, page 9, as follows:

That the following articles imported from the United States shall be admitted into Puerto Rico free:

Fish, whether fresh, salted, pickled, or cured, and all preparations thereof; leather and all manufactures thereof; agricultural implements.

The PRESIDENT pro tempore. The proposed amendment will be printed.

Mr. TURNER. Mr. President, on Friday I gave notice that I would make some remarks to-day on the pending Puerto Rican bill, but it would not be possible to finish my remarks before the beginning of the special order fixed by the Senate for a quarter after 4 o'clock this afternoon. Therefore, understanding that the Senate desires to go on with other business, I will now yield the floor and give notice that to-morrow, after the conclusion of the routine morning business, I shall ask the attention of the Senate.

INDIAN LANDS IN UTAH.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Interior, transmitting, in response to a resolution of the 14th ultimo, a letter from the Commissioner of Indian Affairs, containing a statement of the assets of the Confederated Bands of Utes, and showing the share of those residing in Utah; also a report from the Commissioner of the General Land Office, showing that prior to June 30, 1899, the receipts from the sales of their lands in Colorado amounted to \$1,419,099.50, etc.; which, with the accompanying papers, was referred to the Committee on Indian Affairs, and ordered to be printed.

LIEUT. COL. H. C. CORBIN.

The PRESIDENT pro tempore laid before the senate a communication from the Secretary of War, transmitting, in response to a resolution of the 3d instant, the official copy of the proceedings of a general court-martial of Lieut. Col. Henry C. Corbin, which convened at Chattanooga, Tenn., February 14, 1865, together with a complete record of all the testimony introduced before the court, the findings of the court, their approval and confirmation, and the general order promulgating the findings; also the report of Col. Thomas J. Morgan, of January 16, 1865, to Maj. S. B. Moe, assistant adjutant-general, First Separate Division, Army of the Cumberland, together with copies of communications of record in the War Department, from officers of the Army with whom Lieut. Col. Henry C. Corbin served, relating to his service with the Fourteenth United States Colored Infantry in 1864 and 1865; which, with the accompanying papers, was ordered to lie on the table and to be printed.

HOUSE BILLS REFERRED.

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

A bill (H. R. 153) for the relief of Elizabeth Johns;
 A bill (H. R. 205) granting an increase of pension to George C. Snyder;
 A bill (H. R. 206) granting a pension to Isaac D. Smith;
 A bill (H. R. 434) granting an increase of pension to Jesse Smith;
 A bill (H. R. 470) granting a pension to Jane Dykes;
 A bill (H. R. 539) granting a pension to Louisa S. Wilson;
 A bill (H. R. 541) granting a pension to Ellen Norwood;
 A bill (H. R. 1201) granting a pension to James McNutt;
 A bill (H. R. 1458) granting an increase of pension to John E. Whinnery;
 A bill (H. R. 1507) granting an increase of pension to William H. La Count;
 A bill (H. R. 1754) granting a pension to Helen M. Hull;
 A bill (H. R. 1763) granting a pension to Ella F. Sydnor;
 A bill (H. R. 1890) to increase the pension of John Houk;
 A bill (H. R. 1944) granting an increase of pension to Eli C. Walton;
 A bill (H. R. 1989) granting a pension to Marie Wiersang;
 A bill (H. R. 2170) granting a pension to Angeline Eyestone;
 A bill (H. R. 2303) granting an increase of pension to Lavinia M. Payne;
 A bill (H. R. 2382) granting an increase of pension to Eli Overhultz;
 A bill (H. R. 2389) granting an increase of pension to Edward Boyle;
 A bill (H. R. 2681) granting an increase of pension to Calista F. Hall;
 A bill (H. R. 2792) granting a pension to Peter Cummings;
 A bill (H. R. 2802) granting an increase of pension to John W. Brisbois;
 A bill (H. R. 2809) granting an increase of pension to Moses F. Woods;
 A bill (H. R. 2865) granting an increase of pension to Louis H. Gein;
 A bill (H. R. 3012) granting a pension to Sarah Claggett;
 A bill (H. R. 3167) granting an increase of pension to Thomas H. Cook;
 A bill (H. R. 3470) granting an increase of pension to George W. Weeden;
 A bill (H. R. 3522) granting a pension to Lucy S. Bane;
 A bill (H. R. 3640) granting a pension to Mary Pollock;
 A bill (H. R. 3694) granting an increase of pension to James Bottoms;
 A bill (H. R. 3809) granting increase of pension of Elisha B. Seaman;
 A bill (H. R. 3863) granting an increase of pension to Alfred Dyer;
 A bill (H. R. 3966) granting an increase of pension to David Talmon;
 A bill (H. R. 4047) granting an increase of pension to James S. Jordan;
 A bill (H. R. 4298) granting an increase of pension to John M. McCord;
 A bill (H. R. 4441) granting an increase of pension to Samuel C. Krickbaum;
 A bill (H. R. 4648) granting an increase of pension to William G. McLain;
 A bill (H. R. 4655) granting a pension to Elizabeth C. Rice;
 A bill (H. R. 4854) granting a pension to James L. Whidden;
 A bill (H. R. 4961) granting an increase of pension to Margaret Gangloff;
 A bill (H. R. 5126) granting an increase of pension to James J. McMains;

A bill (H. R. 5180) granting an increase of pension to Thomas Adams;
 A bill (H. R. 5346) granting a pension to Elizabeth B. Norris;
 A bill (H. R. 5390) granting an increase of pension to Maria E. Mailley;
 A bill (H. R. 5503) granting an increase of pension to Samuel Hanson;
 A bill (H. R. 5544) granting a pension to Loua A. Morgan;
 A bill (H. R. 5546) granting an increase of pension to George White;
 A bill (H. R. 5882) granting an increase of pension to John B. Fairchild;
 A bill (H. R. 5949) granting a pension to Frederick Weber;
 A bill (H. R. 6028) granting a pension to John H. Meeker;
 A bill (H. R. 6031) granting an increase of pension to James W. Carmody;
 A bill (H. R. 6092) granting a pension to Louisa Stearns;
 A bill (H. R. 6139) granting a pension to Lucinda Haggard;
 A bill (H. R. 6144) granting an increase of pension to Margaret A. Porter;
 A bill (H. R. 6161) granting an increase of pension to John Landegan;
 A bill (H. R. 6284) granting an increase of pension to James Crawley;
 A bill (H. R. 6527) granting an increase of pension to George Myers;
 A bill (H. R. 6700) granting an increase of pension to Maria Andrews;
 A bill (H. R. 6701) granting a pension to Serelda C. McGrew;
 A bill (H. R. 6911) granting an increase of pension to James R. Sawtelle;
 A bill (H. R. 7114) granting an increase of pension to John S. Parker;
 A bill (H. R. 7264) granting a pension to Hannah C. Smith;
 A bill (H. R. 7322) granting an increase of pension to Frederick E. Vance;
 A bill (H. R. 7368) granting an increase of pension to Sherman D. Plues;
 A bill (H. R. 7622) granting an increase of pension to Peter M. Heaton; and
 A bill (H. R. 7896) granting an increase of pension to Samuel Lybarger.
 The following bills were severally read twice by their titles, and referred to the Committee on Naval Affairs:
 A bill (H. R. 163) for the relief of Henry O. Morse;
 A bill (H. R. 1616) to correct the naval record of Joseph Pitt, alias Joseph Marr, and to erase the name of Joseph Marr and substitute the name of Joseph Pitt on the records of the United States Navy;
 A bill (H. R. 2465) to grant an honorable discharge to George W. Shank; and
 A bill (H. R. 3206) to correct the naval record of Thomas Dunn.

CONSIDERATION OF PENSION BILLS.

Mr. HALE. I suggest that we go to the Calendar, Mr. President.

The PRESIDENT pro tempore. The Senator from Maine asks that the Senate proceed to the consideration of the Calendar.

Mr. HALE. If the Senator from New Hampshire [Mr. GALLINGER] in charge of the pension bills is ready to go on with those bills, I will withdraw my suggestion and that will give him the rest of the afternoon.

Mr. GALLINGER. I will ask unanimous consent that the order made this morning that the Senate would proceed to the consideration of unobjected pension bills at a quarter past 4 o'clock be amended so that we may proceed with their consideration now.

The PRESIDENT pro tempore. The Senator from New Hampshire asks unanimous consent that the Senate proceed to the consideration of unobjected pension cases now. Is there objection? The Chair hears none, and the first private pension bill on the Calendar will be stated.

Mr. GALLINGER. I will first yield to the Senator from Washington [Mr. TURNER].

JOSEPH LONGMIRE.

Mr. TURNER. I ask the consent of the chairman of the Committee on Pensions and the consent of the Senate to proceed to the present consideration of the bill (S. 2938) granting an increase of pension to Joseph Longmire. This case is so far back on the Calendar that we can not expect to reach it to-day. The pensioner is a Mexican war veteran, 90 years of age, totally blind, and I am afraid that he may die before we get this bill through unless I am permitted to have it considered now.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Washington?

There being no objection, the Senate, as in Committee of the

Whole, proceeded to consider the bill (S. 2938) granting an increase of pension to Joseph Longmire, which had been reported from the Committee on Pensions with an amendment to strike out all after the enacting clause and insert:

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 Longmire, late of Company D, First Regiment Indiana Volunteer Infantry, war with Mexico, and pay him a pension at the rate of \$25 per month in lieu of that he is now receiving.

The amendment was agreed to.

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

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

NELLIE L. GROSHON.

The bill (S. 712) granting a pension to Nellie L. Groshon was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "late," to strike out "a;" in line 7, before the word "Company," to strike out "in;" and in line 8, after the word "Brigade," to insert "and pay her a pension at the rate of \$15 per month;" so as to make the bill read:

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 Nellie L. Groshon, widow of Thomas C. Groshon, late captain Company G, First Regiment of Mississippi Marine Brigade, and pay her a pension at the rate of \$15 per month.

The amendments were agreed to.

Mr. GALLINGER. I move to further amend, in line 7, before the word "Mississippi," by striking out the word "of."

The amendment was agreed to.

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

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

GEORGE E. TUTTLE.

The bill (S. 169) granting a pension to George E. Tuttle was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George E. Tuttle, late of Company G, Two hundred and eleventh Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of \$8 per month.

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

DWIGHT D. WILBER.

The bill (S. 163) granting an increase of pension to Dwight D. Wilber was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

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 Dwight D. Wilber, late of Company G, One hundred and thirty-seventh Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

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

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

JOHN H. MORRISON.

The bill (S. 173) granting a pension to John H. Morrison was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

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 H. Morrison, late first lieutenant Company D, Sixteenth Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The amendment was agreed to.

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

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

The title was amended so as to read: "A bill granting an increase of pension to John H. Morrison."

JACOB P. FLETCHER.

The bill (S. 2977) granting an increase of pension to Jacob P. Fletcher was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, before the word "lieutenant," to strike out the letter "a;" in the same line, before the word "Company," to strike out "of;" and in line 9, before the word "dollars," to strike out "twenty-four" and insert "seventeen;" so as to make the bill read:

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 Jacob P. Fletcher, late lieutenant Company A, One hundred and ninety-fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The amendments were agreed to.

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

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

SAMANTHA BARNES.

The bill (S. 1553) granting an increase of pension to Samantha Barnes was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

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 Samantha Barnes, widow of Newcomb M. Barnes, late captain Company I, One hundred and first Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The amendment was agreed to.

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

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

JAMES G. HARTZELL.

The bill (S. 1441) granting a pension to James G. Hartzell was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, after the word "Sixty-sixth," to strike out "Illinois Volunteer Infantry, at the rate of \$12 per month in lieu of the pension now received," and insert "Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$12 per month in lieu of that he is now receiving;" so as to make the bill read:

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 James G. Hartzell, late of Company C, Sixty-sixth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$12 per month in lieu of that he is now receiving.

The amendment was agreed to.

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

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

The title was amended so as to read: "A bill granting an increase of pension to James G. Hartzell."

CHARLES A. HUTCHINGS.

The bill (S. 1460) granting a pension to Charles A. Hutchings was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 7, after the word "Third," to strike out "Wisconsin Cavalry Volunteers, at the rate of \$8 per month," and insert "Regiment Wisconsin Volunteer Cavalry, and pay him a pension at the rate of \$8 per month;" so as to make the bill read:

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 A. Hutchings, late private, Company H, Third Regiment Wisconsin Volunteer Cavalry, and pay him a pension at the rate of \$8 per month.

The amendment was agreed to.

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

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

ISAIAH MITCHELL.

The bill (S. 1549) increasing the pension of Isaiah Mitchell was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, before the words "United States," to insert "Regiment;" in the same line, after the word "Infantry" to insert "and pay him a pension;" and in line 9, before the word "now," to strike out "the pension," and insert "that;" so as to make the bill read:

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 Mitchell, late of Company G, One hundred and fifteenth Regiment United States Infantry, and pay him a pension at the rate of \$18 per month in lieu of that now received.

The amendments were agreed to.

Mr. GALLINGER. I move to further amend, in line 9, by striking out the words "now received" and inserting "he is now receiving."

The amendment was agreed to.

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

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

The title was amended so as to read: "A bill granting an increase of pension to Isaiah Mitchell."

JOHN G. B. MASTERS.

The bill (S. 1551) granting a pension to John G. B. Masters was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, before the word "Kentucky," to insert "Regiment," and in the same line, after the word "Infantry," to insert "and pay him a pension;" so as to make the bill read:

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 G. B. Masters, late of Company C, Forty-ninth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of \$8 per month.

The amendments were agreed to.

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

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

HELEN L. DENT.

The bill (S. 1552) granting an increase of pension to Helen L. Dent was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

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 Helen L. Dent, widow of Frederick T. Dent, late colonel, United States Army, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The amendment was agreed to.

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

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

GEORGE BUNCE.

The bill (S. 61) granting a pension to George Bunce was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 10, before the word "dollars," to strike out "sixteen" and insert "twelve."

The amendment was agreed to.

Mr. GALLINGER. In line 6 let the word "a" be stricken out after the word "late;" let the word "of" be stricken out after the word "private;" let the words "of the" be stricken out after the words "Company A;" in line 7 let the word "of" be stricken out before the word "Illinois;" and in line 8 let it read, "also corporal of Company B, One hundred and fifty-fifth;" and in line 10 let the words "at the rate" be inserted before the word "of."

The PRESIDENT pro tempore. The bill will be read as proposed to be amended.

The SECRETARY. It is proposed to amend the bill so as to read:

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 Bunce, late private, Company A, One hundred and forty-third Regiment Illinois Volunteer Infantry, also corporal, Company B, One hundred and fifty-fifth Illinois Volunteer Infantry, and pay him a pension at the rate of \$12 per month.

The amendments were agreed to.

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

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

HENRY B. LAMBE.

The bill (S. 1029) granting a pension to Henry B. Lambe was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty;" so as to make the bill read:

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 Henry B. Lambe, late chaplain in the Ninetieth Regiment United States Colored Volunteer Infantry, and pay him a pension at the rate of \$20 per month.

Mr. GALLINGER. In line 6 let the bill read, "late chaplain Ninetieth Regiment," etc.

The SECRETARY. It is proposed to amend in line 6, after the word "late," by striking out "a," and in the same line, after the word "chaplain," by striking out "in the;" so as to read:

The name of Henry B. Lambe, late chaplain Ninetieth Regiment United States Colored Volunteer Infantry.

The amendment was agreed to.

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

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

ISAAC H. LYNN.

The bill (S. 2983) granting an increase of pension to Isaac H. Lynn was considered as in Committee of the Whole. It proposes

to place on the pension roll the name of Isaac H. Lynn, late of Company D, Fourth Regiment Ohio Volunteer Cavalry, and to pay him a pension of \$50 per month in lieu of that he is now receiving.

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

MARY B. CHRISTOPHER.

The bill (S. 1833) granting a pension to Mary B. Christopher was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, before the word "widow," to strike out "formerly" and insert "former;" so as to make the bill read:

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 B. Christopher, former widow of James Bringham, surgeon of the Twenty-eighth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$18 per month.

The amendment was agreed to. The bill was reported to the Senate as amended, and the amendment was concurred in.

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

HENRY H. LEWIS.

The bill (S. 1831) granting a pension to Henry H. Lewis was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

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 Henry H. Lewis, late of Renwick's battery, Illinois Volunteer Light Artillery, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The amendment was agreed to.

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

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

The title was amended so as to read: "A bill granting an increase of pension to Henry H. Lewis."

RICHARD L. TITSWORTH.

The bill (S. 1803) granting an increase of pension to Richard L. Titsworth was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 7, before the word "Infantry," to strike out "Volunteer;" so as to make the bill read:

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 Richard L. Titsworth, late of Company C, Fifteenth Regiment United States Infantry, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The amendment was agreed to.

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

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

CATHARINE HARRIS.

The bill (S. 1030) granting a pension to Catharine Harris was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Catharine Harris, dependent mother of Mathias Harris, late of Company I, Seventeenth Regiment Ohio Volunteer Infantry, and to pay her a pension of \$12 per month.

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

JAMES B. LOGAN.

The bill (S. 847) granting a pension to James B. Logan was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

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 James B. Logan, late captain Company K, Tenth Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The amendment was agreed to.

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

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

The title was amended so as to read: "A bill granting an increase of pension to James B. Logan."

BENJAMIN F. TRAPP.

The bill (S. 2777) granting a pension to Benjamin F. Trapp was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

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 Benjamin F. Trapp, late of Company K, Fourteenth Regiment Missouri Home Guards, and pay him a pension at the rate of \$20 per month.

The amendment was agreed to.

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

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

MATTHEW REDMOND.

The bill (S. 657) granting a pension to Matthew Redmond was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Matthew Redmond, late of Company C, Eighth Regiment New York Heavy Artillery Volunteers, and to pay him a pension of \$12 a month from and after the passage of this act.

Mr. GALLINGER. Let that bill read "and pay him a pension"—striking out the word "to"—"at the rate of \$12 per month," and then strike out the remainder of the bill.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. In line 7, after the word "and," it is proposed to strike out the word "to;" in line 8, after the word "pension," to insert "at the rate;" in the same line, before the word "month," to strike out "a" and insert "per;" and after the word "month" to strike out "from and after the passage of this act."

The amendment was agreed to.

The bill was reported to the Senate as amended; and the amendment was concurred in.

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

MARTHA MADDOCKS.

The bill (S. 649) granting an increase of pension to Martha Maddocks was considered as in Committee of the Whole.

Mr. GALLINGER. I move to strike out all after the enacting clause of that bill and to insert what I send to the desk.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. It is proposed to strike out all after the enacting clause of the bill and to insert:

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 pension laws, the name of Martha Maddocks, mother of Acton P. Plummer, late of Company F, Eighth Regiment Minnesota Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that which she is now receiving.

The amendment was agreed to.

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

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

SARAH E. FORTIER.

The bill (S. 2020) granting a pension to Sarah E. Fortier was considered as in Committee of the Whole.

Mr. GALLINGER. I move to strike out all after the enacting clause of that bill and to insert what I send to the desk.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. It is proposed to strike out all after the enacting clause and to insert:

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 E. Fortier, widow of Joseph Fortier, late a member of the Renville Rangers, Minnesota Militia Volunteers, and pay her a pension at the rate of \$12 per month.

The amendment was agreed to.

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

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

SARAH ANN FLETCHER.

The bill (S. 950) granting a pension to Sarah Ann Fletcher was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

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 Ann Fletcher, widow of Archer Fletcher, late of Company C, Seventh Battalion, District of Columbia Volunteer Militia Infantry, and pay her a pension at the rate of \$12 per month.

The amendment was agreed to.

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

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

MICHAEL LOCHARD.

The bill (S. 2961) granting an increase of pension to Michael Lochard, was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Michael Lochard, late of Company H, Third Regiment Ohio Volunteer Cavalry,

and to pay him a pension of \$12 per month in lieu of that he is now receiving.

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

WILLIAM BLADES.

The bill (S. 2962) granting an increase of pension to William Blades was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, before the word "Missouri," to insert "Regiment;" so as to make the bill read:

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 Blades, late of Company B, Third Regiment Missouri Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

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

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

EDWARD MADDEN.

The bill (S. 2993) granting an increase of pension to Edward Madden was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Edward Madden, late private, Company F, Seventh Regiment West Virginia Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

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

LIZZIE BREEN.

The bill (S. 259) granting a pension to Lizzie Breen was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, before the word "Infantry," to strike out "New York" and insert "United States;" and in line 8, after the word "Cavalry," to insert "and pay her a pension at the rate of \$12 per month;" so as to make the bill read:

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 Lizzie Breen, widow of Patrick Breen, late a member of Company A, Twenty-first United States Infantry, and Company G, First United States Cavalry, and pay her a pension at the rate of \$12 per month.

The amendments were agreed to.

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

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

JENNIE P. STOVER.

The bill (S. 2451) granting a pension to Jennie P. Stover was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

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 Jennie P. Stover, widow of William R. Stover, late of Company A, Twenty-seventh Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The amendment was agreed to.

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

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

HENRY H. BROWN.

The bill (H. R. 4090) granting an increase of pension to Henry H. Brown was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henry H. Brown, late a member of Company I, Fifty-ninth Indiana Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

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

MAJ. A. NORTHROP.

The bill (S. 3127) granting an increase of pension to Major A. Northrop was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Maj. A. Northrop, late of Company H, Fifteenth Regiment New Hampshire Volunteer Infantry, and of Company K, Eighteenth Regiment New Hampshire Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

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

MARY A. PARKER.

The bill (S. 2881) granting a pension to Mary A. Parker was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary A. Parker, widow of Corwin J. Parker, late of Company K, Third Regiment New Hampshire Volunteer Infantry, and to pay her a pension of \$12 per month.

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

JAMES H. STEVENS.

The bill (S. 3004) granting an increase of pension to James H. Stevens was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

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 James H. Stevens, late captain Company C, Eighty-third Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The amendment was agreed to.

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

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

ISAAC PATTERSON.

The bill (S. 474) granting an increase of pension to Isaac Patterson was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

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 Isaac Patterson, late of Company C, Third Regiment Kentucky Volunteer Infantry, war with Mexico, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The amendment was agreed to.

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

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

HORATIO N. CORNELL.

The bill (S. 2280) granting a pension to Horatio N. Cornell was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "twenty" and insert "twelve;" so as to make the bill read:

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 Horatio N. Cornell, late a sailor on the U. S. S. *Michigan*, and pay him a pension at the rate of \$12 per month.

The amendment was agreed to.

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

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

ELEANOR R. SULLIVAN.

The bill (S. 1608) granting a pension to Eleanor R. Sullivan was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

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 Eleanor R. Sullivan, former widow of Edwin L. Adams, late of Company F, Fifteenth Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The amendment was agreed to.

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

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

ELLEN LEDDY.

The bill (S. 2463) granting an increase of pension to Ellen Leddy, was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

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 Ellen Leddy, widow of Michael Leddy, late second lieutenant, Sixty-ninth New York Volunteer Infantry, and pay her a pension at the rate of \$15 per month in lieu of that she is now receiving.

The amendment was agreed to.

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

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

CHARLES PERKINS.

The bill (H. R. 4653) granting an increase of pension to Charles Perkins was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charles Perkins, late of Company H, Sixteenth New York Volunteer Heavy Artillery, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

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

SUSAN M. BUTTON.

The bill (H. R. 3260) granting a pension to Susan M. Button was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Susan M. Button, widow of Joseph Milliken, late sergeant, Company C, One hundred and forty-first Regiment New York Volunteer Infantry, and to pay her a pension of \$12 per month.

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

JOHN VARS.

The bill (H. R. 232) granting a pension to John Vars was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Vars, the totally blind son of Frank Vars, late master's mate on the U. S. steamer *Reliance*, and to pay him a pension of \$12 per month.

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

ELIZABETH R. HOLT.

The bill (H. R. 2391) granting a pension to Elizabeth R. Holt was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Elizabeth R. Holt, widow of Wesley E. Holt, late private of Company C, First New Hampshire Heavy Artillery Volunteers, and to pay her a pension of \$8 per month.

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

JOHN M. LAUGHLIN.

The bill (H. R. 2666) granting a pension to John M. Laughlin was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John M. Laughlin, late a private of Lieut. George Melick's detachment, Twentieth Regiment Ohio Volunteer Infantry, and to pay him a pension of \$8 per month.

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

EDWARD A. PARMALEE.

The bill (S. 2543) granting an increase of pension to Edward A. Parmalee was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Edward A. Parmalee, late of Company F, Fifth Regiment New Hampshire Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

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

MATHEW T. JONES.

The bill (S. 751) granting an increase of pension to Mathew T. Jones, was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

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 Mathew T. Jones, late of Company E, Thirtieth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

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

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

SOPHRONIA BAILEY.

The bill (H. R. 1979) granting a pension to Sophronia Bailey was considered as in Committee of the Whole. It proposes to place upon the pension roll the name of Sophronia Bailey, dependent mother of Capt. George A. Bailey, late of Company B, Eleventh Regiment (First Artillery) Vermont Volunteers, and to pay her a pension of \$20 per month.

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

SUSAN GARRISON.

The bill (H. R. 2749) granting a pension to Susan Garrison was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, after the name "Garrison," to strike out "deceased;" so as to make the bill read:

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 Garrison, widow of Goldsberry Garrison, late of Company C, Eighth Regiment New York Volunteer Cavalry, and pay her a pension at the rate of \$12 per month.

The amendment was agreed to.

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

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

The bill was read the third time, and passed.

FRANCES C. KIRBY.

The bill (H. R. 5156) granting an increase of pension to Frances C. Kirby was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

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 Frances C. Kirby, widow of George B. Kirby, late captain Company I, Forty-seventh Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$15 per month in lieu of that she is now receiving.

The amendment was agreed to.

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

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

The bill was read the third time, and passed.

MATILDA G. HIGBEE.

The bill (H. R. 6575) granting a pension to Matilda G. Higbee was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

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 Matilda G. Higbee, late nurse with the Eighth Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The amendment was agreed to.

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

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

The bill was read the third time, and passed.

ERNST PITTSCHNER.

The bill (S. 2159) granting an increase of pension to Ernst Pittschner was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Ernst Pittschner, late of Company G, Sixteenth Regiment Iowa Volunteer Infantry, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

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

GEORGE H. PENNINGTON.

The bill (H. R. 2477) granting an increase of pension to George H. Pennington was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

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 H. Pennington, late of Company E, Fifty-third Regiment Indiana Volunteer Infantry, and of Company K, Ninety-first Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

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

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

The bill was read the third time, and passed.

MARGARETHE BOMKE.

The bill (H. R. 2526) granting a pension to Margarethe Bomke was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Margarethe Bomke, widow of Edmund Bomke, late quartermaster-sergeant of Eleventh Regiment of New York Militia, and to pay her a pension of \$8 per month, and \$2 per month additional for each of the two minor children of the soldier.

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

EMMA M. KITT.

The bill (H. R. 438) granting a pension to Emma M. Kitt was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Emma M. Kitt, widow of John B.

Kitt, of Cooley's Independent Battery, Illinois Light Artillery, and to pay her a pension of \$8 a month.

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

ANDREW J. DAVIS.

The bill (H. R. 524) granting an increase of pension to Andrew J. Davis was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 4, after the word "place," to strike out "upon" and insert "on;" in line 7, after the word "Connecticut," to strike out "Volunteers" and insert "Volunteer Infantry;" and in line 9, before the word "he," to strike out "pension" and insert "that;" so as to make the bill read:

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 Andrew J. Davis, late of Company I, Twenty-fifth Regiment Connecticut Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendments were agreed to.

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

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

The bill was read the third time, and passed.

JOHN J. MCCORMICK.

The bill (H. R. 854) granting an increase of pension to John J. McCormick was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

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 J. McCormick, late first lieutenant Company F, Second Regiment Michigan Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

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

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

The bill was read the third time, and passed.

NELSON B. LUTES.

The bill (H. R. 2169) granting an increase of pension to Nelson B. Lutes was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Nelson B. Lutes, late a member of Company D, One hundred and eighty-eighth Pennsylvania Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

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

PHILIP YOE.

The bill (H. R. 2599) granting pension to Philip Yoe was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Philip Yoe, late of Company C, Third Potomac Home Brigade, Maryland Volunteers, and to pay him a pension of \$12 per month.

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

HENRY GEESSEN.

The bill (H. R. 4416) to increase the pension of Henry Geesen was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

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 Henry Geesen, late of Company E, Second Regiment Pennsylvania Volunteer Infantry, war with Mexico, and of Company A, Fourteenth Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

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

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

The bill was read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Henry Geesen."

SMITH JEWEL.

The bill (H. R. 5440) granting an increase of pension to Smith Jewel was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Smith Jewel, late private in Company H, Fifteenth Regiment Ohio Volunteer Infantry, and to pay him a pension of \$40 per month in lieu of that he now receives.

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

ROBERT GAMBLE, JR.

The bill (S. 2941) granting an increase of pension to Robert Gamble, jr., was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Robert Gamble, jr., late major and aid-de-camp to General Call, Florida Volunteers, Seminole Indian war, and to pay him a pension of \$25 per month in lieu of that he is now receiving.

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

ELIZABETH OVERBY WILLIAMS.

The bill (S. 2552) granting an increase of pension to Mrs. Elizabeth Overby Williams, was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

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 Elizabeth Overby Williams, widow of Charles W. Williams, late colonel and deputy quartermaster-general, United States Army, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The amendment was agreed to.

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

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

The title was amended so as to read: "A bill granting an increase of pension to Elizabeth Overby Williams."

FANNIE H. RIGGIN.

The bill (H. R. 825) granting an increase of pension to Fannie H. Riffin was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Fannie H. Riffin, widow of John Riffin, late colonel and aid-de-camp, United States Volunteers, on staff of General Grant, and to pay her a pension of \$20 per month in lieu of that she is now receiving.

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

WILLIAM W. WHARTON.

The bill (H. R. 3072) to increase the pension of William W. Wharton was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

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 W. Wharton, late of Company I, Eighty-second Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

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

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

The bill was read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to William W. Wharton."

JOHN F. NELSON.

The bill (H. R. 3071) granting an increase of pension to John F. Nelson was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

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 F. Nelson, late captain Company H, One hundred and fifty-fourth New York Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

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

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

The bill was read the third time, and passed.

ZADOK C. PERKINS.

The bill (H. R. 5186) granting an increase of pension to Zadok C. Perkins was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Zadok C. Perkins, late of Company D, Second Iowa Volunteer Cavalry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

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

DAVID C. DANE.

The bill (H. R. 5188) granting a pension to David C. Dane was considered as in Committee of the Whole. It proposes to place on the pension roll the name of David C. Dane, dependent father of George W. Dane, late private in Company A, Thirty-third Regi-

ment Indiana Volunteer Infantry, and to pay him a pension of \$12 per month.

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

WILLIAM J. WALLACE.

The bill (S. 3033) granting an increase of pension to William J. Wallace was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

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 J. Wallace, late of Company A, Seventieth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The amendment was agreed to.

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

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

JAMES M. KERCHEVAL.

The bill (H. R. 309) granting a pension to James M. Kercheval was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 3, before the word "is," to insert "he;" and in line 4, after the word "roll," to strike out "of the United States of America;" so as to make the bill read:

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 James M. Kercheval, late acting assistant surgeon, United States Army, and pay him a pension at the rate of \$12 per month.

The amendments were agreed to.

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

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

The bill was read the third time, and passed.

HARVEY GRANT.

The bill (H. R. 1885) granting a pension to Harvey Grant was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Harvey Grant, late of Company B, First Regiment of East Tennessee National Guards, and to pay him a pension of \$12 a month.

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

MALINDA JONES.

The bill (H. R. 5509) granting a pension to Malinda Jones was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Malinda Jones, mother of Samuel Jones, late of Company I, Eighth Tennessee Volunteer Cavalry, and to pay her a pension of \$12 per month.

Mr. GALLINGER. In line 6, I move that the word "dependent" be inserted before the word "mother," so as to read "dependent mother."

The amendment was agreed to.

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

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

The bill was read the third time, and passed.

CHARLES W. JEROME.

The bill (H. R. 5710) granting an increase of pension to Charles W. Jerome was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charles W. Jerome, late first lieutenant and regimental quartermaster One hundred and fifteenth Illinois Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

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

FRANCIS H. STAPLES.

The bill (S. 2863) to restore the pension of Francis H. Staples was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 5, after the word "Eighth," to insert "Regiment," and in line 6, after the word "Vermont," to strike out "Volunteers" and insert "Volunteer Infantry;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to restore to the pension roll the name of Francis H. Staples, late of Company E, Eighth Regiment Vermont Volunteer Infantry, and pay him a pension at such rate as his disabilities, heretofore shown to have originated in the service, may entitle him to.

The amendments were agreed to.

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

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

The title was amended so as to read: "A bill restoring to the pension roll the name of Francis H. Staples."

EMILY A. LARIMER.

The bill (S. 3125) granting a pension to Emily A. Larimer was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

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 Emily A. Larimer, former widow of Henry J. Hill, late of Company F, Thirty-third Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The amendment was agreed to.

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

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

MELVINA BOTTLES.

The bill (H. R. 3067) granting an increase of pension to Melvina Bottles was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 4, after the word "place," to strike out "upon" and insert "on," and in line 9, after the word "of," to strike out "the pension which she now receives" and insert "that she is now receiving;" so as to make the bill read:

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 Melvina Bottles, widow of William J. Bottles, late of Company E, Twenty-first Regiment New Jersey Volunteer Infantry, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The amendments were agreed to.

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

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

The bill was read the third time, and passed.

EDWARD L. RUBY.

The bill (S. 1954) granting a pension to Edward L. Ruby was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "Cassall," to strike out "who served as" and insert "late;" in line 7, after the word "Kansas," to insert "Volunteer," and in line 9, before the word "dollars," to strike out "of seventy-two" and insert "at the rate of seventeen;" so as to make the bill read:

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 Edward L. Ruby, alias Edward Cassall, late a member of Company F, Nineteenth Regiment Kansas Volunteer Cavalry, and pay him a pension at the rate of \$17 per month.

The amendments were agreed to.

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

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

ADELE W. ELMER.

The bill (S. 1242) to increase the pension of Adele W. Elmer was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

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 Adele W. Elmer, widow of Horace Elmer, late commander, United States Navy, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The amendment was agreed to.

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

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

The title was amended so as to read: "A bill granting an increase of pension to Adele W. Elmer."

LYDIA F. WILEY.

The bill (S. 756) granting a pension to Lydia F. Wiley was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 5, after the word "provisions," to insert "and limitations;" in line 7, before the word "New Jersey," to strike out "of," and in the same line, after the word "Volunteers," to insert "and pay her a pension;" so as to make the bill read:

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 Lydia F. Wiley, widow of John Wiley, late surgeon of the Sixth Regiment New Jersey Infantry Volunteers, and pay her a pension at the rate of \$30 per month.

The amendments were agreed to.

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

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

MARGARET H. KENT.

The bill (S. 2332) granting an increase of pension to Margaret H. Kent was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment in line 8, before the word "dollars," to strike out "fifty" and insert "thirty;" so as to make the bill read:

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 Margaret H. Kent, mother of David A. Kent, late of Company H, Seventeenth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$30 per month in lieu of that she is now receiving.

The amendment was agreed to.

Mr. GALLINGER. In line 6 let the word "dependent" be inserted before the word "mother;" so as to read, "dependent mother."

The amendment was agreed to.

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

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

ELLA COTTON CONRAD.

The bill (S. 1619) granting a pension to Ella Cotton Conrad was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, before the word "Infantry," to strike out "Volunteer," and in line 9, after the word "month," to insert "in lieu of the pension she is now receiving;" so as to make the bill read:

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 Ella Cotton Conrad, widow of Casper H. Conrad, late major of the Eighth Regiment United States Infantry, and pay her a pension at the rate of \$50 per month in lieu of the pension she is now receiving.

The amendments were agreed to.

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

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

The title was amended so as to read: "A bill granting an increase of pension to Ella Cotton Conrad."

MARY JANE McLAUGHLIN.

The bill (S. 244) granting a pension to Mary Jane McLaughlin, was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions, with an amendment, to strike out all after the enacting clause and insert:

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 Jane McLaughlin, invalid and dependent daughter of Michael McLaughlin, late of Company C, Twelfth Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The amendment was agreed to.

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

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

CECILIA A. PRICE.

The bill (S. 1909) granting a pension to Cecilia A. Price was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

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 Cecilia A. Price, widow of William P. Price, late of Company G, Eleventh Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The amendment was agreed to.

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

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

The title was amended so as to read: "A bill granting an increase of pension to Cecilia A. Price."

GEORGE W. NEWELL.

The bill (S. 3183) granting a pension to George W. Newell was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twelve;" so as to make the bill read:

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 W. Newell, late of Company H, One hundredth Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$12 per month.

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

LOUESA MOULTON.

The bill (S. 3294) granting a pension to Louesa Moulton was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, before the word "widow," to insert "former;" so as to make the bill read:

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 Louesa Moulton, former widow of Erastus A. Burnham, late of Company D, Twenty-fourth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The amendment was agreed to.

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

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

KATE B. WARREN.

The bill (S. 3329) granting a pension to Kate B. Warren was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 10, after the word "month," to insert "in lieu of that she is now receiving;" so as to make the bill read:

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 Kate B. Warren, widow of Charles E. Warren, late assistant surgeon Ninety-fifth Regiment United States Colored Troops and surgeon Ninetieth Regiment United States Colored Troops, and pay her a pension at the rate of \$25 per month in lieu of that she is now receiving.

The amendment was agreed to.

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

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

The title was amended so as to read: "A bill granting an increase of pension to Kate B. Warren."

EXECUTIVE SESSION.

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

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

CIVIL GOVERNMENT FOR ALASKA.

Mr. CARTER. Mr. President, I ask unanimous consent that the Secretary now proceed with the formal reading of the bill (S. 3419) making further provision for a civil government for Alaska, and for other purposes.

The PRESIDING OFFICER (Mr. GALLINGER in the chair). Is there objection to the request made by the Senator from Montana?

Mr. COCKRELL. What is the request?

Mr. CARTER. That the Secretary proceed with the formal reading of the Alaskan bill. I will supplement that request by another, to the effect that until adjournment no other business be transacted. While the bill is intensely interesting, and I have no doubt every Senator will desire to hear every word read, it may be possible that some Senator will desire to absent himself, and in consequence of that possibility I suggest that we proceed with the reading until adjournment, and that no other business be done during the remainder of the evening.

Mr. TILLMAN. In other words, that no amendment shall be offered, and there shall be no discussion of the bill.

Mr. CARTER. No discussion of the bill and no amendment offered; nothing beyond the formal reading.

The PRESIDING OFFICER. Is there objection to the request made by the Senator from Montana? The Chair hears none.

Mr. PETTUS. Mr. President, I desire to know whether any other business of any kind will be transacted.

The PRESIDING OFFICER. It was stipulated in the request that no other business would be transacted until adjournment.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 3419) making further provision for a civil government for Alaska, and for other purposes.

The Secretary resumed the reading of the bill at page 444, section 1069, and read to the end of chapter 11 of Title III on page 489.

Mr. CARTER. I think we have reached a point in the reading of the bill sufficiently advanced to justify us in believing that the reading can be completed in a two hours' session, which I hope may be held on Wednesday morning. I move that the Senate adjourn. I have not asked unanimous consent for a session on Wednesday morning. That request will be presented to-morrow, and I presume we can rely upon the—

Mr. BATE. Wednesday morning?

Mr. CARTER. I do not now present the request for unanimous consent to meet on that morning, but I will do so to-morrow.

Mr. BATE. If it is proper, I had better put in those amendments of mine at once.

Mr. CARTER. Certainly.

The PRESIDING OFFICER (Mr. SHOUP in the chair). Does the Senator from Montana withdraw his motion?

Mr. CARTER. I withdraw for the time being the motion to adjourn.

Mr. BATE. I ask the Secretary to read the amendments. They are very plain.

Mr. CARTER. I suggest to the Senator from Tennessee that the amendments be printed.

Mr. BATE. Just as the Senator prefers.

Mr. CARTER. It will be more convenient for Senators on the floor to have the amendments printed.

Mr. BATE. I have no objection in the world to their being printed.

Mr. CARTER. I suggest that they be printed and lie on the table.

The PRESIDING OFFICER. The amendments will be printed and lie on the table.

Mr. CARTER. I renew the motion that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 33 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, March 13, 1900, at 12 o'clock m.

NOMINATIONS.

Executive nominations received by the Senate March 12, 1900.

ASSISTANT SURGEONS IN MARINE-HOSPITAL SERVICE.

Thomas D. Berry, of Texas, to be an assistant surgeon in the Marine-Hospital Service of the United States.

Baylis H. Earle, of South Carolina, to be an assistant surgeon in the Marine-Hospital Service of the United States.

Mervin W. Glover, of West Virginia, to be an assistant surgeon in the Marine-Hospital Service of the United States.

Bolivar J. Lloyd, of Texas, to be an assistant surgeon in the Marine-Hospital Service of the United States.

John D. Long, of Pennsylvania, to be an assistant surgeon in the Marine-Hospital Service of the United States.

Allan J. McLaughlin, of New Jersey, to be an assistant surgeon in the Marine-Hospital Service of the United States.

POSTMASTER.

Simeon Chapman, to be postmaster at Westerville, in the county of Franklin and State of Ohio, in the place of F. M. Rauck, whose commission expired February 13, 1900.

PROMOTIONS IN THE ARMY.

Ordnance Department.

Lient. Col. William A. Marye, Ordnance Department, to be colonel, March 5, 1900, vice Whittemore, retired from active service.

Maj. John A. Kress, Ordnance Department, to be lieutenant-colonel, March 5, 1900, vice Marye, promoted.

ASSISTANT SURGEONS IN THE NAVY.

Frank Lester Pleadwell and Dudley Newcomb Carpenter, to be passed assistant surgeons in the Navy, from the 24th day of October, 1899, to fill vacancies existing in that grade.

HOUSE OF REPRESENTATIVES.

Monday, March 12, 1900.

The House met at 12 o'clock m., and was called to order by the Speaker.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of the proceedings of Saturday last was read and approved.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. THOMAS of Iowa, indefinitely, on account of sickness.

COMMITTEE APPOINTMENTS.

The SPEAKER announced as members of the Committee on the Library Mr. JAMES T. McCLEARY of Minnesota, chairman, and Mr. H. HENRY POWERS of Vermont.

UNITED STATES DISTRICT COURT, CHARLOTTESVILLE, VA.

Mr. HAY. Mr. Speaker: I ask unanimous consent for the present consideration of the bill (H. R. 65) to authorize the holding of a regular term of the district court of the United States for the western district of Virginia in the city of Charlottesville, Va.

The SPEAKER. The gentleman from Virginia asks unanimous consent for the present consideration of a bill which the Clerk will report.

The bill was read, as follows:

Be it enacted, etc., That a regular term of the district court of the United States for the western district of Virginia shall be held in each year in the city of Charlottesville, Va., on the second Monday in January.

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

Mr. PAYNE. I should like to ask if this is reported by the Judiciary Committee?

Mr. HAY. It is.

Mr. PAYNE. Is there a court-house at this place?

Mr. HAY. Oh, yes. This is unanimously reported by the Judiciary Committee, and if the gentleman has any question about it, I will ask the Clerk to read the report.

Mr. PAYNE. Oh, no. I understood the gentleman to say that there is a court-house there.

Mr. HAY. There is.

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

There was no objection.

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

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

PRINTING OF EULOGIES ON THE LATE VICE-PRESIDENT HOBART.

Mr. HEATWOLE. Mr. Speaker, I ask unanimous consent for the present consideration of Senate joint resolution 75, to print 31,000 copies of the eulogies on Garret A. Hobart, late Vice-President of the United States.

The joint resolution was read, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there be printed of the eulogies delivered in Congress on Garret A. Hobart, late Vice-President of the United States, 31,000 copies, of which 10,000 copies shall be for the use of the Senate, 20,000 for the use of the House of Representatives, 500 copies for the use of the Department of State, and 500 copies for the use of the family of the late Vice-President; and the Secretary of the Treasury be, and he is hereby, directed to have printed a portrait of the said Garret A. Hobart, to accompany said eulogies; and for the purpose of engraving and printing said portrait the sum of \$500, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated.

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

There was no objection.

Mr. FINLEY. Mr. Speaker, I should like to ask if the copies are to be distributed through the folding room?

Mr. HEATWOLE. Yes; in the usual way.

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

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

UNITED STATES COURT, FOARD COUNTY, TEX.

Mr. LANHAM. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 9284) to attach the county of Foard, in the State of Texas, to the Fort Worth division of the northern district of Texas, and providing that all process issued against defendants residing in said county shall be returned to Fort Worth.

The bill was read, as follows:

Be it enacted, etc., That the County of Foard, in the State of Texas, be, and the same is hereby, assigned to the Fort Worth division of the northern judicial district of the State of Texas, and that all process issued against defendants residing in the said County of Foard shall be returned to Fort Worth.

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

There was no objection.

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

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

BEACH MINING IN ALASKA.

Mr. LACEY. Mr. Speaker, I ask unanimous consent for the present consideration of the following bill. The bill covers six pages, and perhaps a word of explanation before the question of unanimous consent is put would be the easiest way.

Mr. PAYNE. The bill had better be read.

The Clerk read as follows:

A bill (H. R. 9310) extending in the district of Alaska the placer-mining laws to lands reserved from sale in sections 1 and 10 of an act of Congress approved May 14, 1898, entitled "An act extending the homestead laws and providing for right of way for railroads in the district of Alaska, and for other purposes."

Be it enacted, etc., That the laws of the United States relating to placer-mining claims and the rights incident thereto shall, from and after the passage of this act, be extended to the lands reserved from sale by the provisions of sections 1 and 10 of an act of Congress approved May 14, 1898, entitled "An act extending the homestead laws and providing for right of way for railroads in the district of Alaska, and for other purposes," subject to the following limitations and provisos, which limitations and provisos shall be applicable only to those portions of such reserved lands which are designated, respectively, in section 1 of said act as "the shore of any navigable waters within said district" (meaning the lands lying between high and low water mark),

and in section 10 of said act as "a roadway 60 feet in width, parallel to the shore line as near as practicable." *Provided*, That this act shall not apply to any portion of the 60-foot roadway which is or may be embraced in a valid existing claim made under said act of May 14, 1898.

SEC. 2. That the location must be made in person, the locator or locators to be present upon the ground when the location is made. Where the location is made by a corporation it must be made by a duly authorized agent, who, as such agent, must be present in person on the ground when the location is made. The notice of the location must be filed for record in the office of the register and receiver of the United States for the land district within sixty days from the day on which the location was made upon the ground; and the register and receiver are authorized to charge and receive for recording such location the sum of \$1 for each location or claim, which shall be accounted for as other public moneys of the United States. Each claim so located shall extend from the line of ordinary high tide across the 60-foot roadway, but no farther, and shall be substantially at right angles thereto, and shall not exceed 25 feet in width along the shore or at any place along the 60-foot roadway: *Provided*, That the miners, not less than 25 in number, in miners' meeting, of which not less than ten days' notice shall be given, in any organized mining district, may increase the width of the claim, but no claim shall exceed 300 feet; and it shall not be lawful for any individual, association of individuals, or corporations to locate, either as an original location or as a relocation, more than one claim within one mile space, and no certificate of miners' rights, as hereinafter provided for, shall embrace more than one claim, and such certificate shall issue in the name of the locator or locators: *Provided*, That the locator or locators of any claim may, upon the filing of the relinquishment of the same with the register and receiver for the land district, locate another claim in lieu thereof. The register and receiver are authorized to charge and receive for the recording of any such relinquishment the sum of \$1, which shall be accounted for as other public moneys of the United States.

SEC. 3. That in making the survey the shore line of the survey shall be the shore-meander line, meaning ordinary high-water line, and the survey shall establish within or bounding the claim the lines of the 60-foot roadway, as described in said section 10 of the act of May 14, 1898: *Provided*, That for the purposes of this act the roadway shall be deemed parallel to the meander line of the shore and contiguous thereto.

SEC. 4. That the title granted shall not be a fee, but a miner's right only, which right shall terminate when the lands shall be included in any State, or before that time if it can be satisfactorily shown that the claim no longer contains sufficient mineral to justify its working as a mining claim: *Provided*, That there shall pass to the locator or locators, and continue during the life of the claim, the right to mine, as an easement, the tide lands, should there be such, abutting the claim on the shore or the meander line.

SEC. 5. That the right hereby granted shall be subject, in addition to the provisions in the placer-mining laws not inconsistent herewith, to the following reservation in the said section 10 of the act of May 14, 1898: "That the Secretary of the Interior may grant the use of such reserved lands abutting on the water front to any citizen or association of citizens or to any corporation incorporated under the laws of the United States or under the laws of any State or Territory for landings and wharves, with the provision that the public shall have access to and proper use of such wharves and landings at reasonable rates of toll, to be prescribed by the said Secretary," and subject, further, to the right of way for pipe lines extending from the shore lengthwise through the claim; but when any person in the construction of such pipe line injures or damages the possession of the claimant, the party committing the injury or damage shall be liable to the party injured for such injury or damage: *And provided*, That at all times there shall be kept, free from artificial obstruction, a roadway across each claim of sufficient width for the convenient use of the public as a highway.

SEC. 6. That the grant herein, being a miner's right only, the miners in regular meeting, as provided in section 2 of this act, may make regulations providing that portions of the labor to be performed or improvements to be made, as provided in section 2324 of the Revised Statutes, be performed or expended during stated periods within the year, not, however, to exceed \$200 in any one year, \$100 whereof to be expended within ninety days of the location; and an expenditure of \$200 only will be required in lieu of the \$500 required by the placer-mining laws (section 2325, Revised Statutes), and in lieu of the payment of \$2.50 per acre required to be paid for the land in a placer-mining claim a payment of \$5 for each claim shall be made by the claimant for the right granted, and the receiver's receipt and the register's final certificate of entry shall be issued for a miner's right only; and nothing in this act shall be construed as a right of the claimant to a patent, but in lieu of such patent the Commissioner of the General Land Office will, when all is found regular, issue to the claimant, in the name or names of the locator or locators, a certificate of approval of the right to mine the claim under this act.

SEC. 7. That the act of Congress approved May 14, 1898, entitled "An act extending the homestead laws and providing for right of way for railroads in the district of Alaska, and for other purposes," so far as it conflicts with any of the provisions contained herein, is hereby repealed.

SEC. 8. That this act shall apply only to that part of the coast and shores of Alaska lying between the mouth of Fish River, at the head of Golofnin Bay, and Cape Prince of Wales.

Mr. LACEY. Mr. Speaker, I ask unanimous consent for the present consideration of the bill just read.

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

Mr. LIVINGSTON. I would like to have some explanation about this bill before unanimous consent is given.

Mr. RICHARDSON. I was going to say that as this bill is quite a long one, I hope the gentleman will give us some satisfactory reason why it ought to be considered out of order, and not in its regular order.

Mr. LACEY. The question is a very pertinent and very proper one, and I desire to give such an explanation.

Mr. LIVINGSTON. Has this bill been unanimously reported by the committee?

Mr. LACEY. It is unanimously reported by the committee, and the bill, I think, meets the approval of the miners who have been engaged in mining on a portion of these lands lying along the coast.

Mr. BURKE of Texas. I would like to ask the gentleman how much time he thinks it will take to make an explanation and dispose of this bill?

Mr. LACEY. If it is to take any considerable time, I will withdraw it. I would not like to encroach upon the election case, and I think a short explanation will be satisfactory.

Mr. Speaker, in preparing and introducing to the House a bill upon beach mining in the Cape Nome region of Alaska it is necessary to state that under the act of 1898 there is a highway or right of way reserved, and that right operates 60 feet in width as near as practicable on the shores of the sea and streams of Alaska. Upon this 60 feet and upon the tide lands below this reservation were found exceedingly rich mines in the Cape Nome region. Last season the mines were worked by the miners themselves under a general understanding of the miners. Miners' meetings were organized under no law, but by a mutual agreement; and in the approaching season it is expected that the crowd of miners going to the gold regions will be so great that that mere arrangement, unauthorized by law, will not be adequate and that it is necessary to make some law by which mines can be operated, and this bill as now drawn practically relegates the whole matter to miners' meetings.

Mr. RICHARDSON. What is the object of passing this legislation when we have a bill which provides for legislation for Alaska? There is a special bill pending before Congress, and why not put all these things into that bill instead of reporting them by piecemeal?

Mr. LACEY. We have introduced this bill from the committee as a single proposition in relation to Alaska, and as a separate measure, for the simple reason that it could be called up and disposed of and sent to the Senate. If we were to put all these propositions into one bill the result would be that there would be no legislation. Therefore, after careful investigation, the committee deemed it wiser to put the Cape Nome mining proposition into one bill and dispose of it and send it to the Senate for disposition; and we have done the same with reference to the coal lands, and made that a single proposition, so that it could be considered, passed, and sent to the Senate as a separate measure, because the two Houses may not be agreed upon all legislation that will be necessary for Alaska, and by legislating upon one proposition in connection with another entirely different the result would be that no legislation would be enacted at all.

Now, we have framed a bill giving the right to mine within the 60 feet reserved strip as an easement, and the tide land in the same way, limiting the claims to 25 feet. We limit the claims so that they can not be taken up by power of attorney, and only one can be taken within a mile by the same person, and the operation of that will be regulated by the miners' meetings. If it shall be found, in their judgment, that the poverty of the region requires that they should be allowed to take larger claims, they may take additional land up to 300 feet, placing it substantially within the control of the miners' meetings to do legally that which they did without any law last year. A man can under this bill take only one claim within a mile; he must take this in person and must work it, but the miners' meeting may increase the claims to 300 feet.

Mr. LIVINGSTON. What do you mean by extending the law to the reservation of the land under the statute?

Mr. LACEY. At the present, if we were to extend the placer-mining law as it exists to Alaska—the whole of it—that would authorize the taking of 20-acre claims. Now, there are rules and limitations in this law. The claim may not extend beyond the 60 feet reservation and the tide land—that is, those which are not subject to mining under existing law. Instead of making a limitation of 20 acres, as was done under the general placer-mining law, we limit it to 25 feet. Under the ordinary law miners' meetings may reduce claims from 20 acres to a less quantity. But this would be too late after the beach had been occupied with 20-acre claims. Under this bill the opposite proposition is adopted. The claims under the general law are fixed at the small size of 25 feet, and the miners' meetings may increase them if the situation, in their judgment, would warrant it.

It is a very necessary measure. The original bill was sent out to various mining associations along the coast of Washington, Oregon, and California, so they might consider and make such objections as they deemed proper to this proposition; and, so far as I know now, this bill will substantially meet the desires of the miners who were there last season, and who expect to return, and who wish to have the authority of the law to protect them to do that which they did last year without authority.

Mr. RICHARDSON. But you have a substitute to the original bill.

Mr. LACEY. The original bill has been entirely abandoned. The bill just now read is the substitute bill. We have not called up the original bill.

Mr. RICHARDSON. But I understood the gentleman to say that it was the original bill that was sent out.

Mr. LACEY. No; objections were made to the original bill. It provided for mining out under the water, and that has been abandoned. The original bill gave much larger claims, and that provision has been abandoned; we have endeavored to draw this bill in such a way as to give the miners the most complete control of the entire matter. I believe this bill will accomplish the purpose.

It will enable the 50,000 people who go in there to handle the mines in their own way and adopt rules and regulations as to the claims on the shore, as they may be located; it prevents the location by power of attorney, and the location of large tracts, limiting the claims to a very small area to begin with.

Mr. COWHERD. May I ask the gentleman from Iowa a question? The SPEAKER. Does the gentleman from Iowa yield to the gentleman from Missouri?

Mr. LACEY. Certainly.

Mr. COWHERD. In section 5 that provision with regard to the Secretary of the Interior granting the right to citizens and corporations for the use of the front land—

Mr. LACEY. That is under the act of 1898. There are provisions for granting shore rights for landing places, and these rights have many of them already been granted. This bill provides that any claim located under this act will be junior to the rights already granted by the Secretary of the Interior or that may be hereafter granted.

Mr. COWHERD. That is the question that I want to get at.

Mr. LACEY. That refers to the right to establish piers for commerce and matters of that kind.

Mr. COWHERD. I want to know whether under this provision—I am not familiar with the provision of the act referred to—whether under this provision there might not arise a conflict between the miner who locates the claim and the corporation who is acting under a grant from the Secretary of the Interior with reference to these mining lands?

Mr. LACEY. No; the Secretary of the Interior can not make a grant, under the act of 1898, for mining purposes; it is purely for commercial purposes. It was thought best not to locate claims superior to the rights of commerce.

Mr. Speaker, I now yield three minutes to the gentleman from New York [Mr. DRIGGS].

Mr. DRIGGS. Mr. Speaker, I would like to say in support of this measure that it is radically different from the bill originally introduced. The gentleman from Iowa found, after the introduction of that bill, that it did not meet the situation in Alaska. He withdrew that bill and introduced this one to take its place. As I understand, the people interested in Alaska—Governor Brady and others, among whom is James Hamilton Lewis, a former member of this House, a member of the last Congress—say that this is the bill desired by the Alaskan authorities as well as the mining people who are contemplating going to Alaska this year.

Now, under the act passed in 1898 there was no provision made whatever for the beach claims. Then, back of the high tide came the 60-foot strip granted as a right of way, and back of the right of way came what was known as the tundra claims, and it was found on investigation that there might be considerable confusion between the tundra claims and the beach claims. This bill would do away as far as possible with all trouble and riot. It is expected that forty or fifty thousand people will go to Cape Nome this summer; and if we pass this bill, in my opinion, it will obviate any trouble, and every man will have a fair chance. I trust the bill will pass.

Mr. LACEY. Unless there is some other gentleman who desires to ask a question, I now yield to the gentleman from Wyoming [Mr. MONDELL] for the purpose of offering an amendment.

Mr. MONDELL. Mr. Speaker, I move to amend the bill on page 2, section 2, line 15, beginning with the word "where," by striking out the following words: "where the location is made by a corporation it must be made by a duly authorized agent, who, as such agent, must be present in person on the ground when the location is made."

I also move to amend by striking out the words "or corporations" in line 11 of page 3.

The amendments proposed by Mr. MONDELL were read by the Clerk.

Mr. LACEY. I can speak only for myself in regard to this proposition, but I have no objection to it. This particular tract of land has been regarded as a poor man's mining tract or digging. The proposition would prevent any corporation from locating an original claim, but would not, of course, prevent a corporation from buying from anyone who may take a claim there.

Mr. BELL. What is the effect of the amendment?

Mr. LACEY. The effect would be, as I have said, to prevent a corporation from locating originally a claim. Personally I have no objection to the amendment.

Mr. BELL. How does it happen that you permit a corporation to enter these lands at all? Such a thing is not allowed in the United States.

Mr. LACEY. The proposition is to strike out the authority for corporations to locate claims originally. As I have said, I do not object to it.

Mr. BELL. I understand, however, that you propose to allow an agent to locate claims for a corporation.

Mr. LACEY. The motion of the gentleman from Wyoming is to strike that out.

Mr. BELL. But I understand the gentleman from Wyoming proposes to require the agent of the corporation to be there.

Mr. LACEY. No. The motion is to prevent a corporation from making an original location on this strip at all through an agent or in any other way.

Mr. BELL. Do you allow corporations to take up mining claims anywhere in Alaska?

Mr. LACEY. Not under this bill. This bill is limited to the 60-foot right of way—an easement of 60 feet on the reserved strip and upon the tide lands.

Mr. BELL. Why do you not extend the mining laws of the United States to Alaska?

Mr. LACEY. They were so extended about ten or fifteen years ago. That is the reason; and I think it a sufficient answer to the gentleman's question.

Mr. BELL. What change in the law are you making now?

Mr. LACEY. We are only changing the law so as to authorize mining under certain restrictions upon the reserved right of way along the shore and on the tide lands, to which the mining laws heretofore have not applied.

Mr. BELL. And this does not interfere with the general law at all?

Mr. LACEY. It does not.

Mr. RICHARDSON. Mr. Speaker, I submit to the gentleman that the word "person" would include corporations; and if we give persons the right to make these locations we give it to corporations, unless we insert an express prohibition.

Mr. LACEY. That could be readily rectified by a further amendment striking out the words suggested by the gentleman from Wyoming, and a proviso could be added declaring that corporations shall not locate claims originally.

Mr. BELL. Allow me another question. Under the mining laws of the United States, only a citizen of the United States, or one who has regularly declared his intention to become such, can locate a mining claim.

Mr. LACEY. This bill makes no change whatever in that respect. It leaves the law in that respect precisely the same as it would be in Colorado or any other State. A man who could not locate a claim in Colorado could not locate one of these little beach claims in Alaska.

Mr. BELL. How is it that you do not use the same language as is contained in the general law, limiting the right to citizens of the United States and those persons who have regularly declared their intention to become such?

Mr. LACEY. We do not use the same language, because in the first section we extend the placer-mining laws to the lands in question, subject to certain modifications; and the placer-mining laws contain the limitation to which the gentleman refers.

Mr. BELL. Oh, yes.

Mr. LACEY. It is unnecessary to repeat the provision. I must say in this connection that after the committee had agreed upon the general purpose of this bill the rough draft of it was submitted to experts in the Land Office, that they might revise it and put it in such a form as to meet the various technical points as to the construction of the existing law under the rules of that office.

Mr. RICHARDSON. Is the bill recommended by the Commissioner of the Land Office or the Secretary of the Interior? Have you any written evidence that they recommend it?

Mr. LACEY. Oh, no.

Mr. RICHARDSON. Ought there not to be such evidence?

Mr. LACEY. I think not. This is entirely a question of policy for Congress to say whether it desires to open this strip of territory or not. I can, however, say to my friend that the bill was drawn after full consultation with the Commissioner of the Land Office, the details were finished up in his office, and the measure meets with the cordial approval of that office. We have endeavored to meet all the technical requirements in order to apply the existing placer laws to this peculiar condition known as "beach mining," and it was limited from Fish River on Golofnin Bay to Cape Prince of Wales, although it is quite possible that other beaches in Alaska ought also to be covered. It was deemed best not to extend the provisions of the bill beyond that portion of Alaska where beach mining is likely to occur.

Mr. DRIGGS. Will the gentleman yield for a minute?

Mr. LIVINGSTON. I will say that if we can not pass this bill, I want to call for the regular order.

Mr. LACEY. I hope my friend from New York, who I understand is in favor of the bill, will not consume time. We want to pass the bill, so as not to interfere with the consideration of the contested-election case. The gentleman from Wyoming also adds the following proviso to his amendment. That will relieve the difficulty which has been suggested:

In line 23, page 3, insert:

"Provided, That no location shall be made by any corporation."

I will print the committee report in connection with my remarks, as the matter is one of considerable public interest:

The Committee on the Public Lands, having had under consideration the bill (H. R. 7572) extending in the district of Alaska the placer-mining laws to

lands reserved from sale in sections 1 and 10 of an act of Congress approved May 14, 1898, entitled "An act extending the homestead laws and providing for right of way for railroads in the district of Alaska, and for other purposes," have considered the same and report it back with a substitute, which they recommend do pass.

Under the act of May 14, 1898, there was reserved along the coast and waters of Alaska a highway of 60 feet in width, as near as practicable parallel with the shore line.

Adjacent to this highway lie the tide lands, between high and low tide. Neither the tide lands nor the highway are subject to placer-mining locations, and there is no existing law under which the same can be mined. Last year exceedingly rich deposits of gold were found in these tide lands and in the reserved highway in the vicinity of Cape Nome. There being no law authorizing the location of placer claims on either the tide lands or highway, the miners of the region, by common consent, took and worked claims without any statutory authority under some sort of mining regulations of their own. The miners were enabled last year to work these diggings with but little friction or controversy. The natural equity existing among the miners enabled them to work in harmony and take out a large quantity of gold.

The beach was regarded as the ideal "poor man's diggings," as the claims were all small and easily worked, with but little outlay for machinery. Back of the highway much of the higher ground, or "tundra," has been located under the general placer laws.

It seems desirable that the miners in future may be enabled to do under the law substantially that which, in the last season, they did in the absence of law.

Your committee were of the opinion that the question as to mining this right of way and tide land should be left as far as practicable under the control of the local miners' meetings.

The general law on the subject of placer mining places the size of claims at 20 acres, and there is no limitation as to the number that may be taken; but under the general law miners' meetings may reduce the size, and also may enact rules as to time and amount of work to be done by the locators. In the bill reported by the committee the size of one of these beach claims is placed at 25 feet in width, and miners' meetings may increase the size up to 300 feet.

By making the amount of a claim under the statute so small, and limiting it to one claim in each mile, and giving the miners' meetings the power to enlarge them, practically places the whole matter where it may be lawfully controlled by the local miners' meetings. Where the shore is rich, the miners would not increase the size of the claims, but where it was more barren the claims could be enlarged. Where the claims are so poor as to be only susceptible of profitable mining by machinery, the claims should be large enough to justify that kind of working, and the miners' meetings, in their discretion, could enlarge them up to 300 feet. The right of way and highway not being subject to mineral locations by law, the miners' meetings could not lawfully make any regulations on the subject, as they only have the power, under the law, to make regulations as to mines that may be lawfully worked.

The effect of this bill is to enable the miners to do with full authority of the law practically that which they did by mere good will last season.

In 1899 the number of miners was small, the beach was long, and every man had some chance to work, and but little friction arose. But with a very large rush of newcomers it is important that the rights of all may be lawfully defined. The substituted bill gives but one small claim to each person, and the miners' meeting will define the amount of work to be done each year. The claims must be taken by the locator in person, and powers of attorney are excluded from operation in this beach mining.

As to the tide lands, the peculiar nature of the title is quite fully discussed in *Shively vs. Bowlby* (152 U. S., 1). No direct authority appears anywhere as to the right of the Federal Government to permit the working of placer mines in these tide lands, but we are of the opinion that the subject is clearly within the power of Congress. We do not deem it wise to authorize the acquisition of any right to mine within these tide lands other than as a mere easement, and hence have provided such easement only, limited to such time as the mineral may not be exhausted, and to terminate when the land becomes embraced within any State of the Union.

It has long been the settled policy of the United States Government to hold the tide lands free from settlement in trust for the use of the State when it shall be admitted into the Union. By giving an easement for mining purposes only, and terminable on the admission of Alaska or the incorporation of the land into a State, the policy of the past is in no wise disturbed.

The discovery of gold in these tide lands necessitates the application of the law to a new situation, and by granting an easement for temporary use only we think that the gold may be removed from these shores and at the same time the general policy of the law may remain undisturbed.

Under the act of 1898 a right of way parallel with the shore line, as near as practicable, was reserved. By that reservation it was intended that the highway need not follow exactly parallel to the meanderings of the shore, but that a more direct line might be chosen for that purpose. For the purposes of travel this description was no doubt sufficiently definite. But when a dispute may arise as to soil rich with gold dust the boundaries should be more definite. We have, therefore, provided in this bill that the meander line of the shore shall determine the direction and location of the highway for the purposes of this bill. In controversies as to mineral rights we would therefore have a fixed and visible line—the shore line—to go by.

For the purposes of actual travel a more direct and suitable location might be selected in many localities.

In the immediate Cape Nome region, with reference to which this bill proposes to deal, the shore line and the highway would generally correspond; but inasmuch as in some locations they would not coincide, your committee thought best to define the actual shore line as the one which would control the location of the 60 foot reservation for the purposes of this bill.

The SPEAKER. The gentleman from Wyoming adds to his amendment the following, which the Clerk will report.

The Clerk read as follows:

Page 3, after the word "State," in line 23, add the following: "Provided, That no location shall be made by any corporation."

The amendments were agreed to.

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

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

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed with amendments the bill (H. R. 7941) making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1901, in which the concurrence of the House of Representatives was requested.

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

Resolved, That it is with deep regret and sorrow that the Senate hears the announcement of the death of Hon. MONROE L. HAYWARD, late Senator-elect from the State of Nebraska.

Resolved, That the Senate extends to his family and to the people of the State of Nebraska sincere condolence in their bereavement.

Resolved, That as a mark of respect to the memory of the deceased the business of the Senate be now suspended to enable those who would have been his associates had he lived to take his seat in this body to pay fitting tribute to his high character and distinguished worth.

Resolved, That the Secretary transmit to the family of the deceased and to the governor of the State of Nebraska a copy of these resolutions, with the action of the Senate thereon.

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

Resolved, That as an additional mark of respect at the conclusion of these exercises the Senate do adjourn.

SENATE BILLS REFERRED.

Under clause 3 of Rule XXIV, a House bill, with Senate amendments, of the following title was taken from the Speaker's table and referred to its appropriate committee as indicated below:

H. R. 7941. An act making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1901—to the Committee on Foreign Affairs.

PRINTING FOR COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE.

Mr. HEPBURN. 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:

Resolved, That the Committee on Interstate and Foreign Commerce be authorized to have printed and bound such papers and documents for the use of said committee as it may deem necessary in connection with subjects considered or to be considered by said committee during the Fifty-sixth Congress.

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

There was no objection.

The resolution was agreed to.

CONTESTED-ELECTION CASE—WISE VS. YOUNG, VIRGINIA.

Mr. BURKE of Texas. Mr. Speaker—

The SPEAKER. The gentleman from Texas calls up the contested-election case of Wise against Young.

Mr. BURKE of Texas. I will state, Mr. Speaker, that the understanding between the gentleman from Michigan [Mr. WEEKS] and myself is that the time between now and half past 2 o'clock, the time at which a vote will be taken in this case, is to be so divided that I shall control all of that time except the last thirty minutes.

Mr. WEEKS. That is right.

Mr. BURKE of Texas. In furtherance of that understanding, I now yield to the gentleman from New York [Mr. DRIGGS] such time as he may desire.

The SPEAKER. The gentleman from New York.

Mr. DRIGGS. Mr. Speaker, during my short term as a member of this House I have sat here and listened, not as a lawyer, for that I am not, but as a layman, to the consideration of many of these contested-election cases, and while I fully recognize the constitutional right of the House of Representatives to be the judge of the qualifications of its own membership, at the same time it seems to me that these cases, brought up as they are, are not given the fair consideration that should be given them by the members of this House—not only of this present House, but of all preceding Congresses.

I have taken some pains to look up the contested-election cases that have been tried here, and whether the Democracy or the opposition has been in control of the House I find that in the great majority of cases a report by a majority of the committee in favor of unseating the sitting member has universally, with one or two exceptions, been followed by the unseating of the holder of the seat and the seating of the contestant.

Now, it seems to me that such consideration of these important cases is not fair, for not only does it bring up the fact of the contestee's election, but it also brings into consideration the sovereign rights of the people of the State that sent him here. I desire to say now that I am not questioning the right or finding fault with the majority, but rather am criticising the whole system of deciding cases here.

Well do I remember a case that was here considered only a few days ago, and I make this bold statement, that if I were a juror, sitting in a jury box, listening to the evidence in such a case as that, I unquestionably would have voted, and I think there would have been no doubt that the other 11 jurors would have voted, that the contestee was entitled to the seat and not the contestant. That is also true of a case that was considered here not long since, when the Democracy had control of this House. It seems that whenever the political majority is very close, then the time arrives

for the most partisan construction and consideration of these cases. Justice is thrown to the winds and members vote, irrespective of evidence, along party lines.

Now, in this particular case, we find what? That the contestant was not even the nominee of his own party. I have been through the independent mill in politics, Mr. Speaker. I know what it is to be outside the bailiwick of my own party. I have had five or six years' experience in fighting my own organization at home, and finally I came to the conclusion that there could be but two parties in this country and those the two time-honored parties that have come down almost from the foundation of the Government. I include, of course, the Republican party with the Whig party. I have concluded that these two great parties, the Republican party and the Democratic party, can be the only ones that will control the destinies of this country. All these other parties that come up might be called side shows to the main parties themselves.

Now, we find this to be practically that sort of a case. The regular Republican nominee for Congress against the contestee had made no contest here, but the bolting candidate, the side-show candidate, against the contestee has brought in this contest against the present holder of the seat. Now, does it not stand to reason in the minds of all fair men that under these circumstances the Republican party itself were satisfied that the gentleman from Virginia [Mr. YOUNG] had been honestly and fairly elected to his seat, for the regular Republican nominee absolutely filed no claim of contest, being willing to abide by the will of the majority.

Not only that; in the last Congress the contestee in this case was elected by a majority of five or six thousand votes. It certainly does seem as though the people of this Virginia district thoroughly understood the man whom they desire to have represent them here. I leave it to you as fair-minded men, and understand I am only speaking as a layman and not as a lawyer. If when the contestee in this case went before his own party requesting a nomination again, and that nomination was given him, is it not a fact that by their returning him to this House they vindicated him and practically passed a vote of censure on the opposition for depriving him of his seat.

But you may say that in this case the laws of the State of Virginia are peculiar. I notice in reading the RECORD that there are several other contests from Southern States, because, they claim on the other side, that those States also have peculiar election laws. I contend, Mr. Speaker, that it is the right of every sovereign State in this Union to make such election laws for its own people as it sees fit, and that it is the bounden duty of such States to punish anyone who may cast an illegal vote on election day, thereby themselves preserving the sacredness of the ballot box and the strength of this Union. Why so? Because we, the people of these United States, depend absolutely on the sacredness of the ballot box and the fairness of the vote, and when the legislators of any State pass election laws they are the representatives of their own people making laws not only to protect the ballot box, but also the honor and integrity of the State itself.

In my own State the members of the lower house are called assemblymen and the members of the upper house senators. I do not know whether they are the titles given to similar officers in Virginia, but the members of the two houses of that State were honestly and legally elected to its State legislature, they enacted election law for the conducting of the elections of the State, and these legislators are the voice of the people of the State of Virginia, as we here are the voice of the people in the National House of Representatives.

That being the case, sir, while we may have the constitutional power, we have not the broad right to stand here and criticise the election laws of one of the sovereign States of this Union. It is for the people of Virginia themselves to decide whether or not they want the election laws now in force.

In a speech made a few days ago by the gentleman from Nebraska [Mr. BURKETT], found on pages 2601, 2602 of the CONGRESSIONAL RECORD, an array of figures is presented as to the votes cast in certain of the Southern States, comparing them with the votes cast in other States of the Union. He takes up South Carolina, Arkansas, Georgia, and Mississippi, and quotes certain figures as to votes cast in the elections there, comparing them with three other States, Colorado, Illinois, and New York. I might say, in passing, to account for the tremendous total of votes in the First and Second Congressional districts of Colorado, amounting to, respectively, 80,000 and 61,000 votes, that the gentleman omits to state the fact that in Colorado the women have the right to vote, so that practically they have there universal suffrage, the men and the women voting for Messrs. BELL and SHAFROTH.

That accounts for the 80,000 votes cast for Judge BELL and 60,000 votes cast for Judge SHAFROTH. He then gives two districts from the State of Illinois. I believe the Illinois election laws as near as possible have been modeled upon the laws of New York; or, if you please, you can put it the other way and say that the New York laws have been modeled somewhat after the Illinois election

laws. We have practically very few qualifications in either of the two States. Almost any man 21 years of age or over is allowed to vote, and under certain conditions the blind are also allowed to vote by taking another man into the voting booth with them and allowing this man to make up their ballots.

In Illinois there was one district where there were 60,000 votes cast, and in two districts of our good State of New York there were 59,000 votes cast in one and 50,000 cast in the other. But why, in all fairness, I will ask the gentleman from Nebraska—I know not whether he is in his seat on the other side—did he not take one election district in the city of New York in which there were but 18,000 votes cast?—and the election laws of the State of New York cover that district as well as they do the others. We know he produces these figures to draw invidious comparisons. Remember, Virginia is a strong Democratic State. I notice, Mr. Speaker, that in three Pennsylvania districts, viz, First, Republican vote was 25,665, Democratic vote 8,213; Second district, Republican vote was 19,547, Democratic vote 3,850; Fifth district, 39,239 Republican vote, and only 9,942 Democratic vote. No Democrat ever questions Pennsylvania elections, realizing that its people are overwhelmingly Republican. Is it not fairer to concede the honesty of Democratic majorities in Democratic districts and Republican majorities in Republican districts than to draw comparisons between the election laws of Democratic and Republican States? I believe absolutely in the right of every State to enact such election laws as it desires.

I believe, Mr. Speaker, that the time of this House of Representatives is far too valuable to be consumed in such cases as this. There are many matters of great import and moment to be decided; and only a few moments ago the leader on our side [Mr. RICHARDSON] asked why no legislation for Alaska had been enacted, and the gentleman from Iowa [Mr. LACEY] told him that it had not occurred because thus far there had been no time during the session for its consideration. Why, up in Alaska the people are waiting for laws; but we are consuming the time of this House in contested-election cases. It is not right; it is not just. I do not desire to consume all the time on our side; I simply desired to make these few remarks.

I will say still further, in passing, and make even this bold, broad assertion, that if I chance to be a member of the next House and that House should be Democratic, and our side brings up these contested-election cases, I will vote then, as I have voted before, against their consideration, not because of partisan reasons, but as a layman, for I believe they should be adjudicated in some other manner.

Mr. Speaker, when the gentleman from Michigan [Mr. WEEKS] opened this debate only eleven members were in their seats—not even a jury. In this country we pride ourselves on justice; we pride ourselves on honor, and we pride ourselves on our jury system. Why should not you on the other side now combine all these three, the honor, the justice, and our fair jury system, and, voting with us, bring in a verdict in full accord with the real evidence submitted, thereby establishing the verdict rendered by the people of this Virginia district, who returned the contestee in this case after he had had his seat taken from him in the last House?

Mr. BURKE of Texas. Mr. Speaker, I yield to the gentleman from Virginia such time as he may desire.

Mr. HAY. Mr. Speaker, I know of no more difficult task than speaking in a contested-election case in this House, because nobody seems to have any interest in it save the contestant and the contestee. I do not think that this is the proper time or place to answer the various attacks which have been made by the gentleman from Michigan [Mr. WEEKS] and the gentleman from North Carolina [Mr. LINNEY] upon the modes and methods in which the vote of the people of the South is cast. When the proper time shall come, and when it is necessary to go into that question, it will be time enough for us to answer it, although it has been heretofore formally and successfully and fully answered upon this floor. I, however, desire to call the attention of members of this House to this particular election case, and to the political conditions in the Second Virginia district in the fall of 1898.

I want especially to call attention of my Republican friends to an interview which appeared this morning in the Washington Post from the Hon. George E. Bowden, a member of the national Republican committee and a resident of the Second Congressional district of Virginia, from which this contest comes. I think to any fair-minded man a perusal of this interview will convince him that the Republicans beat themselves in the Second Congressional district in the fall of 1898, and that the contestant in this case has no case whatever, and ought not to come here and ask the members of this House to give him a seat to which he was not fairly elected by the voters of his district.

Now, Mr. Bowden is a gentleman of high standing in the State of Virginia. He is a member of the Republican national committee; he has occupied a seat upon this floor, and here is what he

says in answer to the attack, or, rather, to the statement, of the gentleman from Iowa [Mr. HULL]:

It is the confident belief of all familiar with the facts that but for Mr. HULL thus interfering with us in 1898, this district would now be represented by a Republican of its own choice, and one who would not have found it necessary to contest for his seat and ask Congress to resort to extreme measures.

He says further, in reference to the remarks made by Mr. HULL, of Iowa, concerning Mr. Holland, who was the gentleman named by the Republican convention called by the State Republican authorities of Virginia:

There is about as much truth in the reference made by Mr. HULL to Mr. Holland as "the negro candidate, claimed to be the regular nominee," as there is in the rest of his attack. Mr. Holland is a highly connected and prominent white citizen, one of the leading lawyers in eastern Virginia, and recognized as such by all, regardless of party. He was nominated by a large, enthusiastic, and representative convention, in which all the Republicans in the district would have participated but for Mr. HULL.

Now, it does seem to me that, such being the conditions in the Second Congressional district of Virginia, the Republicans put up two nominees. I am not here to say which was the regular and which was the irregular nominee, but the dispute continued there from the time these two conventions met until the election, and the vote of the Republican party was divided between these two candidates. And more than that, the Republican State committee of Virginia had advised the Republicans in that State not to go to the polls and vote. So that, taking all these things into consideration and weighing the facts of the situation in that campaign in that district, it does seem to me that every reasonable man must see why the contestant was defeated fairly and squarely at the polls.

As matter of fact, of those who know the conditions which prevailed in that district on that occasion, no one disputes that William A. Young, the contestee, was fairly elected to the seat which he occupies on this floor. I venture the assertion that there is not a Democrat or Republican who is without prejudice who will not say that in that election Mr. Wise was fairly and squarely defeated.

Now, in order to obtain a seat for Wise on this floor the majority of this committee has been obliged to resort to measures and methods of counting which are not paralleled even by what they say took place in the Second Congressional district of Virginia. In order to convert a majority of 6,000 which Young had returned for him into a majority of 1,947, which this committee say Wise received, they have been obliged to throw out 39 precincts, they have been obliged to prove by voters 2,038 votes, and they have been obliged to count 659 certificates.

To gentlemen who are not familiar with these certificates and with these voters and with these precincts I want for a few moments to direct your attention to them. These 659 certificates which are counted for the contestant by the majority of the Elections Committee in this case were certificates which were given by voters who came out of the polling booth, went to some partisan on the outside, and took an oath that they had voted for Wise. They were not placed on the stand as witnesses. They were usually ignorant negroes, who did not know practically whether they had voted for Wise or not. They were composed of a class of men who in this election directed the election judge to prepare their ballots for McKinley and Hobart, thinking they were still candidates before the people at that time. These 659 certificates, not witnesses put upon the stand, but people of the character I have spoken to you of, are counted for Wise. Then they count for him, as near as I can ascertain, 2,038 votes of people who were put upon the stand that swear that they voted for Wise.

Now, Mr. Speaker, these witnesses who were put upon the stand, who testified that they voted for Wise, were people who could neither, in the great majority of cases—I will say four-fifths of the cases—who could neither read nor write. They were people of very little intelligence, and who would give a vote one way or another just as they might be asked to do by their partisan friends. Many of them were men whose votes had been thrown out by election judges because they had prepared defective ballots which could not be counted, and in this way and by these means they undertake to return here a majority of 1,947 votes for the contestant, who, as a matter of fact, was defeated by the contestee by a majority of 6,059 votes, I believe.

I do not propose to enter into an extended discussion in this case. I know it is utterly useless for me to stand here and talk to you about the voters and the precincts and the vote bearing upon these precincts which were thrown out by the majority of the committee, because very few gentlemen pay much attention, if any. I do, however, want to call your attention to the fact that outside of the city of Norfolk twenty-eight precincts are thrown out bodily, and all these precincts, with one or two exceptions, gave a majority to the contestee. It is a curious fact that fraud was charged in all or nearly all the precincts where the contestee had received a majority. It is a curious fact that there were no charges of fraud made against four counties in this district, and it turned out in these four counties the contestant had a majority.

So that it seems precincts have been picked out where the contestee received a majority, and those precincts have been attacked. They have not been successfully attacked. It has not been shown that any fraud was committed in those precincts. There may have been some irregularities; some things may have been done which perhaps would not have been done if the election officers had been careful; but no fraud has been proven in any of these twenty-eight precincts. I say if you throw out the city of Norfolk entirely, which they claim is the place where the most fraud was committed—if you throw out the 3,640 votes cast for the contestee in the city of Norfolk and count the votes which were given to the contestant in that city, the contestee will still have a majority and will still be entitled to a seat upon this floor. I say, therefore, that there is no way by which the sitting member can be deprived of his right here except by the arbitrary exercise of the power of this House.

Now, I have heard a great deal said during the last two years about the good feeling existing between the North and the South. I have heard a great deal said on the other side of the Chamber about this being a united country. I have heard a great deal said about the North and the South fighting under the same flag, and that there ought to be a universal feeling of peace between the two sections. I would like to see some practical demonstration of that on the other side. I would like to see something done by that side of the House to show that in these contested-election cases their minds are not prejudiced, and that they do not intend to throw men out here simply because they happen to come from a Southern State. I would like to see that era of good feeling demonstrated in the case now under consideration. And I believe, if gentlemen will consult their consciences—I believe if gentlemen will undertake to decide this case according to the facts and the law and the evidence—they will be obliged to come to the conclusion that William A. Young is entitled to a seat on this floor.

Mr. BURKE of Texas. I will state, Mr. Speaker, that the gentleman from Georgia [Mr. GRIGGS] who was to address the House in behalf of the contestee this evening informs me that he is absolutely unable physically to do so. This being the case, I will state to the gentleman from Michigan—I do not see him in his seat—I was going to say to him that he might proceed and close the case. The physical condition of the gentleman from Georgia has left us where we can not possibly put in any more time.

After a pause, Mr. WEEKS having appeared on the floor.

The SPEAKER. The gentleman from Michigan [Mr. WEEKS] is recognized.

Mr. WEEKS. Mr. Speaker, I had yielded the remaining time, except half an hour, to the gentleman from Texas—

Mr. BURKE of Texas. While the gentleman was out of the House, I had just stated to the Chair and the House that I was unable to consume any more time to-day. The gentleman on whom we were relying to close the argument on this side, the gentleman from Georgia [Mr. GRIGGS], is not able to make a speech.

Mr. WEEKS. I have not made arrangements to consume any more time than the thirty minutes which I had reserved for this side; I had supposed that the rest of the time would be taken up on the other side.

Mr. BURKE of Texas. Yes; that was the understanding.

A MEMBER. Then let us vote.

Mr. WEEKS. I will arrange the matter. [A pause.] Mr. Speaker, the hour fixed for calling the previous question and taking the vote in this case was half past 2 o'clock to-day. I will, however, if such is the desire of the other side, proceed to close the debate and will call for a vote at half past 2 o'clock.

I have been giving some little attention, Mr. Speaker, to the remarks of gentlemen who have addressed the Chair this morning, and I confess that it has been a great surprise to me to hear announced the doctrines upon which the other side of the House seem to rely in this case. One gentleman from New York announced himself as a layman and not a lawyer, and stated that hereafter, if it should be his good fortune to be a member of this House, he would oppose the hearing of contested-election cases on this floor and would endeavor to relegate them to some other tribunal. He stated that he had looked over the record of the election cases decided on this floor and had found that they generally were decided according to the political complexion of the majority of the House.

I wondered while listening to his argument to what tribunal he would relegate these cases for a hearing. The Constitution of the United States which created this House says that it shall be the sole judge of the elections, returns, and qualifications of its members. But the gentleman from New York not being a lawyer, as he says, would send these contests perhaps into the local courts. This case, for instance, he would perhaps have tried before a local court in Virginia, before a jury made up, we may imagine, as the poll lists were made up, according to the evidence in this case. They would go out and pick up as jurors Mr. Agg and Mr. Bagg and Mr. Cagg and Mr. Dagg and so on; they would

proceed to try this election case before a jury alphabetically made up as the poll lists were alphabetically made up in this case. Now, how much weight should be given to such an argument as that?

He speaks of the rights of these people, and I agree with the gentleman from New York [Mr. DRIGGS] that the rights of the people ought to be respected, and the rights of the States ought to be respected in these matters. But is my friend from New York talking about the block of A's and the block of B's and the block of C's that were returned in the poll lists from all the precincts in the Second district of Virginia? Does he call those "the people of Virginia?" Why, Mr. Speaker, none of the people of Virginia, none of those people at least, have been heard of on the floor of this House. Where are Mr. Agg, Mr. Bagg, and Mr. Cagg, and Mr. Dagg, from the city of Norfolk? Are they being heard in this case? These shadowy gentlemen, these imaginary men are not here complaining.

Now, Mr. Speaker, the gentleman from New York [Mr. DRIGGS] also alluded to the previous contest between these two parties. He says that there was a majority for the contestee of several thousand; that he came here with this majority as a vindication of his contest in the previous case. Now, if the gentleman ever read the record in this case, he must have forgotten how these majorities were made up.

The gentleman says that the contestee came here justified and vindicated by the voters of his district. At least I suppose the gentleman means the voters of the district when he says "the people" of his district. The gentleman must have read in vain the record in this case, if he read it at all.

I have already called attention to the manner in which these poll lists were made up, lists of supposed or alleged or imaginary voters who are vindicating Mr. Young, the contestee in this case.

Such a vindication as that, Mr. Speaker, is a great outrage, not only upon the people of the district he hails from, but upon the people of my district. The people of the district represented by the gentleman from New York [Mr. DRIGGS] are outraged equally with the people of the Second district of Virginia, because by this fraudulent process of making up poll lists and returning votes they send a man here to nullify the vote of the gentleman from New York, or the gentleman from Tennessee [Mr. RICHARDSON], the leader on that side of the House. Talk about the people! It is not the people who are complaining in this case at all. The people seem to have been ignored in the conduct of this election.

The gentleman from New York [Mr. DRIGGS] made this proposition, that every sovereign State has the right to make such election laws as it sees fit. Mr. Speaker, I deny that proposition in as broad terms as the gentleman has laid it down. The States of this Union, respectively, have no right to make election laws under which they can send to the floor of this House a membership made up as some of these districts—especially this district of Virginia—is helping to make up this membership.

Mr. BURKE of Texas. Will the gentleman yield for a question?

Mr. WEEKS. I will yield cheerfully.

Mr. BURKE of Texas. I want to ask the gentleman if there is to-day a single State in this Union that has not enacted its own election laws?

Mr. WEEKS. Oh, there is no doubt about that.

Mr. BURKE of Texas. Then the gentleman's proposition is that no State in this Union has the right to make election laws?

Mr. WEEKS. I do not make any such proposition, I will say to the gentleman from Texas.

Mr. BURKE of Texas. That is the way I understood the gentleman.

Mr. WEEKS. Well, the gentleman misunderstood me, as gentlemen on the other side misunderstand a great many propositions. My proposition is that no State in this Union has the right to enact an election law that will be the machinery of fraud in elections, to send members to this House who are not fairly elected; and when such a law is put upon the statute books, if the people of that State can not repeal it and put an honest election law upon the statute books, then it becomes the duty of this House to stand up in its might and authority and say that members elected by these fraudulent processes under such pretended laws shall not be allowed seats in this House.

Why, my friend from New York [Mr. DRIGGS] even went so far as to say that we on this floor have no right even to criticise the election laws of those States. Has it come to that? Is that the Democratic doctrine, that Congress has no right even to criticise the election laws of those States, when those laws are used as the machinery of fraud and misrepresentation, as they are in some localities?

Then the gentleman from Virginia [Mr. HAY] spoke of the attack made by "the gentleman from Michigan" upon the election laws of Virginia and the conduct of this election. Now, I do not at this moment recollect having said anything in my previous remarks about the election laws in Virginia. I did discuss the conduct of the election in this particular district, and I desire to make

a few more remarks in the same direction, in closing this debate to-day.

The gentleman from Virginia [Mr. HAY] went into a discussion of the question raised by a Mr. Bowden. I have not the honor of the acquaintance of Mr. Bowden, but I desire to say here, as I did on Saturday, that the question as to who was the regular nominee of the Republican party in this Second district of Virginia is entirely a matter outside of this issue. The real question is, Were the returns of that election fraudulent or not? Was Mr. Wise elected or was Mr. Young elected? In the consideration of the question by this House, it makes no difference whether he was the regular nominee or whether some other man was the regular nominee.

The gentleman went on to say that in this district the Republicans beat themselves. Why, that is an astonishing proposition, under the evidence in this case. Did the gentleman have in mind these alphabetical blocks of voters? Did the Republicans cast those alphabetical blocks of votes? Did they manufacture those poll lists? That is the way Mr. Wise was beaten in the Second district of Virginia, and not otherwise.

Now, did Mr. Bowden have in his mind these blocks of votes at the time he wrote his letter, or did the gentleman from Virginia [Mr. HAY] have in mind these blocks of alphabetically arranged votes, when he made the astounding proposition that the Republicans in this election in the Second district of Virginia beat themselves?

While the gentleman from Virginia [Mr. HAY] was making his remarks, I had the curiosity—and no other motive than curiosity—to look at the vote in his district and to make a quiet comparison in my own mind with the votes in my district. It is another illustration of the unfairness, if not of the election laws, at least of the conduct of elections under those laws in the State of Virginia.

Mr. HAY. Will the gentleman allow me?

Mr. WEEKS. Not until I finish this proposition; then I will.

The SPEAKER pro tempore (Mr. KAHN). The gentleman declines to yield.

Mr. WEEKS. The total vote cast in the Seventh district of Virginia was 12,872, of which the gentleman who addressed the House received 9,851. Now, compare that with the Seventh district of Michigan. There were cast 31,790 Congressional votes, 19,008 more than were cast in the gentleman's district; and yet, with 19,008 more votes than were cast in the gentleman's district, there is one member on this floor from each of those districts, and according to that ratio we ought to have two and one-half or three members from the Seventh district of Michigan, if membership and representation are to be in the same proportion in that district and in the gentleman's district.

Mr. HAY. Now, will the gentleman permit me?

Mr. WEEKS. Why, yes; if it is anything that relates to this case. Certainly.

Mr. HAY. What the gentleman has said did not relate to this case, but related to my district.

Mr. WEEKS. Well, go ahead.

Mr. HAY. Now, I have no doubt that the gentleman wants to be fair.

Mr. WEEKS. I do. I sincerely desire to be fair.

Mr. HAY. The remarks just made by the gentleman showed how utterly and entirely ignorant he is of the conditions in the State of Virginia.

Mr. WEEKS. Well, what is the trouble?

Mr. HAY. The trouble about it is that in my district the Republican party had no candidate. A Gold Democrat was running as an independent against me, and the Republican party did not send its voters to the polls.

If the gentleman will look at the Congressional Directory for 1896, he will find that over 32,000 votes were cast in my district, which has a population of 155,000 people, which shows about the average to the population as it ought to be, and not a padded vote, as sometimes appears from the part of the country from which the gentleman from Michigan comes.

Mr. WEEKS. I challenge the gentleman here to point his finger to an instance that ever occurred in the history of the State of Michigan when a padded vote was returned for a Congressman sent to this House. I pause for a reply. Will the gentleman name one instance?

Mr. HAY. Why, of course, I can not keep up with everything that is done in the State of Michigan—

Mr. WEEKS. Then do not make such a proposition.

Mr. HAY. Just as you can not keep up with everything that is done in the State of Virginia; and do not you make such a proposition.

Mr. WEEKS. I am referring to your statement, your explanation of the fact that there were only 12,782 votes cast in the Seventh district of Virginia because there was no Republican candidate in that district, and it only emphasizes the argument which I am submitting to this House. It can not be pretended that there

are no Republicans in the district. Will the gentleman assert here that there are no Republicans in the Seventh district of Virginia?

Mr. HAY. Does the gentleman want a reply now?

Mr. WEEKS. Yes, I do.

Mr. HAY. Yes, there are many Republicans, and they cast over 14,000 votes for Congressman in 1896, when they had a candidate; but they do not put up a candidate because it is a certain Democratic district.

Mr. WEEKS. That is it.

Mr. HAY. And I defy the gentleman to say that there was ever a contested-election case from that district, or any question as to the action of the election officers or voters, either Democratic or Republican, of that district; and there are just as good Republicans there as the gentleman from Michigan.

Mr. WEEKS. That is the great misfortune of the situation. It emphasizes still more the proposition I submit to the House. Those Republicans do not nominate a candidate. Why? Because it is folly for them to do it. They do not go to the polls. Why? Because they will be counted out if they do.

Mr. HAY. Now, I did not say anything of the sort, and if the gentleman undertakes to say that I said that they did not go to the polls because they would be counted out, he has said something which he knows is not so.

Mr. WEEKS. I did not accuse you of counting them out.

Mr. HAY. What I said was that the election officers of the Seventh Congressional district of Virginia have never been charged with anything improper; but I said that the Republicans are hopelessly in the minority there because they have not got the votes, just as, I presume, the Democrats are hopelessly in the minority in the gentleman's district, because they have not got the votes, and as they are in Vermont, and in many other States, where they have not got the votes.

Mr. WEEKS. That is the unfortunate situation which I am calling attention to. Whenever we nominate a candidate on the part of the Republicans in my district there is always a Democrat nominated to run against him, and if the Populists want to nominate a candidate they have the privilege of nominating him, and we all go to the polls together, not in blocks, not in squadrons of A's and companies of B's and regiments of C's to cast our votes. Not that way. We go as citizens on our way to our stores, our offices, and our shops, and we quietly cast our ballot, one for a Democrat, one for a Republican, or perhaps one for a Populist once in a while, and then we go about our business for the day; and, Mr. Speaker, we have an honest canvassing board, and we do not have to hire men with shotguns to hang around the polls to keep us from depositing our votes. Our ballots are cast and they are counted. It is a very rare occasion that you ever hear of any complaint about the dishonesty of a canvassing board, and the reason for it is because in Michigan every political party is represented on that canvassing board, and that is not the case in this gallant and grand old State of Virginia. They are all Democrats on the election boards down there.

Mr. HAY. Well, does the gentleman make that as a broad statement?

Mr. WEEKS. Well, yes; rather broad.

Mr. HAY. Well, I say that that statement is entirely inaccurate, because there is not a precinct in my district where a Republican is not on the board.

Mr. WEEKS. I make it broadly, from the evidence in this case.

Mr. HAY. Well, you are getting outside of this case and talking about my district. Why do you want to do that? Does the gentleman want to get up some contest in my district for my seat and have me put out? [Laughter.]

Mr. WEEKS. No; I should hate to lose so amiable a gentleman. It would be a personal grief to lose the presence of the pleasant face of the gentleman here.

Mr. CLARK of Missouri. I would like to ask the gentleman a question.

The SPEAKER pro tempore. Does the gentleman yield?

Mr. WEEKS. I do.

Mr. CLARK of Missouri. How many votes did you say were cast in your district in the last election?

Mr. WEEKS. Thirty-one thousand seven hundred.

Mr. CLARK of Missouri. Well, now, you had an opponent?

Mr. WEEKS. Yes.

Mr. CLARK of Missouri. In my district there were over 38,000 votes cast.

Mr. WEEKS. In what district?

Mr. CLARK of Missouri. The Ninth district. I do not know what were cast in 1896; but in 1898 there were somewhere in the neighborhood of 39,000 votes cast. My district has the smallest population of any district in the State. It was rather under the average. In some districts there were 40,000, 45,000, and 50,000 votes cast. The average votes cast in every district in the United States is something like 40,000. Now, I want the gentleman to

explain to the House how it happened that there were only 31,000 cast in his district. What went with the rest of them?

Mr. WEEKS. I do not find that the returns in your district verify what you say.

Mr. CLARK of Missouri. You look at the returns of 1896 and you will find that there were 39,000 votes cast in that district.

Mr. WEEKS. The returns of the last election?

Mr. CLARK of Missouri. Yes.

Mr. WEEKS. I find there were 17,463 votes cast for Clark, 14,449 for the Republican.

Mr. CLARK of Missouri. Now, give the vote of 1896.

Mr. WEEKS. I have not got it here.

Mr. CLARK of Missouri. What I want to get at is this: Apparently you tried to make the unfair point against the district of the gentleman from Virginia [Mr. HAY] that only so many votes were cast. What I want to know is what went with the surplus votes in your district.

Mr. WEEKS. The gentleman from Missouri is entirely in error as to what I am endeavoring to illustrate. I was not making any attack on the district of the gentleman from Virginia [Mr. HAY].

Mr. CLARK of Missouri. Well, I will eliminate that, and ask you what went with the other votes in your district?

Mr. WEEKS. The total vote of the district was cast. Everybody that wanted to vote there voted, and their votes were counted.

Mr. CLARK of Missouri. Oh, the total vote of any Congressional district must amount to nearly, if not quite, 40,000 votes.

Mr. WEEKS. Not necessarily; the gentleman from New York illustrated one case where they only cast 18,000 votes.

Mr. CLARK of Missouri. Well, in Ohio they throw a vote for every three and a half people. That would give a Congressional district nearly 60,000 votes.

Mr. WEEKS. Now, let me ask my good friend and colleague if he ever heard any complaints made about his district casting its vote in consecutive alphabetical order, in blocks of three and blocks of five, up and down the alphabet, or did he ever hear anything of that kind from the State of Michigan?

Mr. CLARK of Missouri. No; in my district every man goes to the polls who wants to and casts his vote, and his vote is counted.

Mr. WEEKS. Well, that is fair and honest.

Mr. CLARK of Missouri. The only people that I ever heard of voting in blocks is when they voted in blocks of five under Dudley's administration in Indiana. [Laughter on the Democratic side.]

Mr. WEEKS. And over in Philadelphia.

Mr. BURKE of Texas. Will the gentleman from Michigan allow me?

Mr. WHEELER of Kentucky. Mr. Speaker, I would like to call the gentleman's attention—

The SPEAKER pro tempore [Mr. KAHN.] Does the gentleman from Michigan yield to the gentleman from Kentucky?

Mr. WEEKS. I yield to the gentleman from Texas [Mr. BURKE].

Mr. BURKE of Texas and Mr. WHEELER of Kentucky. Mr. Speaker—

Mr. WEEKS. One at a time, gentlemen. [Laughter.]

Mr. BURKE of Texas. I believe the gentleman made a statement on the floor of the House a moment ago, which, on reflection, his good judgment will not sustain. He said something about shotguns around the polls and the ballot box. Now, I want the gentleman from Michigan to tell this House if there is a word of testimony in this case that there was a shotgun around any of the polls or ballot boxes in this Congressional district.

Mr. WEEKS. No; I will agree so far as the testimony in this case shows that I do not recall that shotguns were used around the polls. That statement was made in a general way from the general knowledge that I, and every other gentleman on this floor, have of the methods used in some of the districts in the United States, and I will say in Canada, to make it general. [Laughter on the Republican side.] Now, I will yield to the gentleman from Kentucky [Mr. WHEELER].

Mr. WHEELER of Kentucky. Will the gentleman allow me to call his attention to a statement? In his reply to the gentleman from Missouri [Mr. CLARK], he asked the question if he knew of any contest in Missouri or Michigan where the voters voted in alphabetical order.

Mr. WEEKS. Yes; I asked that question.

Mr. WHEELER of Kentucky. I desire to call the gentleman's attention to the fact that in some of the States, notably in Kentucky, in all cities where registration is required the clerks of election are required to keep alphabetical lists of the voters who have registered and as they vote; the A's are put in one column, the B's in another, and so on down the alphabet, so that all the men who have voted appear in alphabetical blocks. It makes no difference in what order they vote, their names appear upon the lists in alphabetical order.

Mr. WEEKS. That is not this case. Has the gentleman read the poll list of voters in this case?

Mr. WHEELER of Kentucky. I am not attempting to criticize the statement of the gentleman from Michigan with reference to this case, but only with reference to the question that he asked the gentleman from Missouri. The point I want to make is that alphabetical lists may appear and would not of itself be any indication of fraud.

Mr. WEEKS. Perhaps not in Kentucky, under the Kentucky law. There is no such law in Virginia, and they did not attempt to vote that way there; they simply voted in some precincts three A's, then a voter, and then four B's, then a voter, then five C's, then a voter, and so on. Sometimes eighteen A's together, then a voter, and then there would be twenty-two B's.

Mr. BURKE of Texas. Will the gentleman from Michigan allow me another interruption, and then I will not interrupt him again.

Mr. WEEKS. I will, willingly. I am always willing to be interrupted by my friend from Texas.

Mr. BURKE of Texas. The gentleman has devoted almost his entire argument on Saturday and to-day to the fact that there were certain blocks of voters in alphabetical order, A, B, C, D, etc. Now, I want to ask the gentleman to be fair and candid with the House and say whether or not this occurred anywhere else other than in the city of Norfolk?

Mr. WEEKS. Oh, yes.

Mr. BURKE of Texas. Name the places.

Mr. WEEKS. If I have the time I will. It will be impossible for me to go over all the precincts in the whole district. I did cover that ground in my remarks last Thursday, or attempted to do so, so as to show the condition of the vote in all the precincts of the entire district.

Now it is my purpose, in closing this debate, to pass without further comment many things which have been said in reply to our argument on this side of the case, because they are wholly irrelevant. This talk about the Republicans beating themselves because they were defeated, this talk about who was the "regular nominee" and who was not, are matters of no possible concern in the disposition of this case. The question here is one of fraud in the election returns; and I say to you now frankly, if we do not succeed in demonstrating that the returns from the several precincts contested in this district are fraudulent returns, we will cheerfully accept the verdict of this House against us.

Some matters have been said here perhaps because I am at fault, or because of a misunderstanding of the laws of your Southern States; and some things have been said on the other side because of a misrepresentation of arguments which have been used by me. There is no time for further discussion of that kind. The arraignment of the political methods adopted in some sections of the South was not done on my part through any motive of ill will, but simply for the purpose of illustrating this case. I do not hold up the Seventh district of Virginia with any idea of casting obloquy or opprobrium upon the honorable gentleman who represents that district. So when I spoke of the district represented by my honorable friend on my left, the gentleman from Georgia [Mr. BARTLETT], it was far from my intention to cast any aspersions or any slur upon either him or his district.

Mr. BARTLETT. There has never been a contest in this House from the Sixth district of Georgia.

Mr. WEEKS. So I understand; and when I have alluded to any district in the South I have not done so with any intention of making a personal attack upon the honorable gentleman who represents the district, but it has been for the purpose of illustrating the methods of conducting elections that lead to these troubles and these contests that come before the House.

Mr. CLAYTON of Alabama. Mr. Speaker, I rise to a question of privilege affecting the dignity of this House. I call the attention of the House—

The SPEAKER pro tempore [Mr. KAHN]. The gentleman from Michigan has the floor.

Mr. WEEKS. What is the point of order or the question of privilege?

Mr. CLAYTON of Alabama. It is that an ex-member of this House, entitled to the privileges of this floor by reason of being an ex-member, who is now the attorney for the contestant in this case, is using the privilege of this floor as an attorney—is sitting there now, aiding the gentleman from Michigan in his argument. I say it is an abuse of the privileges which have been extended to ex-members.

Mr. WEEKS. I will say to the honorable gentleman from Alabama that I have not exchanged a word—

Mr. CLAYTON of Alabama. I saw him sitting there making memoranda and handing them to you.

Mr. WEEKS. I have not read any memorandum yet.

Mr. WILLIAMS of Mississippi. He did hand you a memorandum.

Mr. WEEKS. He did; but I have not read it yet. I hope

gentlemen will not have any excitement about this matter. I have not read the memorandum. I do not know what it is.

Mr. CLAYTON of Alabama. There is no excitement, but—
The SPEAKER pro tempore. The gentleman from Michigan has the floor.

Mr. CLAYTON of Alabama. I want to state what occurred here the other day on the part of this ex-member.

The SPEAKER pro tempore. The gentleman from Michigan is entitled to the floor.

Mr. RICHARDSON. Upon the point of order the gentleman from Michigan has not the floor.

Mr. CLAYTON of Alabama. I had the floor upon the question of order.

Mr. RICHARDSON. The point of order should be ruled upon. The SPEAKER pro tempore. The point of order is not well taken. The gentleman from Michigan has the floor.

Mr. RICHARDSON. Then I desire to make a point of order. I desire to renew the point of order; and I beg leave to read one line from the rules of this House upon that point of order—I will read Rule XXXIV for the benefit of the Chair. I make no point against the gentleman from Michigan, but Rule XXXIV provides for admission to the floor; it provides that certain persons shall be entitled to the floor; and one class of persons entitled to this privilege is ex-members of the House.

[At this point the Speaker took the chair.]

Mr. RICHARDSON. Mr. Speaker, a point of order has arisen in the discussion of this case—a point made by the gentleman from Alabama. It is to the effect that an ex-member of the House, who is entitled as such to the privilege of the floor, is abusing that privilege. The question grows out of the appearance of the counsel of the contestant in this case upon the floor, prompting gentlemen in debate and interfering—

Mr. WILLIAMS of Mississippi. Handing memoranda—

Mr. RICHARDSON. Yes, handing a paper and suggesting questions to the gentlemen addressing the House. He interfered with a gentleman on Saturday while he was addressing the House. The gentleman from Michigan now holds in his hand a memorandum handed to him by this ex-member, who came to his seat and interfered with him, and thereupon the gentleman from Alabama made this point of order.

Now, Mr. Speaker, I call the attention of the Chair to what occurred on Saturday, as found on page 2748 of the RECORD. While the gentleman from Texas [Mr. BURKE] was addressing the House this ex-member interfered. I will do the gentleman from Michigan [Mr. WEEKS] the justice to say that he stated that the interference was by addressing the remark to him and not to the gentleman from Texas.

Mr. WEEKS. To me.

Mr. RICHARDSON. To him and not to the gentleman from Texas [Mr. BURKE], who was addressing the House; but the gentleman from Texas [Mr. BURKE] construed the remark as being addressed to him, and resented it on the floor at the moment. It appears on page 2748. I ask the attention of the Chair to it, because the disturbance is renewed this morning. On Saturday, while the gentleman from Texas [Mr. BURKE] was speaking, referring to page 2748 of the RECORD, the Chair will find that the gentleman from Texas used this language:

Mr. Speaker, the brother of the contestant, who is an ex-member and present on the floor of the House, has just made a remark which I regard in the nature of an interruption. I do not recognize the gentleman's authority to challenge my assertion on the floor of this House. He is no member here. His brother is a contestant for this seat, but that gives the gentleman—

that is, the ex-member—

no authority to challenge my assertion, and I protest against it as a member of this House.

Then the gentleman from Michigan [Mr. WEEKS] said:

If the gentleman from Texas will permit me, I will say that the gentleman he refers to is an ex-member and has a right to the floor and that he made the remark to me.

The gentleman from Texas [Mr. BURKE] replied:

He has no right to challenge any assertion that I may make here.

Mr. WEEKS. But the remark was addressed to me.

Mr. BURKE of Texas. Well, perhaps I am mistaken; I thought the remark was addressed to me. While the gentleman is entitled, as a matter of courtesy, to the privileges of the floor by the permission of the Speaker, he has no authority to stand here and challenge an assertion made by a member of this House.

I say the gentleman from Texas [Mr. BURKE], standing on this side of the House, understood this ex-member as interfering with him and he objected to it. I will not state what occurred afterwards, subsequent to the conclusion of the remarks of the gentleman from Texas [Mr. BURKE].

Mr. WEEKS. The gentleman will understand that I do not know what occurred.

Mr. RICHARDSON. I am not making any point on the gentleman from Michigan. This morning the same ex-member, counsel for his brother, profoundly interested, I take it, in this case, comes

upon the floor, prompts members, moves around over the House, and makes suggestions to gentlemen who are speaking and who are to speak.

Mr. WILLIAMS of Mississippi. And hands memoranda to them.

Mr. RICHARDSON. And hands memoranda to them, as I have already stated, while they are speaking upon this question. Mr. Speaker, I will not read all of the rule which covers cases of this kind, but it says, among those who are enumerated as being entitled to the floor, "ex-members of the House of Representatives who are not interested in any claim or directly in any bill pending before Congress" are entitled to the floor.

I submit that while the gentleman may not have a pecuniary consideration, and I do not say that he has in this case, the rule does not mean that he must have a pecuniary consideration in order to disqualify him from admission to the floor. If he is an attorney in the case he may not have a valuable or money consideration, but the consideration of love and affection is just as great in the law and as valid as if it was a money consideration.

I submit, Mr. Speaker, in all kindness and in all decency, that it is not right for counsel to follow a case upon the floor here, to persecute a member, as is being done in this case. I insist upon the point of order made by the gentleman from Alabama as being right. It will not be denied that this ex-member is interested as attorney, and I believe made the argument before the Committee on Elections. I am not sure about that.

Mr. BURKE of Texas. That is correct.

Mr. RICHARDSON. He is the attorney of record in this case. I submit it is bad enough to turn gentlemen out, but that it ought at least to be done fairly, and I know that there are fair-minded gentlemen on that side of the House who will join with me in condemning any such interference by an attorney upon the floor of this House. There are fair-minded men on that side to whom I appeal, and if there is such a gentleman over there who thinks this point of order ought not to be sustained, I for one would be perfectly willing to see the gentleman from Alabama withdraw it. Now, I do not object to counsel pursuing cases legitimately. That is all right. But I do submit that in decency and fairness the prosecution of cases ought to stop at the door of this House.

Mr. WEEKS. Mr. Speaker, there has been a great deal—

The SPEAKER. Before the gentleman proceeds, the Chair would say that he was not in the House at the moment this commenced, but he is advised that the gentleman from Alabama did not make a point of order, but rose to a question of privilege.

Mr. WEEKS. That is right.

Mr. RICHARDSON. The gentleman first stated a question of privilege.

The SPEAKER. And that the question of order was raised by the gentleman from Tennessee. The Chair would like to be correctly advised with regard to that.

Mr. RICHARDSON. The gentleman from Alabama first stated that it was a question of privilege, and then stated a point of order. I do not care how that appears. I make the point of order, if necessary.

The SPEAKER. Very well, that covers that point.

Mr. WEEKS. Will the Chair permit me to make an explanation?

Mr. RICHARDSON. I have no objection.

Mr. WEEKS. A great deal of noise and confusion has arisen about nothing. The incident of last Saturday was explained at the very moment it occurred. I stated to the House that the remark was addressed to me. The gentleman from Texas [Mr. BURKE] was four seats away, in the middle aisle.

Mr. RICHARDSON. But the gentleman will not take issue with me that it interfered with the gentleman from Texas [Mr. BURKE] who was speaking on this side of the House and who supposed it was addressed to him.

Mr. WEEKS. I think the gentleman from Texas was just a little punctilious at that time. Now, to-day a note was handed to me that has no relation whatever to the debate now in progress. I have shown it to my colleague [Mr. HENRY C. SMITH] and he will verify my statement. It relates in no manner to the debate in progress.

Mr. RICHARDSON. Does it not relate to this case? I will say to the gentleman from Michigan that it is very singular that an attorney—

Mr. WEEKS. It is a suggestion, but it has no relation to the debate.

Several MEMBERS (on the Democratic side). Read it.

Mr. RICHARDSON. I do not insist that the gentleman shall read it, but I say that it is not right that this ex-member shall interfere with the gentleman in his speech, and we have a right to infer, if he does so, that it has some connection with this case.

Mr. KLUTTZ. Will the gentleman from Michigan object to reading that memorandum?

Mr. WEEKS. Oh, certainly; it is a private note and has no relevancy to this debate. That ends that chapter. It did not interfere

with me. I make no complaint about it, and I do not know why anyone else should. [Laughter.] Now, Mr. Speaker—

Mr. RICHARDSON. Now, I insist on a ruling on the point of order before the gentleman proceeds.

The SPEAKER. The Chair will hear the gentleman from Michigan on the point of order.

Mr. WEEKS. I supposed that I had just been heard. [Laughter.] I stated to the Speaker that a note was handed to me which had no relevancy to the debate in progress. It gave me no inconvenience and did not disturb me at all. I took no exception to it, and I do not know why anyone else on the floor should do so.

The SPEAKER. Does the gentleman from Michigan concede that Mr. John S. Wise is attorney of record in this case?

Mr. WEEKS. He was before the committee.

The SPEAKER. The Chair will rule on the case. From a hasty examination, and from the recollection of such matters which the Chair has, it is usual to appoint a select committee to ascertain the question of facts. The law, under the rule, is explicit. Among those who are mentioned as entitled to admission to the floor are included the following:

Ex-members of the House of Representatives who are not interested in any claim or directly in any bill pending before Congress.

The Chair thinks that the term "claim" or "bill" would apply to a contested-election case before Congress. He thinks that it is the intention of the rule, and if the record shows a state of facts which a select committee would have to ascertain, the Chair thinks that it would be his duty to act without waiting for the action of a select committee.

The custom has been, the practice has been, to appoint a select committee to investigate such matters and report to the House. But when it appears that an ex-member of Congress is the attorney of record in a case pending before the House, it seems to the Chair that action should be taken at once, especially when the case is pending and up for consideration; and in justice to the House and the dignity of the House and every element of fair play, while the Chair has not been able to find a precedent for the Chair's ruling before the appointment and report of a select committee, still the law does not expect unnecessary things to be done; and as it is conceded on the floor that Mr. John S. Wise is attorney of record, the Chair will hold that he must not occupy a place on this floor, subject to an appeal from this decision by the House. [Applause on the Democratic side.] No appeal being demanded, the Doorkeeper is instructed to exclude Mr. John S. Wise from the floor until this question is disposed of.

Mr. WEEKS. Can I proceed now?

The SPEAKER. The gentleman from Michigan is recognized.

Mr. WEEKS. Mr. Speaker, I will endeavor to resume the thread of my remarks at the point at which I was interrupted. I was about to state, while I entertain the utmost respect for the gentleman from Texas [Mr. BURKE] who has had the management of this case upon the other side, and appreciate his ability and his kindly disposition both in the committee room and on the floor of this House, in anything I have said or may say in this argument I shall be understood as having said it in the spirit of respect and kindly feeling toward the gentleman from Texas, but at the same time I most heartily disagree with the argument which he has made and with the conclusions he has drawn.

Taking up the argument in this spirit, Mr. Speaker, I must first emphatically say, as I have already urged, that the question as to who was the regular candidate of the Republican party in that district in this election can not be decided by arguments in this case. That question has been answered and decided by the chairman of the national Republican Congressional committee, and I ought not to allow it to divert me from the main question to be disposed of at the bar of this House. The contestee's followers had no more right to cheat the Republicans because they were divided at the time of this election than they would have to cheat them if they were united. And that disposes of that question.

Then, again, what relevancy has the argument of the learned and esteemed gentleman from Texas about the \$2,000 allowance to the contestant in a case of this kind in this House? Is it credible that a man of the sense and learning of the gentleman from Texas can for a moment believe that the contestant is moved by the desire of the question of this allowance? Look at this record, a record of thousands of pages of testimony, in which, as I understand, not less than 2,000 witnesses were examined from all over the district. In order for the contestant to obtain his rights it must have cost him three times more than the sum to be allowed to him on this contest, and that he paid out in advance.

Now, the gentleman from Texas also knows another fact—that the former contest between these same two candidates or parties from the same district cost the contestant \$7,343.11; and the gentleman from Texas was one of the committee that audited that account. So this paltry \$2,000 to be allowed the contestant is not the prize he is struggling for at the bar of the House. The gentleman from Texas also said he would be in favor of repealing the law grant-

ing a contestant this \$2,000. Well, I say to the gentleman that I would be in favor of repealing that law, but I would be in favor of repealing it for the reason that it offers a premium to men in the condition of the contestee in this case, who, without a shadow of right to his seat, as we look at it, has drawn a year's salary and will be paid \$2,000 premium for the outrage he has committed, while the lawful incumbent is punished with an expenditure of \$4,000 taken out of his salary. I would be in favor of the repeal of that law.

What does the gentleman from Texas mean by saying that the proof of fraud in Norfolk is confined to 131 votes? Was not the return for Young 3,604? Was not the return from the Fifth Ward, first precinct, for Young 529, and that in the Fifth Ward, second precinct, 407—total 936? Has not the contestee confessed that this 936 votes was fraudulent? It is over one-fourth of the whole return for him in Norfolk. It is conceded to be fraudulent by the contestee and the contestee's attorney and in the views of the minority in this case, and yet the honorable gentleman from Texas says that this is all on account of 131 fraudulent votes.

Now, the gentleman says in his argument, leave out these wards and there were only 131 other fraudulent votes. I inquire back, why not leave the others out if you leave out the 936; why did you not pick out the 131 and leave those out too? You come here with the return from the city of Norfolk that gives you the benefit of 131 now conceded fraudulent votes out of the mouth of the honorable gentleman from Texas, who spoke for the contestee on this floor. Now, I suppose if we had conceded, if these 131 votes had been conceded out of the case, then there would have been no proof of fraud whatever in the case. Let us look at this a moment. I make the statement that if not only the 131 witnesses examined in the other precincts had been sworn, that the poll books themselves in other precincts in Norfolk than those in the Fifth Ward show on their face fraud committed at the same time and in the same manner as in the Fifth Ward and to a degree far more apparent than in the returns from the wards admitted to be false.

Take, for example, the returns from the first precinct, Second Ward (page 978). Here is a precinct in which the gentleman insists the returns shall stand and be counted, save as to a few witnesses whose names are on the poll book who swear they did not vote, a few voters proved to have been dead or absent, and a few others whose names are not on the registration lists. But can a poll like this be allowed to stand for a moment? The mere fact that these people did not vote is not all that is proved. It is proved by reliable witnesses—Newton (page 867); Waddy (page 869)—that the return of 507 votes cast is a falsehood; that a very small vote was polled, averaging, possibly 15 an hour; that not half as many votes were cast as were returned. When the poll list was examined it was found that blocks of names of people who did not vote had been transferred from the registration lists to the poll book, in alphabetical sequence, in such manner as to show a willful, deliberate conspiracy to defraud and give Young a false return of hundreds from this precinct. Look at the poll book from this precinct, beginning at poll 125. We have 5 voters whose names begin with A, followed with 6 with B, then 5 C's, then 5 D's, then 3 E's, 8 F's, 4 G's, 18 H's, 5 J's, 5 K's, 1 L, 19 M's, 4 P's, 8 R's, 13 S's, 5 T's, 4 W's, and then going back to the beginning of the alphabet it resumes the block system with 4 A's, 10 B's, 18 C's, and so on.

Not only is this remarkable aggregation of voters in groups from A to W in regular sequence incredible, but the juxtaposition of names in the groups stamps them as falsehoods. Take, for example, the names from 224 to 228, inclusive. The poll list purports that after 10 other men whose names began with M and just before 4 others whose names began with P, the 5 following parties voted in sequence: McCable, McDonald, McDowell, McLean, McManus. Can any man believe this occurred? But concerning another group equally as absurd we have positive proof. From poll 479 to 484, inclusive, we have the following remarkable entry: 479, Isaac Gallumbeck; 480, J. Gallumbeck; 481, James Gallumbeck; 482, B. Gallumbeck; 483, S. Gallumbeck. It would have been remarkable if 5 men of this name had voted together, but we are not left to conjecture about it. J. Gallumbeck (page 1195) and Isaac Gallumbeck (page 1199) swear they were registered and did not vote, and know no others of the name of Gallumbeck in the precinct. So also Howard Moore, polled as voter 427 in a group of 5 M's, swears he did not vote (page 867). So also A. Hoffman (page 1195), who is polled as 184 in a group of 18 H's, swears he did not vote. So also Thomas Whittaker, polled as 414 in a group of 10 W's, swears he did not vote (page 1195). So also J. R. Johnson (page 1195), polled as 433 in a group of 5 J's, swears he did not vote.

The gentleman's argument proposes only to give contestant the benefit of the few individual votes of the five Gallumbecks, Moore, Hoffman, Whittaker, and J. R. Johnson and let this poll stand in other respects, notwithstanding this ruinous proof concerning its verity. By the same reasoning as to other precincts he contends there are but 131 fraudulent votes polled.

Before leaving the subject let us look at the return from contestee's own voting precinct, which the gentleman contends must also stand (page 1003). Contestee voted as No. 26. The poll purports 390 votes cast. Of these, 18 were not in the city directory (Vaughan, 1181); 7 voters on the poll list swore they did not vote and that there were no others of the same name in the precinct.

E. M. Bell (page 1002), S. B. Bell (page 1005), D. W. Bagley (1012), all in a group of 21 B's, swear they did not vote, and in this same group of 21 B's are three names not in the city directory.

M. M. Rennolds (page 1005) polled as 332 in a group of 2 R's, E. S. Ashlin (page 1014) polled as 237 in a group of 6 A's. W. H. Thompson (page 1043) polled 339 with another T. Nimmo Old (page 1176) polled 287 with another O. All swear they did not vote.

Henry Pierce, No. 263, voted between 4 and 5 p. m., not over 20 after him (Parker, page 1039), yet 127 names appear after him on the poll book, nearly all in alphabetical groups.

Yet the gentleman argues we should have retained this poll and only counted 7 illegal votes proved, which he generously offers to deduct from Young if we allow him to retain 238 votes, more than were really cast at the precinct.

These two precincts illustrate the methods pursued at all. The contention of contestee concerning them illustrates his claim as to all. By this method he argues that but 131 fraudulent votes were proved outside the Fifth Ward. You see how the same thing was being done at the same time in the same manner at both, far apart. Just the same thing was going on in the same way all over the city.

Now, about the judges of election in Norfolk. At both these precincts a so-called Republican judge was acting. But they were not judges appointed by Colonel Waddy, the recognized chairman (Waddy, 870). He was ignored. The Democrats chose judges on nomination of the Holland Republicans, or what the gentleman calls the "Bowden faction." A. T. Montgomery was judge first precinct, Second Ward, a nominee of the Bowden faction. Waddy and Newton (pages 869, 867) swore he was a man of no character and not a resident of the ward for six years. Mathwes (972) swore he worked in a negro barroom with the worst crowd in the city, and would not believe him on oath, and that Prince, another judge, had a bad reputation, and contestee took no contradicting proof.

But it was impossible that these returns could have been made by honest judges, independent of this proof. A collusion between them and Young's judges in favor of Young and Holland is shown by the proof from Fourth Ward, first precinct, where but 16 Democratic votes were returned. Langley and Foster (pages 886 and 888) swear the judge marked their tickets wrong. Daniel Jefferson, polled 260 (page 988), swore he voted at 4.55 p. m.; stayed until close, and one or two voted after him. Tom Milton voted (page 991) at 4.50. J. W. Scott voted at 5 p. m. After Jefferson about 10 votes cast. Polls closed after Scott's vote (Scott, page 1023; Johnson, page 997). Yet, 86 names are on the poll book after Scott. Of the 86 thus on the poll book after Scott, 6 were examined and swore they did not vote. Poole (page 989) polled 284, Kemp (page 1017) polled 294, Griggs (page 1020) polled 297, Taylor (page 1018) polled 309, Burk (page 989) polled 322, Liggins (page 988) polled 338, and Thomas Godfrey, polled as 320, was proved to be dead (page 1036).

And from this precinct, the poll book of which is padded all the way through with fictitious names, a return of 197 votes is given for Holland; more votes, perhaps, than were actually cast at the precinct. The reason for this generosity for Holland doubtless was that not over 40 white votes were registered at the precinct, and to give them to Young was impossible. This, as we think, taken in connection with the conduct at other precincts, demonstrates the collusion between the Democratic and so-called Bowden judges against the Republican nominee. They favored Young when Young's vote was strong, and Holland where Young was weak. In the face of such transparently fraudulent poll lists, what an absurd thing it is for the gentleman to talk about our disfranchising a whole community when we throw out these blocks of fictitious voters.

The real voters do not feel aggrieved by this rebuke to a set of corrupt and perjured judges who used the names of real and fictitious people in alphabetical blocks, when they had not in fact voted. What crocodile tears these are about disfranchising people who did not vote. How sad it is to disfranchise 31 H's, following in consecutive order, at the contestee's own precinct, when, although those H's did not vote for him, his judges had taken care to put them on the list. I can imagine the wailing which is now going on through the whole alphabet in Norfolk, for, say what we will about these judges, they were at least impartial to every letter of the alphabet, and even now I see a group of disfranchised K's falling on the necks of a group of Z's, weeping over the destruction of their franchise—a franchise which they did not even have to go to the polls to exercise.

That shows how little attention is given to the facts in these

contested-election cases. There is only one excuse for this, and that is the confidence that each side of the House reposes in its respective members of these Election Committees. On the Republican side we know that we have honest members of the Election Committee, and on the other side also I believe we have honest members. I say this not in compliment alone to Judge BURKE. But it has come to this—that members of the House actually show an indifference to the facts in these cases, either from real indifference or because they have this great, overpowering confidence in the justice of the case as presented to them by their representatives on the committee.

I have prepared, Mr. Speaker, a table showing the state of the vote as found by the majority of the committee and incorporated in their report. It gives the vote in every county, exclusive of the county of Surry, about which there was some question; and giving the vote in Norfolk only as proven by the contestant, we figure up that Mr. Young has a vote of 2,668 and Mr. Wise a vote of 4,553.

	Young.	Wise.
1. Norfolk.....	0	437
2. Isle of Wight.....	415	426
3. James City.....	25	287
4. Nansemond.....	257	1,171
5. Princess Anne.....	49	426
6. Southampton.....	527	685
7. Warwick.....	174	211
8. York.....	32	375
9. Portsmouth.....	1,189	418
10. Williamsburg.....	0	117
	2,668	4,553
Add uncontested returns from counties of Charles City, Elizabeth City, Norfolk County, and city of Newport News.....	2,148	2,697
	4,816	7,250

Exclusive of the county of Surry, the contestant is entitled to his seat by a majority of 2,434. If the returns from Surry County are allowed to stand as they were made, the contestant's majority of 2,434 would be reduced to 1,947. So that either way a very large majority must be honestly returned for the contestant.

Mr. Speaker, the hour having arrived for moving the previous question, I now do so.

Mr. RICHARDSON rose.

The SPEAKER. Does the gentleman from Michigan move the previous question on the resolution and the substitute?

Mr. RICHARDSON. May I be permitted—

The SPEAKER. The gentleman from Tennessee will wait until the question is stated.

Mr. WEEKS. I call the previous question on the resolution offered by the majority of the committee, that the contestee was not duly elected and that the contestant was.

The SPEAKER. Does the gentleman's motion for the previous question embrace also the substitute submitted by the minority of the committee?

Mr. WEEKS. Yes, sir.

The SPEAKER. The previous question is moved on the resolution of the committee and on the proposed substitute.

Mr. RICHARDSON. My only purpose in rising was to say that as we had interrupted the gentleman from Michigan on the point of order, by which about fifteen minutes had been occupied, we had no disposition to cut him off. We did not intend to deprive him of any of his time. [Laughter.]

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

The previous question was ordered.

The SPEAKER. The question is now on agreeing to the resolution submitted by the minority of the committee.

Mr. RICHARDSON. On that we would like to have the yeas and nays.

The yeas and nays were ordered.

Mr. BURKE of Texas. I ask that the resolution offered by the minority of the committee be read by the Clerk.

The Clerk read as follows:

Resolved, That William A. Young was duly elected to a seat as Representative from the Second Congressional district of Virginia in the Fifty-sixth Congress of the United States and should retain the same.

The question was taken; and there were—yeas 128, nays 132, answered "present" 12, not voting 79; as follows:

YEAS—128.

Adamson,	Bell,	Burleson,	Cooney,
Allen, Ky.	Bellamy,	Burnett,	Cowherd,
Allen, Miss.	Benton,	Caldwell,	Cox,
Atwater,	Berry,	Campbell,	Crawford,
Bailey, Tex.	Brantley,	Catchings,	Cummings,
Ball,	Brewer,	Clark, Mo.	Daly, N. J.
Bankhead,	Brundidge,	Clayton, Ala.	Davenport, S. W.
Barber,	Burke, Tex.	Clayton, N. Y.	De Armond,
Bartlett,		Cochran, Mo.	De Graffenreid,

De Vries,
Denny,
Dinsmore,
Dougherty,
Driggs,
Elliot,
Finley,
Fitzgerald, Mass.
Fitzgerald, N. Y.
Fleming,
Foster,
Gilbert,
Glynn,
Green, Pa.
Griggs,
Hay,
Henry, Miss.
Henry, Tex.
Howard,
Jett,
Johnston,
Jones, Va.
Kitchin,

Kleberg,
Lamb,
Lanham,
Latimer,
Lentz,
Lester,
Levy,
Lewis,
Little,
Livingston,
Lloyd,
McAleer,
McClellan,
McCulloch,
McDowell,
McLain,
Maddox,
May,
Meekison,
Meyer, La.
Muller,
Neville,
Noonan,

Norton, S. C.
Otey,
Pierce, Tenn.
Polk,
Quarles,
Ransdell,
Rhea, Ky.
Rhea, Va.
Ridgely,
Rixey,
Robb,
Robinson, Nebr.
Rucker,
Ruppert,
Ryan, N. Y.
Ryan, Pa.
Salmon,
Scudder,
Shackelford,
Sheppard,
Sibley,
Sims,
Small,

Smith, Ky.
Snodgrass,
Sparkman,
Stark,
Stephens, Tex.
Stokes,
Sulzer,
Sutherland,
Swanson,
Talbert,
Taylor, Ala.
Terry,
Thayer,
Thomas, N. C.
Turner,
Vandiver,
Wheeler, Ky.
Williams, J. R.
Williams, Miss.
Wilson, Idaho
Wilson, S. C.
Zenor,
Ziegler.

YAYS—132.

Aldrich,
Alexander,
Allen, Mo.
Babcock,
Bailey, Kans.
Baker,
Barham,
Bartholdt,
Bingham,
Bishop,
Boutell, Ill.
Bowersock,
Brick,
Bromwell,
Brosius,
Brown,
Bull,
Burke, S. Dak.
Burkett,
Burleigh,
Burton,
Calderhead,
Cannon,
Clarke, N. H.
Cochrane, N. Y.
Connell,
Cooper, Wis.
Corliss,
Cousins,
Crump,
Crumpacker,
Curtis,
Cushman,

Dahle, Wis.
Davenport, S. A.
Dayton,
Dick,
Dolliver,
Dovener,
Driscoll,
Eddy,
Ech,
Faris,
Fletcher,
Foss,
Fowler,
Freer,
Gamble,
Gardner, Mich.
Gardner, N. J.
Gill,
Gillett, Mass.
Graff,
Grout,
Hamilton,
Haugen,
Heatwole,
Hedge,
Henry, Conn.
Hepburn,
Hoffecker,
Hull,
Jack,
Jenkins,
Kahn,
Kerr,

Ketcham,
Knox,
Lacey,
Landis,
Lane,
Lawrence,
Littlefield,
Long,
Lorimer,
Lovering,
Lybrand,
McCleary,
McPherson,
Mann,
Marsh,
Mesick,
Metcalf,
Miller,
Minor,
Moody, Mass.
Moody, Oreg.
Morgan,
Morris,
Needham,
O'Grady,
Otjen,
Overstreet,
Packer, Pa.
Payne,
Pearce, Mo.
Pearre,
Phillips,
Prince,

Pugh,
Ray,
Reeder,
Reeves,
Richardson,
Russell,
Shattuc,
Shelden,
Showalter,
Smith, H. C.
Smith, Samuel W.
Smith, Wm. Alden
Sperry,
Sprague,
Steele,
Stewart, N. J.
Stewart, N. Y.
Stewart, Wis.
Sulloway,
Tawney,
Thropp,
Tompkins,
Tongue,
Vreeland,
Wadsworth,
Wanger,
Warner,
Waters,
Weaver,
Weeks,
White,
Young, Pa.
The Speaker.

ANSWERED "PRESENT"—12.

Barney,
Dalzell,
Griffith,

Jones, Wash.
Kluttz,
Mahon,

Mercer,
Napthen,
Powers,

Spalding,
Van Voorhis,
Wright.

NOT VOTING—73.

Acheson,
Adams,
Boreing,
Boutelle, Me.
Bradley,
Breazeale,
Broussard,
Brownlow,
Butler,
Capron,
Carmack,
Chanler,
Cooper, Tex.
Cromer,
Crowley,
Cusack,
Davey,
Davidson,
Davis,
Emerson,

Fitzpatrick,
Fordney,
Fox,
Gaines,
Gaston,
Gayle,
Gibson,
Gillett, N. Y.
Gordon,
Graham,
Greene, Mass.
Grosvenor,
Grow,
Hall,
Hawley,
Hemenway,
Hill,
Hitt,
Hopkins,
Howell,

Joy,
Linney,
Littauer,
Loud,
Loudenslager,
McCall,
McRae,
Miers, Ind.
Mondell,
Moon,
Mudd,
Newlands,
Norton, Ohio
Olmsted,
Parker, N. J.
Riordan,
Roberts,
Robertson, La.
Robinson, Ind.
Rodenberg,

Shafroth,
Sherman,
Slayden,
Smith, Ill.
Southard,
Spight,
Stallings,
Stevens, Minn.
Tate,
Tayler, Ohio
Thomas, Iowa
Underhill,
Underwood,
Wachter,
Watson,
Weymouth,
Williams, W. E.
Wilson, N. Y.
Young, Va.

So the substitute was rejected.

Mr. BARTHOLDT. Mr. Speaker, I was paired with my colleague, Mr. DOUGHERTY—

The SPEAKER. The Chair must have order in the House. This is a matter of such importance that members will recognize the necessity for order. All gentlemen will resume their seats and cease conversation.

Mr. BARTHOLDT. Mr. Speaker, I was paired with my colleague, Mr. DOUGHERTY, but that gentleman having returned and having voted, I desire to change my vote from "present" to "no."

The Clerk called Mr. BARTHOLDT'S name, and he voted in the negative.

Mr. HENRY of Connecticut. Mr. Speaker, I would like to know how my vote is recorded.

The SPEAKER. The gentleman is recorded in the negative.

Mr. VAN VOORHIS. Mr. Speaker, I am paired with my colleague, Mr. GORDON. I ask to withdraw my vote, having voted in the negative.

The SPEAKER. Without objection, the gentleman will be allowed to withdraw his vote.

Mr. MOODY of Oregon. Mr. Speaker, I should like to know how I am recorded.

The SPEAKER. The gentleman is recorded in the negative.

Mr. TAWNEY. Mr. Speaker, I desire to inquire if the gentleman from North Carolina, Mr. SMALL, voted.

The SPEAKER. The gentleman from North Carolina voted in the affirmative.

Mr. TAWNEY. I desire to state that the gentleman from Michigan, Mr. FORDNEY, before leaving the city last Saturday evening, informed me that he was paired with the gentleman from North Carolina, Mr. SMALL, on all questions and that that pair was not transferable.

Mr. SMALL. I desire to state that I was paired with the gentleman from Michigan [Mr. FORDNEY] upon all questions, but I inquired of different members of the House upon each side as to whether that pair might be transferred and under what conditions it might be transferred, and I was informed that the pair might be transferred provided there was no reservation to the contrary at the time the pair was made; and understanding that such was the custom of the House, and understanding that pairs were so transferred under those conditions, I permitted the transfer, and voted. If that is the custom of the House, I desire to stand by it. If it is not, I desire to withdraw my vote.

The SPEAKER. The Chair will state that the matter of voting on pairs is purely a matter of honor on the part of members. There is no rule that will compel a member to vote otherwise than as he pleases. The Chair will state that the gentleman from Michigan [Mr. FORDNEY], before leaving the city, stated to the Chair that he had a pair with the gentleman from North Carolina [Mr. SMALL] on all questions, which would be binding. The Chair asked him if it was in writing. He said it was not, but that it was not necessary to be, as the Chair understood him. But each member must be his own judge as to whether he votes or not after being paired.

Mr. TAWNEY. Mr. Speaker, I wish to say further that when the gentleman from Michigan [Mr. FORDNEY] made the statement to me—

Mr. WHEELER of Kentucky. A point of order, Mr. Speaker. I submit that this is out of order. The question was properly stated by the Chair.

The SPEAKER. The point of order is well taken. This only proceeds by unanimous consent.

Several MEMBERS. Regular order!

The SPEAKER. Gentlemen will resume their seats. The Clerk will announce the pairs, after which the Chair will order a recapitulation, so that it may be ascertained whether any mistakes have been made.

The Clerk announced the following pairs:

For this Congress:

Mr. WRIGHT with Mr. HALL.

Until further notice:

Mr. MERCER with Mr. GASTON.

Mr. GIBSON with Mr. TATE.

Mr. TAYLER of Ohio with Mr. FOX.

Mr. BROWNLOW with Mr. CARMACK.

Mr. SOUTHARD with Mr. NORTON of Ohio.

Mr. HEMENWAY with Mr. MIERS of Indiana.

Mr. WEYMOUTH with Mr. BROUSSARD.

Mr. VAN VOORHIS with Mr. GORDON.

Mr. LOUDENSLAGER with Mr. STALLINGS.

Mr. HAWLEY with Mr. COOPER of Texas.

Mr. BOREING with Mr. FITZPATRICK.

Mr. CROMER with Mr. GRIFFITH.

Mr. MCCALL with Mr. GAINES.

For one week:

Mr. FORDNEY with Mr. BRADLEY.

Mr. SPALDING with Mr. MOON.

Until March 14:

Mr. OLMSTED with Mr. WILLIAM E. WILLIAMS.

Until Tuesday:

Mr. GROW with Mr. CHANLER.

Mr. ADAMS with Mr. SLAYDEN.

Mr. ROBERTS with Mr. NAPHEN.

Mr. SHERMAN with Mr. RIORDAN.

Until March 11:

Mr. GILLET of New York with Mr. GAYLE.

For this day:

Mr. DAVIDSON with Mr. WILSON of New York.

Mr. GREENE of Massachusetts with Mr. DAVIS.

Mr. BUTLER with Mr. UNDERHILL.

Mr. JONES of Washington with Mr. ROBERTSON of Louisiana.

Mr. GROSVENOR with Mr. ROBINSON of Indiana.

Mr. POWERS with Mr. NEWLANDS.

Mr. LINNEY with Mr. KLUTTZ.

Mr. MAHON with Mr. BREAZEALE.

Mr. STEVENS of Minnesota with Mr. SHAFROTH.

Mr. BARNEY with Mr. MCRAE.

Mr. HOPKINS with Mr. CROWLEY.

Mr. ACHESON with Mr. SPIGHT.

On this case:

Mr. DALZELL with Mr. UNDERWOOD.

On this vote:

Mr. MUDD with Mr. DAVEY.

Mr. JOY with Mr. CUSACK.

Mr. SLAYDEN. Mr. Speaker, I understood the Clerk to read me as being paired with the gentleman from Rhode Island, Mr. CAPRON. I want to state that that is incorrect. I am paired with the gentleman from Pennsylvania, Mr. ADAMS, and I would like to ask if Mr. ADAMS has voted.

The SPEAKER. He has not.

Mr. SLAYDEN. Well, I refrained from voting because of my pair with the gentleman from Pennsylvania, Mr. ADAMS. I wish to make a brief explanation in connection with that. The gentleman from Rhode Island, Mr. CAPRON, came to me before he left and asked me if I would pair with him. I told him that I could not, as I was paired with the gentleman from Pennsylvania, Mr. ADAMS. He informed me that he probably would not be back until Tuesday or Wednesday of this week, and I am somewhat surprised to hear my pair as being with the gentleman from Rhode Island, Mr. CAPRON. If there is any means of doing it, I should like to have it corrected, to show that I have kept my faith with the gentleman from Pennsylvania, Mr. ADAMS.

The SPEAKER. It will appear of record. The Clerk will call my name.

The Clerk called the Speaker, and he voted in the negative.

The SPEAKER. The Clerk will recapitulate. The House must be in order, so that the recapitulation can be heard.

The Clerk recapitulated the names of those voting.

Mr. SNODGRASS. I did not hear my name called in the recapitulation.

The SPEAKER. The gentleman is recorded in the affirmative.

Mr. DALZELL. How am I recorded?

The SPEAKER. The gentleman is recorded as "present."

Mr. DALZELL. That is right.

Mr. MANN. Mr. Speaker, I answered "present" on the roll call. I have a standing pair with my colleague from Illinois, Mr. JETT, who has been away for a few days. I did not know that he was present; but I understand that he is recorded as voting.

The SPEAKER. He is recorded as voting in the affirmative.

Mr. JETT. That is true.

Mr. MANN. I ask whether I am entitled to vote or not?

The SPEAKER. If the gentleman voted "present," he has a right to change his vote.

Mr. MANN. Very well; I ask to vote.

The SPEAKER. The Clerk will call the gentleman's name.

The Clerk called the name of Mr. MANN, and he voted in the negative.

Mr. SLAYDEN. Mr. Speaker, I would like to inquire of the Clerk, or to get the information, as to whether or not the gentleman from Pennsylvania, Mr. ADAMS, is reported as being paired.

The SPEAKER. He is not reported as paired, and did not vote.

Mr. JETT. I want to say in explanation of the matter which has been referred to by my colleague [Mr. MANN], that I had seen my colleague on the floor all the morning and I supposed he had voted. Therefore when my name was called I voted. I think it is fair that he should have the right to vote.

Mr. MANN. Of course, Mr. Speaker, the gentleman was in no way at fault.

Mr. RICHARDSON. I desire to change my vote from "aye" to "no."

The SPEAKER. The Clerk will call the gentleman from Tennessee.

The Clerk called the name of Mr. RICHARDSON, and he voted "no."

Mr. KLUTTZ. I voted "aye," sir, but I learn that my colleague, Mr. LINNEY, left the city under the impression that I was paired with him. Therefore I ask leave to withdraw my vote and to vote "present."

The SPEAKER. Without objection this will be done.

There was no objection.

The result of the vote was announced as above recorded.

Mr. RICHARDSON. Mr. Speaker, I move to reconsider the vote by which the substitute was rejected.

Mr. WEEKS. I move to lay that motion on the table.

Mr. RICHARDSON. Upon that motion I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 132, nays 129, answered "present" 12, not voting 76; as follows:

YEAS—132.

Aldrich,	Baker,	Pontell, Ill.	Brown,
Alexander,	Barham,	Bowersock,	Bull,
Allen, Me.	Bartoldt,	Erick,	Burke, S. Dak.
Babcock,	Bingham,	Bromwell,	Burkett,
Bailey, Kans.	Bishop	Brosius,	Burleigh,

Burton,
Calderhead,
Cannon,
Clarke, N. H.
Cochrane, N. Y.
Connell,
Cooper, Wis.
Corliss,
Cousins,
Crum,
Crumppacker,
Curtis,
Cushman,
Dahle, Wis.
Davenport, S. A.
Dayton,
Dick,
Dolliver,
Dovener,
Driscoll,
Eddy,
Esch,
Faris,
Fletcher,
Foss,
Fowler,
Freer,
Gamble,

Gardner, Mich.
Gardner, N. J.
Gill,
Gillett, Mass.
Graff,
Grout,
Hamilton,
Haugen,
Heatwole,
Hedge,
Henry, Conn.
Hepburn,
Hoffecker,
Hull,
Jack,
Jenkins,
Kahn,
Kerr,
Ketcham,
Knox,
Lacey,
Landis,
Lane,
Lawrence,
Littlefield,
Long,
Lorimer,
Lovering,

Lybrand,
McCleary,
McPherson,
Mann,
Marsh,
Mesick,
Metcalfe,
Miller,
Minor,
Mondell,
Moody, Mass.
Moody, Oreg.
Morgan,
Morris,
Needham,
O'Grady,
Otjen,
Overstreet,
Packer, Pa.
Payne,
Pearce, Mo.
Pearre,
Phillips,
Prince,
Pugh,
Ray,
Reeder,
Reeves,

Rodenberg,
Russell,
Shattuc,
Shelden,
Showalter,
Smith, H. C.
Smith, Samuel W.
Smith, Wm. Alden
Sperry,
Sprague,
Steele,
Stewart, N. J.
Stewart, N. Y.
Stewart, Wis.
Sulloway,
Tawney,
Thropp,
Tompkins,
Tongue,
Vreeland,
Wadsworth,
Wanger,
Warner,
Waters,
Weaver,
Weeks,
White,
Young.

NAYS—129.

Adamson,
Allen, Ky.
Allen, Miss.
Atwater,
Bailey, Tex.
Ball,
Bankhead,
Barber,
Ba-tlett,
Bell,
Bellamy,
Benton,
Berry,
Brantley,
Brenner,
Brewer,
Brundidge,
Burke, Tex.
Burleson,
Burnett,
Caldwell,
Campbell,
Catchings,
Clark, Mo.
Clayton, Ala.
Clayton, N. Y.
Cochran, Mo.
Cooney,
Cowherd,
Cox,
Crawford,
Cummings,
Daly, N. J.

Davenport, S. W.
De Armond,
De Graffenreid,
Denny,
Dinsmore,
Dougherty,
Driggs,
Elliott,
Finley,
Fitzgerald, Mass.
Fitzgerald, N. Y.
Fleming,
Foster,
Gilbert,
Glynn,
Green, Pa.
Griffith,
Griggs,
Hay,
Henry, Miss.
Henry, Tex.
Howard,
Jett,
Johnston,
Jones, Va.
Kitchin,
Kleberg,
Lamb,
Lanham,
Latimer,
Lentz,
Lester,
Levy,

Lewis,
Little,
Livingston,
Lloyd,
McAleer,
McClellan,
McCulloch,
McDowell,
McLain,
Maddox,
May,
Meekison,
Meyer, La.
Muller,
Neville,
Noonan,
Norton, S. C.
Otey,
Pierce, Tenn.
Polk,
Quarles,
Ransdell,
Rhea, Ky.
Rhea, Va.
Richardson,
Ridgely,
Rixey,
Robb,
Robinson, Nebr.
Rucker,
Ruppert,
Ryan, N. Y.
Ryan, Pa.

Salmon,
Scudder,
Shackleford,
Sheppard,
Sibley,
Sims,
Small,
Smith, Ky.
Snodgrass,
Sparkman,
Stark,
Stephens, Tex.
Stokes,
Sulzer,
Sutherland,
Swanson,
Talbert,
Taylor, Ala.
Terry,
Thayer,
Thomas, N. C.
Turner,
Vandiver,
Wheeler, Ky.
Williams, J. R.
Williams, Miss.
Wilson, Idaho
Wilson, S. C.
Zenor,
Ziegler.

ANSWERED "PRESENT"—12.

Barney,
Dalzell,
De Vries,

Jones, Wash.
Joy,
Mahon,

Mercer,
Naphen,
Powers,

Spalding,
Van Voorhis,
Wright.

NOT VOTING—76.

Acheson,
Adams,
Borling,
Boutelle, Me.
Bradley,
Brazeeale,
Broussard,
Brownlow,
Butler,
Capron,
Carmack,
Chanler,
Cooper, Tex.
Cromer,
Crowley,
Cusack,
Davey,
Davidson,
Davis,

Emerson,
Fitzpatrick,
Fordney,
Fox,
Gaines,
Gaston,
Gayle,
Gibson,
Gillett, N. Y.
Gordon,
Graham,
Greene, Mass.
Grosvenor,
Grow,
Hall,
Hawley,
Hemenway,
Hill,
Hitt,

Hopkins,
Howell,
Klutz,
Linney,
Littauer,
Loud,
Loudenslager,
McCall,
McRae,
Miers, Ind.
Moon,
Mudd,
Newlands,
Norton, Ohio
Olmsted,
Parker, N. J.
Riordan,
Roberts,
Robertson, La.

Robinson, Ind.
Shafroth,
Sherman,
Slayden,
Smith, Ill.
Southard,
Spight,
Stallings,
Stevens, Minn.
Tate,
Taylor, Ohio
Thomas, Iowa
Underhill,
Underwood,
Wachter,
Watson,
Weymouth,
Williams, W. E.
Wilson, N. Y.

So the motion to lay the motion to reconsider on the table was agreed to.

Mr. SIBLEY. Mr. Speaker, I desire to vote.

The SPEAKER. Was the gentleman present and listening to hear his name when it should have been called.

Mr. SIBLEY. I think I was listening; I was here purposely.

The SPEAKER. Trying to hear your name when it was called?

Mr. SIBLEY. I was trying to hear my name, and supposed I could. I did not notice the gentlemen ahead of me, and I did not hear my name called. I was right here in front of the Speaker's desk.

The SPEAKER. Attending to the call of the roll?

Mr. SIBLEY. I do not know that I had any other business besides that; I was present, listening to the roll call.

The SPEAKER. If the gentleman says he was listening to hear his name called, he is entitled to vote.

Mr. SIBLEY. That was my object. I was right here.

The name of Mr. SIBLEY was called, and he voted as above recorded.

The following additional pair was announced:

Mr. LOUB with Mr. DE VRIES, for the remainder of the session.

Mr. SMALL. Mr. Speaker, I desire to make a statement.

The SPEAKER. Without objection the gentleman will be heard, but not as a matter of right.

Mr. SMALL. In reference to the pair between the gentleman from Michigan [Mr. FORDNEY] and myself, I desire to say that on Thursday of last week the gentleman said to me that if he—

Mr. STEELE. Mr. Speaker, I rise to the point of order that the House is not in order, and I desire order so that we can hear the gentleman's statement.

The SPEAKER. The House will be in order.

Mr. SMALL. Mr. Speaker, the gentleman from Michigan [Mr. FORDNEY] spoke to me on Thursday of last week, saying that he might be compelled to leave the city, and if he did leave he desired to know if he could make a pair with me. I told him he could. On Saturday he sent me a note to the effect that he should leave the city and would desire to make a pair on all questions for this week. This morning some gentlemen on our side of the House came to me and asked me to transfer the pair. I declined to do so. They said it was the custom of the House to do so. I held the matter under consideration until I could advise with some of the older members of the House.

I spoke to the gentleman from Missouri [Mr. DE ARMOND], the gentleman from Texas [Mr. BURKE], the gentleman from Colorado [Mr. BELL], the gentleman from Arkansas [Mr. DINSMORE], and several others whose names I do not now recall, and a Republican member, whom I have not been able to see and therefore have not permission to mention his name, and they all stated that unless at the time the pair was made there was a distinct stipulation that it was not transferable I had a perfect right to transfer it. It was also stated to me that it was the custom of the Senate to transfer pairs unless there was an understanding to the contrary. There was no mention made between the gentleman from Michigan and myself of the question of transfer, and there was no understanding as to whether it should or should not be transferred. Having taken that advice, having acted in everything with a view to all the proprieties of the House and in entire good faith, I think I have done right and kept the contract I made.

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

The SPEAKER. The question now is on agreeing to the resolution reported by the committee.

Mr. RICHARDSON. I would like to have the resolution reported, if you please.

The SPEAKER. The question is on agreeing to the resolution reported by the committee, and which the Clerk will report, if there be no objection.

There was no objection.

The Clerk read as follows:

Resolved, That William A. Young was not elected a member of the Fifty-sixth Congress from the Second Congressional district of Virginia and is not entitled to a seat therein.

Resolved, That Richard A. Wise was duly elected a member of the Fifty-sixth Congress from the Second Congressional district of Virginia and is entitled to a seat therein.

Mr. RICHARDSON. I demand a division of this proposition. It contains two substantive propositions; and I ask to have a division of the question, under the rule.

The SPEAKER. The gentleman asks for a division of the proposition. The Chair thinks the gentleman is entitled to his demand, and the Clerk will report the first resolution.

The Clerk read as follows:

Resolved, That William A. Young was not elected a member of the Fifty-sixth Congress from the Second Congressional district of Virginia and is not entitled to a seat therein.

Mr. RICHARDSON. On that I demand the yeas and nays.

Mr. MORRIS. Mr. Speaker, I would like to inquire what the resolution is. I thought we voted on that resolution.

The SPEAKER. The resolutions that have been voted on were those reported as an amendment by the minority. The House is now considering the majority resolutions. The yeas and nays are demanded on the first resolution.

The yeas and nays were ordered.

Mr. WEEKS. I desire the Chair to state the question, so that we will understand how to vote.

The SPEAKER. The question has been reported a second time, but without objection, it will be again reported. The Chair hears no objection.

The resolution was again reported.

The question was taken; and there were—yeas 132, nays 127, answering "present" 12, not voting 79; as follows:

YEAS—132.

Aldrich,	Bingham,	Bull,	Cochrane, N. Y.
Alexander,	Bishop,	Burke, S. Dak.	Connell,
Allen, Me.	Boutell, Ill.	Burkett,	Cooper, Wis.
Babcock,	Bowersock,	Burleigh,	Corliss,
Bailey, Kans.	Brick,	Burton,	Cousins,
Baker,	Bromwell,	Calderhead,	Crump,
Barham,	Brosius,	Cannon,	Crumpacker,
Bartholdt,	Brown,	Clarke, N. H.	Curtis,

Cushman,
Dahle, Wis.
Davenport, S. A.
Dayton,
Dick,
Dolliver,
Dovener,
Driscoll,
Eddy,
Esch,
Faris,
Fletcher,
Foss,
Fowler,
Freer,
Gamble,
Gardner, Mich.
Gardner, N. J.
Gill,
Gillett, Mass.
Graff,
Grout,
Hamilton,
Haugen,
Heatwole,

Hedge,
Henry, Conn.
Hepburn,
Hoffecker,
Hull,
Jack,
Jenkins,
Kahn,
Kerr,
Ketcham,
Knox,
Lacey,
Landis,
Lane,
Lawrence,
Littlefield,
Long,
Lorimer,
Lovering,
Lybrand,
McCleary,
McPherson,
Mann,
Marsh,
Mesick,

Metcalf,
Minor,
Mondell,
Moody, Mass.
Moody, Oreg.
Morgan,
Morris,
Needham,
O'Grady,
Otjen,
Overstreet,
Packer, Pa.
Payne,
Pearce, Mo.
Pearre,
Phillips,
Prince,
Pugh,
Ray,
Reeder,
Reeves,
Rodenberg,
Russell,
Shattuc,

Shelden,
Showalter,
Smith, H. C.
Smith, Samuel W.
Smith, Wm. Alden
Sperry,
Sprague,
Steele,
Stewart, N. J.
Stewart, N. Y.
Stewart, Wis.
Sulloway,
Tawney,
Thropp,
Tompkins,
Tongue,
Vreeland,
Wadsworth,
Wanger,
Warner,
Waters,
Weaver,
Weeks,
White,
Young, Pa.

NAYS—127.

Adamson,
Allen, Ky.
Allen, Miss.
Atwater,
Bailey, Tex.
Ball,
Bankhead,
Barber,
Bartlett,
Bell,
Bellamy,
Benton,
Berry,
Brantley,
Brenner,
Brewer,
Brundidge,
Burke, Tex.
Burleson,
Burnett,
Caldwell,
Campbell,
Catching,
Clark, Mo.
Clayton, Ala.
Clayton, N. Y.
Cochran, Mo.
Cooney,
Cowherd,
Cox,
Crawford,
Cummings,

Daly, N. J.
Davenport, S. W.
De Armond,
De Graffenreid,
Denny,
Dinsmore,
Dougherty,
Driggs,
Elliott,
Finley,
Fitzgerald, Mass.
Fitzgerald, N. Y.
Fleming,
Foster,
Gilbert,
Glynn,
Green, Pa.
Griggs,
Hay,
Henry, Miss.
Henry, Tex.
Howard,
Jett,
Johnston,
Jones, Va.
Kitchin,
Kieberg,
Lamb,
Lanham,
Latimer,
Lentz,
Lester,

Levy,
Lewis,
Little,
Livingston,
Lloyd,
McAleer,
McClellan,
McCulloch,
McDowell,
McLain,
Maddox,
May,
Meekison,
Meyer, La.
Muller,
Neville,
Noonan,
Norton, S. C.
Otey,
Pierce, Tenn.
Polk,
Quarles,
Randsdell,
Rhea, Ky.
Rhea, Va.
Richardson,
Ridgely,
Rixey,
Robb,
Robinson, Nebr.
Rucker,
Ruppert,

Ryan, N. Y.
Ryan, Pa.
Salmon,
Scudder,
Shackleford,
Sheppard,
Sibley,
Sims,
Small,
Smith, Ky.
Snodgrass,
Sparkman,
Stark,
Stephens, Tex.
Stokes,
Sulzer,
Sutherland,
Swanson,
Talbert,
Taylor, Ala.
Terry,
Thayer,
Thomas, N. C.
Turner,
Wheeler, Ky.
Williams, J. R.
Williams, Miss.
Wilson, Idaho
Wilson, S. C.
Zenor,
Ziegler.

ANSWERED "PRESENT"—12.

Barney,
Dalzell,
De Vries,

Griffith,
Jones, Wash.
Joy,

Mahon,
Mercer,
Naphen,

Powers,
Van Voorhis,
Wright.

NOT VOTING—79.

Acheson,
Adams,
Boreing,
Boutelle, Me.
Bradley,
Breezeale,
Broussard,
Brownlow,
Butler,
Capron,
Carmack,
Chanler,
Cooper, Tex.
Cromer,
Crowley,
Cusack,
Davey,
Davidson,
Davis,
Emerson,

Fitzpatrick,
Fordney,
Fox,
Gaines,
Gaston,
Gayle,
Gibson,
Gillet, N. Y.
Gordon,
Graham,
Greene, Mass.
Grosvenor,
Grow,
Hall,
Hawley,
Hemenway,
Hill,
Hitt,
Hopkins,
Howell,

Kluttz,
Linney,
Littauer,
Loud,
Loudenslager,
McCall,
McRae,
Miers, Ind.
Moon,
Mudd,
Newlands,
Norton, Ohio
Olmsted,
Parker, N. J.
Riordan,
Roberts,
Robertson, La.
Robinson, Ind.
Shafroth,
Sherman,

Slayden,
Smith, Ill.
Southard,
Spalding,
Spight,
Stallings,
Stevens, Minn.
Tate,
Taylor, Ohio
Thomas, Iowa
Underhill,
Underwood,
Vandiver,
Wachter,
Watson,
Weymouth,
Williams, W. E.
Wilson, N. Y.
Young, Va.

So the resolution was agreed to.

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

The SPEAKER. The question now is on agreeing to the second resolution, which the Clerk will read.

The Clerk read as follows:

Resolved, That Richard A. Wise was duly elected a member of the Fifty-sixth Congress from the Second Congressional district of Virginia and is entitled to a seat therein.

Mr. RICHARDSON. And on that, Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 131, nays 125, answered "present" 11, not voting 82; as follows:

YEAS—131.

Aldrich,
Alexander,
Allen, Me.
Babcock,
Bailey, Kans.
Baker,
Barham,
Bartholdt,
Bingham,

Bishop,
Boutell, Ill.
Bowersock,
Brick,
Bromwell,
Brosius,
Brown,
Bull,
Burke, S. Dak.

Burkett,
Burleigh,
Burton,
Calderhead,
Cannon,
Clarke, N. H.
Cochrane, N. Y.
Connell,
Cooper, Wis.

Corliss,
Cousins,
Crump,
Crumpacker,
Curtis,
Cushman,
Dahle, Wis.
Davenport, S. A.
Dayton,

Dick,
Dolliver,
Dovener,
Driscoll,
Eddy,
Esch,
Farr,
Fletcher,
Foss,
Fowler,
Freer,
Gamble,
Gardner, Mich.
Gardner, N. J.
Gill,
Gillett, Mass.
Graft,
Grout,
Hamilton,
Haugen,
Heatwole,
Hedge,
Henry, Conn.
Heppburn,
Hoffecker,
Hull,
Jack,
Jenkins,
Kahn,
Kerr,
Ketcham,
Lacey,
Landis,
Lane,
Lawrence,
Littlefield,
Long,
Lorimer,
Lovering,
Lybrand,
McCleary,
McPherson,
Mann,
Marsh,
Mesick,
Metcalf,
Miller,
Minor,
Mondell,
Moody, Mass.
Moody, Oreg.
Morgan,
Morris,
Needham,
O'Grady,
Otjen,
Overstreet,
Packer, Pa.
Payne,
Pearce, Mo.
Pearre,
Phillips,
Prince,
Pugh,
Ray,
Reeder,
Reeves,
Rodenberg,
Russell,
Shattuc,
Shelden,
Showalter,
Smith, H. C.
Smith, Samuel W.
Smith, Wm. Alden
Sperry,
Sprague,
Steele,
Stewart, N. J.
Stewart, N. Y.
Stewart, Wis.
Sulloway,
Tawney,
Thropp,
Tompkins,
Tongue,
Vreeland,
Wadsworth,
Wanger,
Warner,
Waters,
Weaver,
Weeks,
White,
Young, Pa.

NAYS—125.

Adamson,
Allen, Ky.
Allen, Miss.
Atwater,
Badley, Tex.
Ball,
Bankhead,
Barber,
Bartlett,
Bell,
Bellamy,
Benton,
Berry,
Brantley,
Brenner,
Brewer,
Brundage,
Burke, Tex.
Burleson,
Burnett,
Caldwell,
Catching,
Clark, Mo.
Clayton, Ala.
Clayton, N. Y.
Cochran, Mo.
Cooney,
Cowherd,
Cox,
Crawford,
Cummings,
Daly, N. J.
Davenport, S. W.
De Armond,
De Graffenreid,
Denny,
Dinsmore,
Dougherty,
Driggs,
Elliott,
Finley,
Fitzgerald, Mass.
Fitzgerald, N. Y.
Fleming,
Foster,
Gilbert,
Glynn,
Green, Pa.
Griffith,
Griggs,
Hay,
Henry, Miss.
Henry, Tex.
Howard,
Jett,
Johnston,
Jones, Va.
Kitchin,
Kleberg,
Lamb,
Lanham,
Latimer,
Lester,
Levy,
Lewis,
Little,
Livingston,
Lloyd,
McAleer,
McClellan,
McCulloch,
McDowell,
McLain,
Maddox,
May,
Meekison,
Meyer, La.
Muller,
Neville,
Noonan,
Norton, S. C.
Otey,
Pierce, Tenn.
Polk,
Quarles,
Ransdell,
Rhea, Ky.
Rhea, Va.
Richardson,
Ridgely,
Rixey,
Robb,
Rucker,
Ruppert,
Ryan, N. Y.
Ryan, Pa.
Salmon,
Scudder,
Shackleford,
Sheppard,
Sibley,
Sims,
Small,
Smith, Ky.
Snodgrass,
Sparkman,
Stark,
Stephens, Tex.
Stokes,
Sulzer,
Swanson,
Talbert,
Taylor, Ala.
Terry,
Thayer,
Thomas, N. C.
Turner,
Vandiver,
Wheeler, Ky.
Williams, J. R.
Williams, Miss.
Wilson, Idaho
Wilson, S. C.
Zenor,
Ziegler.

ANSWERED "PRESENT"—11.

Jones, Wash.
Joy,
Mahon,
Mercer,
Napfen,
Powers,

NOT VOTING—82.

Spalding,
Wright,

Acheson,
Adams,
Boring,
Boutelle, Me.
Bradley,
Breazelle,
Bronsard,
Brownlow,
Butler,
Campbell,
Capron,
Carmack,
Chanier,
Cooper, Tex.
Cramer,
Crowley,
Cusack,
Darey,
Davidson,
Davis,
Emerson,
Fitzpatrick,
Fordney,
Fox,
Gaines,
Gaston,
Gayle,
Gibson,
Gillet, N. Y.
Gordon,
Graham,
Greene, Mass.
Grosvenor,
Grow,
Hall,
Hawley,
Hemenway,
Hill,
Hitt,
Hopkins,
Howell,
Kluttz,
Knox,
Lentz,
Linney,
Littauer,
Loud,
Loudenslager,
McCall,
McRae,
Miers, Ind.
Moon,
Mudd,
Newlands,
Norton, Ohio
Olmsted,
Parker, N. J.
Riordan,
Roberts,
Robertson, La.
Robinson, Ind.
Robinson, Nebr.
Shafroth,
Sherman,
Slayden,
Smith, Ill.
Southard,
Spight,
Stallings,
Stevens, Minn.
Sutherland,
Tate,
Taylor, Ohio
Thomas, Iowa
Underhill,
Underwood,
Van Voorhis,
Wachter,
Watson,
Weymouth,
Williams, W. E.
Wilson, N. Y.

So the resolution was agreed to.

The following additional pair was announced:

For this day:

Mr. KNOX with Mr. CAMPBELL.

Mr. RICHARDSON. Mr. Speaker, we would like to have the vote recapitulated, if it is very close.

The SPEAKER. It is not very close.

Mr. RICHARDSON. It is an important vote, Mr. Speaker, taking a member's seat, and we would like to have it recapitulated. In the confusion of the roll call there are liable to be mistakes.

The SPEAKER. There is a difference of 7.

Mr. RICHARDSON. Well, if it is not closer than that, we will not ask for a recapitulation.

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

Mr. WEEKS. Mr. Speaker, I ask that Mr. Wise appear at the bar of the House and be sworn in.

The SPEAKER. The gentleman will step forward.

Mr. Wise came to the bar of the House, and the Speaker administered the oath of office to him.

URGENT DEFICIENCY BILL.

Mr. CANNON. I ask unanimous consent that the urgent deficiency bill, carrying appropriations to the amount of one million

and a quarter of dollars, may be considered in the House as in Committee of the Whole under the five-minute rule.

Mr. RICHARDSON. I think we had better have the bill considered in Committee of the Whole. I do not like to object, especially if the gentleman's request expresses the wish of the committee; but I think all these appropriation bills should in general be considered in Committee of the Whole.

Mr. CANNON. I am anxious to complete the consideration of the bill to-day, because it is necessary, so far as the Government Printing Office is concerned, that the bill should be passed at once.

Mr. RICHARDSON. Well, we have frittered away considerable time to-day—

Mr. CANNON. If my friend will advise with the members of the Appropriations Committee on his own side, I think he will ascertain that there is no objection to the bill.

Mr. RICHARDSON. I have stated that I am reluctant to object. I have not had time to confer with the members of the committee on our side. But it is a bad practice, as the gentleman knows—and I have seen him very often insist on following the regular rule—to consider appropriation bills first in the House.

Mr. CANNON. The report of the committee is unanimous.

Mr. RICHARDSON. How much time is to be allowed for debate?

Mr. CANNON. I apprehend there is no desire for general debate.

Mr. RICHARDSON. Have the minority members of the committee agreed that they do not desire general debate?

Mr. CANNON. None of them have notified me that they desire it. They are present.

Mr. RICHARDSON. I am informed there has been no agreement on the part of the minority.

Mr. CANNON. Oh, undoubtedly there has been no agreement on the part of the minority.

Mr. RICHARDSON. I think there ought to be when we change a rule.

Mr. CANNON. Well, if the gentleman objects—

Mr. RICHARDSON. I do object.

Mr. CANNON. Then I move that the House resolve itself into Committee of the Whole for the purpose of considering the urgent deficiency bill.

Mr. KLUTTZ. I hope before that motion is agreed to I may be allowed a moment upon a question of personal privilege.

Mr. CANNON. My friend can present that afterwards.

The question being taken on the motion of Mr. CANNON, it was agreed to; and the House resolved itself into Committee of the Whole (Mr. DALZELL in the chair) and proceeded to the consideration of the bill (H. R. 9279) making appropriations to supply additional urgent deficiencies in the appropriations for the fiscal year ending June 30, 1900, and for prior years, and for other purposes.

Mr. CANNON. I ask unanimous consent to dispense with the first reading of the bill.

There was no objection; and the first reading of the bill was dispensed with.

Mr. CANNON. I now ask unanimous consent that the bill may be read under the five-minute rule.

The CHAIRMAN. Is there objection?

Mr. RICHARDSON. I should be very glad to have some statement about this bill before we give that consent.

Mr. CANNON. I will make a statement if the gentleman desires it. This bill carries appropriations amounting in the aggregate to \$1,439,580. The report is No. 552. I will state the items in the bill. First, for mint at Philadelphia, \$145,000—a deficiency for wages of workmen and corresponding expenses growing out of increased coinage.

Next, repairs of public buildings, \$50,000, absolutely necessary in consequence of the increased number of public buildings.

Next, heating apparatus, public buildings, \$80,000, necessary to be made available so that public buildings may be placed in condition for heating at the beginning of the next season. If we wait beyond the present before this work is commenced, there will not be sufficient time to do this work so that the buildings may be utilized.

Fourth, safes and locks, public buildings, \$7,500. The appropriation is wholly exhausted, and this is urgently required.

Then there is an appropriation for the naval establishment, general expenses, \$585,000. The items embraced in this general appropriation are—

To meet unforeseen contingencies constantly arising, to be expended at the discretion of the President, \$125,000.

For the purchase of a water boat for the purpose of supplying ships of the Navy with water, \$25,000.

For the purchase of coal barges for supplying coal to ships of the Navy, \$150,000.

At Cavite there is a small establishment which the Spaniards had, and of which our people have now possession. This is for some additional boilers and other equipments absolutely necessary, and necessary at once.

For general maintenance of yards and docks, \$50,000.
 For repairs and preservation at navy-yards and stations, \$50,000.
 For contingent expenses that may arise at navy-yards and stations, \$10,000.
 For reconstructing building No. 7, replacing furniture, mathematical and engineering instruments and stationery, and providing temporary offices, rendered necessary by fire on February 11, 1909, \$60,000.

Gentlemen will remember that there was a fire lately at the navy-yard at New York.

For Bureau of Medicine and Surgery in the Navy, \$10,000.
 For surgeons' necessities for vessels in commission, navy-yards, naval stations, Marine Corps, and Coast Survey, and for the civil establishment at the several naval hospitals, navy-yards, naval laboratory, and department of instructions, museum of hygiene, and Naval Academy, \$10,000.
 For Bureau of Construction and Repairs, \$100,000.

These estimates were carefully gone over by the subcommittee, considered by the full committee, recommitted to the subcommittee, and again carefully examined, reported again to the full committee, and reported to the House by the unanimous vote of the full committee.

In addition to that there is an item of \$2,000 for the House of Representatives, for furniture, the Clerk, after inquiry, stating that it is absolutely necessary.

For miscellaneous items and expenses of special and select committees, \$20,000. That covers the contingent fund expenses, the funerals, the expenses of special committees, and I believe there are one or more pretty expensive investigations now running. The money is exhausted and it is necessary.

For public printing and binding—

Mr. RICHARDSON. If it does not interrupt the gentleman, I think that is a very large item.

Mr. CANNON. Which one?

Mr. RICHARDSON. For public printing and binding.

Mr. CANNON. Yes.

Mr. RICHARDSON. Four hundred and eighty-seven thousand dollars.

Mr. CANNON. Yes.

Mr. RICHARDSON. That is a very large deficiency, is it not, I submit to the gentleman.

Mr. CANNON. Yes; it is a very large deficiency; it is \$450,000.

Mr. RICHARDSON. Four hundred and eighty-seven thousand in the report I have.

Mr. CANNON. There is \$33,000 of this four hundred and eighty-seven for leave of absence of employees. You know the employees of the Printing Office were given thirty days' leave of absence, and we fell over each other on that side of the House and on this side of the House to give those employees that thirty days' leave of absence. We were of one accord. That leave of absence is with full pay. Now we owe them \$33,000 that ought to have been paid, \$18,000 of it last year and \$15,000 of it for the current year.

Mr. RICHARDSON. Will the gentleman pardon me? He means that we voted for thirty days' leave, but that they do not get thirty days' leave. They only get twenty-six days' leave. If there were an opportunity to amend this law now I should be glad to do it, so as to give them thirty days.

Mr. CANNON. Why not give them sixty days, I will say to my friend?

Mr. RICHARDSON. No; I submit to my friend from Illinois that if he will take the other Departments, take the Department of State, the War and Navy Departments, the employees in those Departments, every one of them, get thirty days' leave, and when you say thirty days' leave you mean it; but when you come to the Printing Office you mean twenty-six days when you say thirty days, according to the construction put upon it, and the employees in the Government Printing Office only get twenty-six days' leave with pay.

Mr. CANNON. Well, if my friend is correct—

Mr. RICHARDSON. That is correct.

Mr. CANNON. We take the estimate under the law as we find it, and we owe them this \$33,000, without regard to whether the law is sufficiently liberal or otherwise. This is an appropriation to pay that which we owe.

Now, the other items of printing are:

For the public printing, for the public binding, and for paper for the public printing, including the cost of printing the debates and proceedings of Congress in the CONGRESSIONAL RECORD, and for lithographing, mapping, and engraving for both Houses of Congress, the Supreme Court of the United States, the supreme court of the District of Columbia, the Court of Claims, the Library of Congress, the Executive Office, and the Departments, including salaries or compensation of all necessary clerks and employees, for labor (by the day, piece, or contract), and for rents, books of reference, and all the necessary materials which may be needed in the prosecution of the work, \$450,000.

For printing and binding for the Department of Justice, \$4,000.

I want to explain that item.

Mr. RICHARDSON. It is a very large item.

Mr. CANNON. It is a very, very large item, but this is a very, very large House, with 357 members, with the power upon our part to have bound, outside of our calf-bound set, a complete set of all public documents printed by order of the Government, at the expense of the Government; power to have envelopes furnished

to us free—20,000, 50,000, 500,000 envelopes, with our names artistically printed upon each envelope, with a frank, and with a nice little printed memorandum on the corner:

"Speech of the Hon. John Simpkins, of the State of Somewhere;" the State of Illinois, if he is from Illinois, on this, that, or the other subject, with a little bit of a quotation that we stick on, and so on. Well, now, we are doing a good deal of that kind of thing. We are making great lots of speeches in the House and great lots of speeches in the Senate, and we are printing them by the cord, and we send them down there, and this Public Printer comes up and says, "There is so much of printing, the Government has got to be so large, the reports are so numerous, there is an advance in material of 30, 40, and in some cases 50 per cent, and I have to buy the paper, and the money that we supposed would be sufficient for this work—and that was sufficient in former years—is not sufficient now. The law says I shall print, and it comes in upon me, and I can not print without money."

Now, that is a very large amount. In addition to all that, we increased wages down there 25 per cent, you know. Pretty much everything has increased, and by specific law we increased the wages over and above last year, in round numbers, 25 per cent. Well, there it is, and my friend, with his watchfulness, as he always is watchful, says that this is a very large sum. I agree with him, but nevertheless it is necessary, or the Printing Office will have to stop.

Mr. RICHARDSON. Will the gentleman yield?

Mr. CANNON. With great pleasure.

Mr. RICHARDSON. The chairman of the Committee on Appropriations brought in the bill which made the appropriation for the Printing Office. I think it is carried in the legislative, executive, and judicial appropriation bill, is it not—the annual appropriation?

Mr. CANNON. In the sundry civil.

Mr. RICHARDSON. It seems to me that the gentleman ought to make a closer guess at the amount that is necessary to run the office than \$47,000 out of the way.

Mr. CANNON. If my friend will allow me—

Mr. RICHARDSON. I hope my friend, this year, will make a better guess at the amount that is necessary, and not reduce the appropriation \$450,000 below the amount that will be actually required. I call his attention now so that he may be certain to get enough in the regular appropriation bill.

Mr. CANNON. Mark how plain a tale shall put that intimidation down. Since the appropriation was made for the current year, that side of the House and this side of the House fell over each other and wept, and increased the pay of labor in the Government Printing Office 25 per cent after the bill was passed. My friend recollects that, and now my friend says that they ought to have four days more leave of absence. I think probably he is quite right about that. Then the gentleman says I ought to make a closer guess.

Mr. RICHARDSON. Yes.

Mr. CANNON. There is so great prosperity throughout the country, everybody is so busy all over the country, that all materials have gone up from 25 to 50 per cent. Now, if I knew some way to mandamus people that sell materials and compel them to sell at a lower price, I probably could make a closer guess.

Mr. RICHARDSON. Will the gentleman pardon me?

Mr. CANNON. Yes, certainly.

Mr. RICHARDSON. The contracts for this material were made more than a year ago, and they can not raise the price upon those contracts.

Mr. CANNON. Oh, well, they are desiring to make contracts—

Mr. RICHARDSON. The contracts were made a year ago last January.

Mr. CANNON. Oh, my friend, this money is to be utilized for the making in part of additional contracts, where it is necessary to make them.

Now, if there is any further information that anybody desires, I will give it, so far as I am able.

Mr. RICHARDSON. I would like to have the gentleman turn to page 3.

Mr. CANNON. Yes.

Mr. RICHARDSON. The first item reads:

To meet unforeseen contingencies constantly arising, to be expended at the discretion of the President, \$125,000.

Mr. CANNON. Yes.

Mr. RICHARDSON. If it is not incompatible with the public service, or if there is not something that diplomatically would be in the way, we should like to know something about what that item covers.

Mr. CANNON. Certainly; I will take great pleasure in informing my friend.

In the last fiscal year there was an appropriation of a million dollars to meet unforeseen contingencies. There was expended, under the direction of the President, for the naval service, less

than \$500,000 of that million. This fiscal year there was \$500,000 appropriated in the same language of this proposition to appropriate this \$125,000—a reappropriation out of the unexpended balance. In the first six months of the year that \$500,000 was substantially expended. Now, this \$125,000 is recommended because the expenditure can not be specified; not that there is any secrecy about it, but it is to meet emergencies of the service from day to day that can not be specified.

I might state further that this purchase of a water boat and various other items included here would have been paid from this appropriation if it had not been exhausted. It was the desire of the Secretary of the Navy to specify everything that could be specified; but, after full inquiry, we cut the amount down to \$125,000. My friend will understand that with an army of 65,000 or 70,000 in the Philippines, with a navy larger than any we have ever had and in service all over the world, especially in the way of the newly acquired territory, with an insurrection existing there, with an archipelago that is probably 1,000 or 1,200 miles in length and the breadth I really do not know, it is impossible to state by estimate in every case what expenditure may be necessary. So that this appropriation of \$125,000, in the terms in which it is proposed, explains itself.

We make the appropriation in the language that is expressed—"to meet unforeseen contingencies constantly arising, to be expended"—how? "At the discretion of the President." So that before it can be expended, in practice, the contingency must arise; it must be presented by the Navy, meet the approval of the officer of the Navy, meet the approval of the Secretary, and then meet the approval of the President. If there is any further information desired, I will be pleased to give it.

Mr. RICHARDSON. Does the gentleman intend to conclude this bill this afternoon?

Mr. CANNON. I hope to, because it is absolutely necessary that it should be concluded so far as the Government Printing Office is concerned. I would have called it up several days ago, when it was reported; but the gentleman knows we have been proceeding under orders, so that it was not practicable for me to do so.

Mr. LLOYD. In reference to the last clause of the bill, I want to ask the gentleman whether that is new legislation or not?

Mr. CANNON. Yes, that is; and I am very glad my friend called attention to it, and I ask his attention and that of the gentleman from Tennessee.

Hereafter there shall be advanced to the Public Printer, from time to time, as the public service may require it, and under such rules as the Secretary of the Treasury may prescribe, a sum of money not exceeding at any time the penalty of his official bond to enable him to pay for work and material.

The bond is \$100,000. He can only draw \$80,000 under the bond. The result is that he is making requisitions from two to three times a week. It begets much unnecessary bookkeeping, and he represents that if he can draw the full \$100,000 he probably would not have to make more than one or, at the outside, two requisitions a week. The bond covers \$100,000, and there is no danger of the Government meeting any loss by the proposed provision, because the Dockery accounting act is in full force, and the committee was unanimous in recommending that provision.

Mr. LLOYD. Under the present law he is authorized to draw 80 per cent of the amount of the bond?

Mr. CANNON. Eighty per cent.

Mr. LLOYD. And this provides that he may draw 100 per cent?

Mr. CANNON. Yes; it provides that he may draw the full penalty of the bond.

Mr. RICHARDSON. I think, Mr. Chairman, that that is proper.

Mr. CANNON. I want to add further to the gentleman that when one advance is made another can not be made until there is an accounting. The vouchers are filed under the Dockery Act, and there is no more chance of a loss under the 100 per cent than there is under the 80 per cent.

Mr. RICHARDSON. I will state to the gentleman that under the printing act passed March 12, 1895, the amount was increased from \$75,000 to \$80,000. It was thought that that would be sufficient. I do not know how that is. If it is necessary to draw \$100,000, it may be a question of whether it repeals these words in the act of 1895.

Mr. CANNON. I will say to the gentleman that this clause was drawn at the Printing Office.

Mr. RICHARDSON. If it does not expressly repeal that portion of the act of 1895, it repeals it by implication. In respect to the debate, I want a few moments myself, and several other gentlemen have spoken to me for some time.

Mr. CANNON. How much time does the gentleman want? Other bills—the District bill comes within a day or two, I think on Wednesday, and the Army bill is on the Calendar, and there will be opportunity for general debate. I do hope, as this is an urgent bill, that we may not have any debate except on the exact bill. I say that not because I am opposed to debate, but because

the necessities of the Printing Office are such that the bill should be passed at once.

Mr. RICHARDSON. I did not intend to submit any remarks this evening myself, but I would like about five minutes.

Mr. CANNON. I will yield five minutes to the gentleman.

Mr. WM. ALDEN SMITH. I would like to ask the gentleman from Illinois a question, Mr. Chairman.

Mr. RICHARDSON. I will yield for that purpose.

Mr. WM. ALDEN SMITH. I notice an item in line 10 for the mint at Philadelphia "for wages of workmen and adjusters, \$100,000." I would like to ask the chairman of the committee whether that represents an unusual coinage of either gold or silver at that mint?

Mr. CANNON. It represents increased work.

Mr. WM. ALDEN SMITH. Increased coinage?

Mr. CANNON. Yes.

Mr. WM. ALDEN SMITH. How much, if the gentleman knows?

Mr. CANNON. I can not say, but about 25 per cent increase, I am informed, over the past year, gold and minor coinage. I believe silver dollars are not coined in the Philadelphia mint. Now, Mr. Chairman, I yield five minutes to the gentleman from Tennessee [Mr. RICHARDSON].

Mr. RICHARDSON. The remarks I desire to make, Mr. Chairman, come more appropriately in general debate on a bill where I could have more latitude than I can have on this bill. It is a discussion of the trust question. I will refer to it now, however, because of its relation to printing and printing material.

I have introduced a number of bills which I think gives Congress a remedy for the regulation of trusts. I tried to draw the bills in accordance with the decision of the Supreme Court of the United States in the Addiston Pipe case, which has been printed for the benefit of Congress since we met in December, and the Knight case, as it is called, which relates to the sugar trust. The bills which I have introduced turn over to the Interstate Commerce Commission the question of the regulation of the transportation of these products of trusts.

The reason why I refer to it now, Mr. Chairman, is that one of these bills relates to the product of what is known as the paper trust, wood pulp, and other matters which enter into the composition of paper, the manufacture of paper. It is absolutely necessary, it seems to me, that Congress should take some step, some practical step, for the control of these combinations or trusts.

I hold in my hand a statement which I wish to put in the RECORD to show the effect of the paper trust in this country and which bears directly on some items of this bill. I do not undertake to say that it affects so much the appropriation in the pending bill, because this bill carries a deficiency, as I understand it, for the fiscal year which ends June 30, 1900. The supplies under that appropriation carried in the sundry civil bill for this fiscal year for the Government Printing Office are not affected by this increase in prices, but the increase to which I refer has been caused by reason of the formation of the paper trust, as I believe.

What I wish to say and emphasize here, Mr. Chairman, relates to the effect of the paper trust, but it is only typical of the other great trusts in this country. The first effect of the trust is to reduce competition, and the next effect is to put up the prices of the article affected or controlled by the trust. As evidence of it, take the bids for supplying the paper for the Government Printing Office for the next fiscal year. I have long served on the Committee on Printing, and speak from my experience as to bids for supplying paper to the Government Printing Office. I assert that the bids averaged from forty-five to fifty in number from contractors, of paper dealers, and manufacturers annually to supply the Government Printing Office with the necessary paper product. There were forty-five to fifty bidders at every letting of paper contracts.

Now, I assert that this year, in February, when the gentlemen of the Joint Committee on Printing met, they found that there were only 30 bidders, a falling off in the number of bidders from nearly 50 down to 30. This is nearly 50 per cent decline in the number of persons who come to bid for this opportunity of supplying material to the Government Printing Office. What else do we find? While the number of bidders is reduced 50 per cent, the price is 50 per cent higher from these 30 bidders. I have the statement of the Public Printer which shows that.

Mr. PAYNE. Will the gentleman allow me a question?

Mr. RICHARDSON. Certainly.

Mr. PAYNE. Did the gentleman inquire further to ascertain how much wood pulp and soda ash and other ingredients used in making paper have advanced?

Mr. RICHARDSON. Does not the gentleman admit that the trust has increased the price?

Mr. PAYNE. I think the gentleman should have found some other cause for this increase.

Mr. RICHARDSON. The cause just stated by the gentleman from New York certainly would not make a decline of 50 per cent in the number of bidders.

Mr. PAYNE. In the first place, according to this statement, there was not a decline of 50 per cent, but about 30 per cent, in the number of bidders; and it would seem that with 30 bidders we ought to get down pretty near to the lowest price. There must be considerable competition with that number of bidders.

Mr. RICHARDSON. I have introduced bills for the regulation of these trusts and have had them referred to the committee over which my friend from New York [Mr. PAYNE] presides with so much ability, although we allow him to change his mind right along whenever he sees fit to do so. I hope he will help us see whether we can not find a remedy for the existing condition of things.

Mr. PAYNE. The gentleman from Tennessee knows I can not change my mind quite as rapidly as he did on the appropriation bill for the benefit of Puerto Rico.

[Here the hammer fell, and Mr. RICHARDSON's time was extended for five minutes.]

Mr. RICHARDSON. The decline in the number of bidders was nearly 50 per cent. By referring to the table I have here it appears it was about 40 per cent. I will print the exact figures. There were 46 bids a year ago from paper manufacturers to supply material for the Government Printing Office. The statement which I have before me shows the percentage of increase in the cost of the principal classes of paper used in that office under contract let by the Committee on Printing in January last, as compared with those under similar contract let in January, 1899. The machine-finished printing paper increased in price 50 per cent. These 30 bidders raised the price 50 per cent above what the Government had to pay a year ago for the same material.

Mr. STEELE. Will the gentleman allow me one suggestion?

Mr. RICHARDSON. Yes, sir.

Mr. STEELE. I have received a great many letters from newspaper men in my part of the country asking me to do what I could to secure a reduction of the tariff on wood pulp because the price of paper is so high. It has gone up, I believe, from about \$20 a ton to \$36 a ton; and the tariff is about \$3 a ton. Now, then, the newspaper men ought to discover that the tariff had very little effect in this advance of \$16 a ton.

Mr. RICHARDSON. The gentleman will not deny that putting these products on the free list would help somewhat in securing cheaper printing materials. Will he not join with myself and others on this side in putting them on the free list, and let us see whether that will not give some benefit to paper consumers, including the Government itself?

Mr. STEELE. I would rather be at the mercy of American manufacturers than at the mercy of Canadian manufacturers.

Mr. WILLIAMS of Mississippi. Does the gentleman from Indiana know whether there is any importation of wood pulp at all under the present tariff?

Mr. STEELE. Undoubtedly a great deal is imported.

Mr. RICHARDSON. Why should we destroy our own forests instead of getting the material elsewhere, from Canada, etc.—

A MEMBER. We get the wood elsewhere and manufacture the paper in our own mills.

Mr. RICHARDSON. The newspaper men believe, according to the petitions which they have sent in here in large numbers, that if we put these products upon the free list it will benefit them, and I believe it will.

Now, take the article of sized and supercalendered printing paper. The Government has had to pay 56 per cent more for this class of paper under the contracts made for the next year than it has paid for the last year. There were only 30 bidders, a falling off from 46, and there was an increase in the price of 56 per cent.

Mr. McCLEARY. Gold seems to be depreciating.

Mr. RICHARDSON. I believe this is largely because these things are controlled by the paper trust.

On first-class ledger paper there is an increase of only 6 per cent. On second-class ledger paper there is an increase of 12 per cent. These facts I got in a letter from the Public Printer, sent to me at my request, in order that I may have the benefit of the exact figures. Mr. Palmer's letter is as follows:

GOVERNMENT PRINTING OFFICE,
OFFICE OF THE PUBLIC PRINTER,
Washington, D. C., February 27, 1900.

SIR: In reply to your verbal inquiry, I have to say that there were 46 bidders for furnishing paper for the public printing and binding for the year ending February 28, 1900, and 30 bidders for the year ending February 28, 1901.

The following statement shows the percentage of increase in the cost of the principal classes of paper used in this office under contracts let by the Joint Committee on Printing in January last over those under similar contracts let in January, 1899:

	Per cent.
Machine-finish printing paper	50
Sized and supercalendered printing paper	56
Writing paper	19
First-class ledger paper	6
Second-class ledger paper	12

Respectfully,

F. W. PALMER, Public Printer.

Hon. JAMES D. RICHARDSON,
House of Representatives.

Now, I submit, Mr. Chairman, this being only a part of what I intended to say later, that it is appropriate to the contents of this bill to say it now, because this bill relates to supplies for the Government Printing Office. The remedy, it seems to me, is to put these products on the free list. Two gentlemen of the Ways and Means Committee, the chairman and the honorable gentleman from Indiana [Mr. STEELE], I infer from their statements, will join with the minority in the effort to put these articles upon the free list. I may be mistaken, but I think I read it—

Mr. STEELE. You are decidedly mistaken, in so far as I am concerned.

Mr. RICHARDSON. The gentleman declines to do it. I am very sorry. I thought I saw an indication of weakness on the part of the gentleman along the line—

Mr. McCLEARY. That would be an indication of weakness! Mr. STEELE. If I have ever shown any weakness, it is not on that subject.

Mr. RICHARDSON. Weakness on the protective idea; a sign of virtue in legislation. That was what I had in mind. Now, if that can not be done—

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

Mr. RICHARDSON. Yes; in one minute. If that can not be done, I submit that we ought to pass some of the bills which I have introduced, which, when these manufacturers enter trusts, turn them over to the Interstate Commerce Commission, under the decisions of the Supreme Court, that these products may be controlled. Now I will yield to the gentleman from Ohio.

Mr. LENTZ. I want to ask the gentleman from Tennessee whether he considers free trade in paper a plain duty? [Laughter.]

Mr. RICHARDSON. I think it is. But then gentlemen on the other side pay no attention to plain duty.

Mr. STEELE. I never heard the gentleman from Ohio [Mr. LENTZ] speak in such a modest tone of voice before, and I should like the House to hear what he said.

Mr. RICHARDSON. The gentleman asks if it is not a plain duty to put paper on the free list.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. CANNON. Now I will yield to the gentleman from Indiana [Mr. STEELE] a minute.

Mr. STEELE. I merely want to say to the gentleman from Tennessee [Mr. RICHARDSON] that I will join with him, or any other man, or any set of men, in enacting a law that will properly control trusts. I am in on that. But with reference to the fact that there are only about 40 bidders for printing material where a year ago that there were 50—

Mr. RICHARDSON. The gentleman misunderstood me. There are only 30 this year, against 46 last year.

Mr. STEELE. The gentleman states the number, and I will accept his statement.

Mr. RICHARDSON. That is right.

Mr. STEELE. There is nothing remarkable about that, because at the Soldiers' Home at Marion, Ind., there were advertisements for the construction of seven different buildings. Whereas before, in the last ten years, whenever there has been any construction advertised for at that Home we have had from ten to twenty bidders; this year we only had one bid for each one of these buildings, all by one man, and every bid so high that we have to come to Congress for an additional appropriation. I thought there was something wrong about it somewhere, and so I wrote personal letters to the contractors, to know why they did not bid on these buildings, as usual. They said: "We are doing business this year, and we do not have to take Government work and work only eight hours a day." [Applause on the Republican side.]

Mr. RICHARDSON. I do not know anything about the facts in that case, but I imagine—

Mr. STEELE. I am telling you the facts.

Mr. RICHARDSON. The gentleman's statement only emphasizes what I said. He could get only one bidder. It may be that, as in the Addison pipe case, you could only get one bidder because the trust controlled bidders, as the Supreme Court said the other pipe companies, in the case mentioned, were in a trust and could not bid under their agreement.

Mr. STEELE. Oh, the bid would have been within the appropriation if there had been anything of that kind.

Mr. CANNON. Now a word, and then I will ask to dispose of the bill.

I wish I knew some provision that would give every farmer, whether he raises corn, cotton, wheat, or what not, and every laborer, skilled and unskilled, every American citizen who is striving to make a living, all the money he is now getting, and twice as much more, permanently, for his work and for his products, and at the same time furnish the proceeds of his labor, whether it be cotton or what not, to every other citizen for less money than

he now has or heretofore has had to pay for the same. If somebody will tell me how that can be done, I shall be very glad to assist in that legislation. But cotton going from 6 cents a pound to 9½ and 10 cents a pound, I believe, in the last twelve or fifteen months, unfortunately, the price of everything into which cotton enters is inclined to go up.

And so it is with other things, whether iron or steel, or what not; but I beg of this House, I implore this House not to interfere with one trust which is concerned in this bill, so far as the printing is concerned, and that is the Congressional trust, which concerns you and me, the object being to enlighten all the people touching our legislation, and to make our calling and election sure next November. [Laughter.] Do not interfere with this trust, gentlemen. Let us walk up and vote this money.

Now, having said that much, I will ask that I may offer an amendment, and then that the bill may be reported back to the House. I will ask to dispense with the reading. It is getting late, and I want to report and pass the bill.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to dispense with the reading of the bill. Is there objection?

Mr. FITZGERALD of Massachusetts. I reserve the right to object until I hear what that amendment is.

Mr. CANNON. Oh, certainly; and then I will invite objection, if my friend thinks there ought to be one on account of this amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Illinois.

The Clerk read as follows:

On page 8, after line 4, insert:

"For printing and binding for the Navy Department, \$25,000."

Mr. CANNON. Now, I will state to the gentleman that that amendment is necessary. The estimate was not sent in at the time that we reported this bill to the House. It has come in since that time, and we are informed that it is absolutely necessary. The expenditure for printing for the Navy Department, so far as it is appropriated for this year, is less than it was last year, and it is an item that can not wait without injuring the public service. That is the reason why we have not waited until the regular deficiency bill is reported, which will come in May.

Mr. FITZGERALD of Massachusetts. I reserved the right to object without any intention to object to the amendment introduced, but in order to preserve my rights, so as to offer an amendment which will give to the employees of the Government Printing Office the thirty days' leave of absence which I think it was the intention of Congress to give them, instead of the twenty-six days which they are now allowed. Inasmuch as it calls for a very slight modification, I trust that the gentleman will have no objection to the incorporation of this amendment.

Mr. CANNON. I do not know about that matter.

Mr. FITZGERALD of Massachusetts. Is there any objection to it?

Mr. CANNON. It can come in later upon some bill which is in order or on a report from the Committee on Printing.

Mr. FITZGERALD of Massachusetts. What objection is there to considering it now? It only takes two lines.

Mr. CANNON. Simply because I am not informed touching it. I will say to my friend that I will meet him fairly. That is what the gentleman wants me to do. The gentleman has not offered the amendment. It is not in order upon the bill. This is an urgent deficiency bill, and the item in it, so far as this appropriation of \$38,000 is concerned, is to pay them what is already due them under existing law. Let us pass the bill rather than delay it by proposed new legislation.

Mr. FITZGERALD of Massachusetts. The amendment I desire to introduce would perfect legislation which is upon the statute books; and I can see no objection in having the amendment adopted which states that it was the intention of Congress that these employees should have thirty days' leave. The reason why I ask this is because the gentleman from Illinois made a point of order a year ago which deprived the employees of the Agricultural Department of any vacation, on the ground, made at the time the amendment was introduced, that it was new legislation.

If it is a fact that it was the intention of Congress to give thirty days' leave of absence to the employees of the Public Printing Office, and it is found upon construction of the law, as interpreted by that office, that they shall only be allowed twenty-six days, I think that the first opportunity offered to Congress to correct that defect in the law ought to be taken advantage of. Believing this to be the proper time, I submit a short amendment which will not take a minute to read, and as we have been kind enough to allow the gentleman to press his bill to passage, I hope he will accept the amendment.

Mr. CANNON. If the gentleman wants to offer it he can do so.

The CHAIRMAN. Is there objection to the request of the

gentleman from Illinois that the reading of the bill be dispensed with? [After a pause.] The Chair hears none. The question now is on the amendment offered by the gentleman from Illinois, which the Clerk will read.

The Clerk read as follows:

On page 8, after line 4, insert:

"For printing and binding of the Navy Department, \$25,000."

The amendment was agreed to.

Mr. FITZGERALD of Massachusetts. I ask that the amendment just offered by me be read by the Clerk.

The Clerk read as follows:

And it is hereby declared to be the intention of Congress that all employees of the Government Printing Office shall receive thirty days' leave of absence in each year exclusive of Sundays.

Mr. CANNON. Now, I make the point of order, not knowing what the law is, that it is new legislation, and that it is not in order upon this bill. The gentleman understood that I should do so; and I will say to him that I will perform my duty, if I know it.

The CHAIRMAN. Does the gentleman make the point of order that it is new legislation?

Mr. CANNON. I do; and not in order upon a general appropriation bill; and the gentleman knew it was not in order.

Mr. FITZGERALD of Massachusetts. Well, Mr. Chairman, I think I can show very clearly that legislation similar to this has been passed upon appropriation bills year in and year out.

The CHAIRMAN. The Chair is ready to rule.

Mr. FITZGERALD of Massachusetts. In the last District appropriation bill there was a provision added:

It is hereby declared to be the intention of Congress not to appropriate money for sectarian purposes.

The same provision was incorporated in the Indian appropriation bill, and in this very Congress the gentleman from Arkansas [Mr. LITTLE] made the point of order that inasmuch as this declaration had been incorporated in the Indian appropriation bill of the previous Congress on the subject of contract schools, it was not in order, and the point of order was sustained by the Chair. I do not see what point of order can be made against this amendment. It is directly in line with amendments made in every appropriation bill year after year, and inasmuch as it declares what Congress understands to be the law granting thirty days' leave of absence, I do not see where there is any new legislation in it. It is to clear up a defect, if any exists, in the law, and undertakes to point out to the Printing Office just what Congress proposed to do. Congress intended that the employees of this department should receive the same consideration as other Government employees in Washington, and I feel certain that the gentleman from Illinois is willing to agree to have the intention of Congress carried out. I await the decision of the Chair.

The CHAIRMAN. Unless it is a change of existing law, it seems to the Chair that it is a useless amendment. The Chair is disposed to and does sustain the point of order.

Mr. FITZGERALD of Massachusetts. Well, Mr. Chairman, do I understand the Chair to hold that the law is now perfect and that each employee is entitled to receive thirty days' leave of absence, exclusive of Sundays?

The CHAIRMAN. The Chair expresses no opinion upon that subject.

Mr. FITZGERALD of Massachusetts. Will the Chair be kind enough to state in what sense it is new legislation? I want the ruling of the Chair on that point made clear.

Mr. CANNON. I move, Mr. Chairman, that the committee rise.

Mr. FITZGERALD of Massachusetts. I want this matter cleared up. I thought the Chair ruled the point of order well taken on the ground that the law at the present time gave the employees of the Government Printing Office thirty days' leave of absence, exclusive of Sundays.

Mr. CANNON. I move that the committee rise and report the bill back to the House with a favorable recommendation.

Mr. FITZGERALD of Massachusetts. I would like, as a matter of privilege, to have the decision of the Chair upon this point made clear.

The CHAIRMAN. The Chair has already ruled.

Mr. FITZGERALD of Massachusetts. On what ground?

The CHAIRMAN. On the ground that any legislation constraining existing law is new legislation.

Mr. FITZGERALD of Massachusetts. That it is new legislation?

The CHAIRMAN. Yes.

The motion that the committee rise was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. DALZELL, Chairman of the Committee of the Whole House on the state of the Union, reported that the committee had had under consideration the bill (H. R. 9279) and had instructed

him to report the same back with an amendment, and with the recommendation that as amended the bill do pass.

Mr. CANNON. I desire to yield just a moment to the gentleman from Iowa.

Mr. LACEY. Mr. Speaker, I ask unanimous consent to print with my remarks this morning which I made on the Cape Nome bill the report of the committee.

The SPEAKER. The gentleman from Iowa asks unanimous consent that he may incorporate in his remarks made this morning on the Cape Nome bill the report of the committee. Is there objection? [After a pause.] The Chair hears none.

Mr. CANNON. Now, Mr. Speaker, I ask that the bill may be passed with the amendment.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was read the third time, and passed.

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

ORDER OF BUSINESS.

Mr. BABCOCK. Mr. Speaker, this has been District of Columbia day under the rule. Privileged matters have been in order, and have taken all the time. I now ask that next Monday may be set aside for District matters, and that it may be in order to bring up business from the Committee on the District of Columbia on that day.

The SPEAKER. Unanimous consent is asked that next Monday, or so much of it as may be necessary, be set aside for the consideration of bills from the Committee on the District of Columbia. Is there objection? [After a pause.] The Chair hears none, and that order is made.

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

ENROLLED BILLS SIGNED.

The SPEAKER. Pending that, the Chair will submit a report from the Committee on Enrolled Bills.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 236. An act granting an increase of pension to Mary Ellen Lauriat;

S. 526. An act granting an increase of pension to Joseph M. Waddell;

S. 266. An act granting an increase of pension to William Hamley;

S. 240. An act granting a pension to Nancy Ellen Bessom;

S. 237. An act granting an increase of pension to Cutler D. Sanborn;

S. 1771. An act granting a pension to Ellie Kee;

S. 1712. An act granting a pension to Arminda D. Davis;

S. 1295. An act granting a pension to Louisa Hale;

S. 872. An act granting an increase of pension to William H. H. Nevitt;

S. 1711. An act granting an increase of pension to Charles L. Green;

S. 1329. An act granting a pension to Mary Jackman;

S. 1796. An act granting an increase of pension to Rebecca P. Quint;

S. 548. An act granting an increase of pension to John F. McMahon;

S. 2158. An act granting a pension to Joseph B. Presdee;

S. 35. An act granting a pension to Louise Donath;

S. 2367. An act granting a pension to Susan Stratton;

S. 2223. An act granting an increase of pension to John M. Morse;

S. 1469. An act granting an increase of pension to Philip P. Getchell;

S. 1059. An act granting a pension to Silas B. Hensley;

S. 1058. An act granting a pension to John Bailey;

S. 1003. An act granting a pension to Julia M. Johnson;

S. 992. An act granting an increase of pension to Frederick Auer;

S. 917. An act granting an increase of pension to Sarah E. Campbell;

S. 2319. An act granting an increase of pension to Mary F. Hopkins; and

S. 899. An act granting an increase of pension to Mary A. Dennis.

CHANGE OF REFERENCE.

The SPEAKER. The Chair will also submit the following change of reference.

The Clerk read as follows:

The bill (H. R. 8877) granting extra pay to officers of the Spanish-American war not having received any benefit from previous acts passed for this purpose—from the Committee on War Claims to Committee on Military Affairs.

The SPEAKER. Without objection, the change will be made. There was no objection.

LEAVE TO WITHDRAW PAPERS.

Leave was granted to Mr. CLAYTON of New York to withdraw from the files of the House, without leaving copies, the papers in the case of James W. Jackson, Fifty-fifth Congress, no adverse report having been made thereon.

The motion of Mr. CANNON was then agreed to; and accordingly (at 5 o'clock and 34 minutes p. m.) the House adjourned until tomorrow at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the conclusions of fact and law in the case of the sloop *Sidney*, Jared Bartholomew, master, against the United States—to the Committee on Claims, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of State submitting an estimate of appropriation for deficiencies in appropriation for contingent expenses, stationery, etc.—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 amended estimate of appropriation for preparing report of the mineral resources of the United States—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 Light-House Board submitting an estimate of appropriation for construction of a steam tender for the Eleventh light-house district—to the Committee on Interstate and Foreign Commerce, and ordered to be printed.

A letter from the Acting Secretary of War, relating to a further credit in the accounts of Maj. H. M. Adams, United States Army—to the Committee on Appropriations, 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. KLEBERG, from the Committee on the Public Lands, to which was referred the bill of the Senate (S. 1175) to grant lands to the State of Alabama for the use of the Agricultural and Mechanical College of Alabama, for negroes, and the State Normal College, at Florence, Ala., reported the same without amendment, accompanied by a report (No. 587); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. FLYNN, from the Committee on Indian Affairs, to which was referred the bill of the House (H. R. 8668) approving a revision and adjustment of certain sales of Otoe and Missouri lands in the States of Nebraska and Kansas, reported the same with amendment, accompanied by a report (No. 588); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

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. 8997) granting a pension to Mary E. Vishion—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 9354) granting an increase of pension to J. W. Penny—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 9383) for the relief of Edmund Morgan and to have his name put on the pension roll—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 9379) granting a pension to William Bittenger, Company G, Twelfth Regiment Pennsylvania Reserves—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 9336) to grant a pension to Isabella Armiger, mother of John M. Armiger, late of Company A, Eleventh Regiment Maryland Infantry Volunteers, etc.—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

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. THOMAS of North Carolina: A bill (H. R. 9443) authorizing and directing the Secretary of War to cause a survey to be made of the Upper Cape Fear River, North Carolina—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 9444) authorizing and directing the Secretary of War to cause a survey to be made of Neuse River, North Carolina—to the Committee on Rivers and Harbors.

By Mr. CUMMINGS: A bill (H. R. 9445) to provide an American register for the barge *Davidson*—to the Committee on the Merchant Marine and Fisheries.

By Mr. WEEKS: A bill (H. R. 9446) to provide for additional compensation for deputy collectors and inspectors of customs for the district of Huron, Mich., and so forth—to the Committee on Ways and Means.

By Mr. PRINCE: A bill (H. R. 9447) to authorize and facilitate the immediate construction of railroads in the island of Puerto Rico—to the Committee on Insular Affairs.

By Mr. BARTHOLDT: A bill (H. R. 9448) for the improvement of the Missouri River at and near the city of New Haven, Franklin County, Mo.—to the Committee on Rivers and Harbors.

By Mr. MILLER: A bill (H. R. 9449) to encourage silk culture, and for other purposes—to the Committee on Agriculture.

By Mr. LITTLE: A bill (H. R. 9492) levying certain taxes for the education of noncitizen children in the Indian Territory, and for other purposes—to the Committee on Indian Affairs.

By Mr. SHERMAN: A bill (H. R. 9493) relating to certain railway corporations owning or operating street railways in the District of Columbia—to the Committee on the District of Columbia.

By Mr. BULL (by request): A bill (H. R. 9494) to amend section 4965, chapter 3, Title LX, of the Revised Statutes of the United States, relating to copyrights—to the Committee on Patents.

By Mr. SPARKMAN: A bill (H. R. 9495) increasing the cost of a public building to be erected at Tampa, Fla.—to the Committee on Public Buildings and Grounds.

By Mr. SPALDING: A bill (H. R. 9496) to provide for the disposal of the Fort Buford abandoned military reservation, in the States of North Dakota and Montana—to the Committee on the Public Lands.

By Mr. ALLEN of Maine: A bill (H. R. 9497) to amend an act providing for the construction of a light-ship to be located near Cape Elizabeth, Maine—to the Committee on Interstate and Foreign Commerce.

By Mr. JENKINS: A joint resolution (H. J. Res. 200) authorizing the appointment of a commission to investigate and report upon the principal colleges of commerce of Europe, their methods and results, with a view to promoting an increase of our foreign commerce—to the Committee on Foreign Affairs.

By Mr. OVERSTREET: A joint resolution (H. J. Res. 201) donating a condemned cannon to the Commandery in Chief of the Sons of Veterans, United States of America—to the Committee on Naval Affairs.

By Mr. SULZER: A resolution (H. Res. 175) directing the Secretary of War to inform the House of Representatives relative to fortifications being erected by Great Britain along the northern frontier of the United States—to the Committee on Military Affairs.

By Mr. WEEKS: A concurrent resolution of the legislature of the State of Michigan, relative to treatment of the Finnish people by the Government of Russia—to the Committee on Foreign Affairs.

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. ALLEN of Kentucky: A bill (H. R. 9450) for the relief of the estate of Mary H. S. Robertson—to the Committee on War Claims.

Also, a bill (H. R. 9451) to increase the pension of William H. Castlen, a Mexican war veteran, now a pensioner under certificate No. 338—to the Committee on Invalid Pensions.

By Mr. ADAMS: A bill (H. R. 9452) to remove the charge of desertion from the record of Dennis O'Brien—to the Committee on Naval Affairs.

By Mr. BOWERSOCK: A bill (H. R. 9453) for the relief of Harry Hume Ainsworth—to the Committee on Military Affairs.

Also, a bill (H. R. 9454) granting an increase of pension to William F. Nichols—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9455) to carry out the findings of the Court

of Claims in the case of the estate of John A. Huff, deceased—to the Committee on War Claims.

By Mr. CATCHINGS: A bill (H. R. 9456) for the relief of the estate of Mary F. Birdsong, deceased, late of Warren County, Miss.—to the Committee on War Claims.

By Mr. FLETCHER: A bill (H. R. 9457) granting an increase of pension to Roger Fenton—to the Committee on Invalid Pensions.

By Mr. FOWLER: A bill (H. R. 9458) granting a pension to Gottlieb Miller, of Elizabeth, N. J.—to the Committee on Invalid Pensions.

By Mr. HAY: A bill (H. R. 9459) for the relief of Opequon Presbyterian Church, situated in Frederick County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 9460) for the relief of the estate of Isaac M. Hollingsworth, deceased, late of Frederick County, Va.—to the Committee on War Claims.

By Mr. HENRY of Mississippi: A bill (H. R. 9461) for the relief of L. A. Whitehead, of Rankin County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 9462) for the relief of J. E. Whittington, of Rankin County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 9463) for the relief of J. C. Winters, of Hinds County, Miss.—to the Committee on War Claims.

By Mr. KNOX: A bill (H. R. 9464) to remove the charge of desertion now standing against Joseph S. Clark—to the Committee on Military Affairs.

By Mr. LANE: A bill (H. R. 9465) granting an increase of pension to Elias Longman—to the Committee on Invalid Pensions.

By Mr. LITTLEFIELD: A bill (H. R. 9466) to remove the charge of desertion from the military record of Joshua C. Mayo—to the Committee on Military Affairs.

By Mr. MORGAN: A bill (H. R. 9467) granting an increase of pension to George F. Hixon, Waterloo, Ohio—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9468) to increase the pension of William J. Wallace, of Winchester, Ohio—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9469) to correct the military record of Stephen Thompson, Gallipolis, Ohio—to the Committee on Military Affairs.

Also, a bill (H. R. 9470) granting a pension to Mary A. Clark, of Portsmouth, Ohio—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9471) granting an increase of pension to Eli Potts, of Waverly, Ohio—to the Committee on Pensions.

Also, a bill (H. R. 9472) to correct the military record of John Daniels—to the Committee on Military Affairs.

Also, a bill (H. R. 9473) for the relief of Thomas McCall—to the Committee on Military Affairs.

Also, a bill (H. R. 9474) for the relief of Darius Atkinson—to the Committee on Military Affairs.

By Mr. POLK: A bill (H. R. 9475) granting a pension to George W. McCollin, of Watsonstown, Pa.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9476) granting a pension to Thomas E. Geddis, of Bloomsburg, Pa.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9477) granting a pension to Hiram G. Hoke, of Trevorton, Northumberland County, Pa.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9478) granting a pension to John C. Lloyd, of Northumberland, Pa.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9479) granting a pension to Henry Small, of Nordmont, Pa.—to the Committee on Invalid Pensions.

By Mr. PEARCE of Missouri: A bill (H. R. 9480) granting a pension to Mrs. Caroline Flad—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9481) granting an increase of pension to James Anderson—to the Committee on Invalid Pensions.

By Mr. RUPPERT: A bill (H. R. 9482) to remove the charge of desertion against William Wall—to the Committee on Military Affairs.

By Mr. SNODGRASS: A bill (H. R. 9483) for the relief of the heirs of J. W. Cloyd, deceased, of Wilson County, Tenn.—to the Committee on War Claims.

By Mr. SOUTHARD: A bill (H. R. 9484) granting an increase of pension to William Geyser—to the Committee on Invalid Pensions.

By Mr. THOMAS of North Carolina: A bill (H. R. 9485) granting a pension to Emsley Kinsauls—to the Committee on Invalid Pensions.

By Mr. TONGUE: A bill (H. R. 9486) for the relief of Joseph E. Wright—to the Committee on Military Affairs.

By Mr. VAN VOORHIS: A bill (H. R. 9487) granting a pension to Caroline Moore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9488) granting a pension to Aaron Haines—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9489) granting a pension to Lewis H. Mathews—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9490) to correct the military record of George C. Shiplett—to the Committee on Military Affairs.

By Mr. JAMES R. WILLIAMS: A bill (H. R. 9491) granting a pension to W. D. Belt—to the Committee on Invalid Pensions.

By Mr. BINGHAM: A bill (H. R. 9498) for the relief of the heirs of Joseph B. Hull, late commodore, United States Navy, retired—to the Committee on Naval Affairs.

By Mr. FITZGERALD of New York: A bill (H. R. 9499) for the relief of the Brooklyn Ferry Company, of New York, owner of the steam ferryboat *New York*—to the Committee on Claims.

By Mr. RIDGELY: A bill (H. R. 9500) granting an increase of pension to Martin V. B. Winkler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9501) to remove the charge of desertion against W. F. Tweedy—to the Committee on Military Affairs.

Also, a bill (H. R. 9502) granting a pension to Phoebe A. La Mott—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9503) granting an increase of pension to Samuel Baughman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9504) to remove charge of desertion against Thomas Todd—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9505) to remove charge of desertion against Francis M. Terry—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Petition of the publisher of the *Creamery Journal*, Waterloo, Iowa, against the passage of House bill No. 6071, relating to second-class mail matter—to the Committee on the Post-Office and Post-Roads.

Also, petitions of Fred Kurt, Thomas Kingsley, and others, of Cascade, Iowa, and F. L. Patton, of Hampton, Iowa, to amend the present law in relation to the sale of oleomargarine—to the Committee on Agriculture.

By Mr. ADAMS: Petition of the Commercial Exchange of Philadelphia, Pa., praying for legislation to build up the merchant marine of the United States—to the Committee on the Merchant Marine and Fisheries.

Also, paper relating to House bill No. 5765, upon the subject of the tax on alcohol used in the arts—to the Committee on Ways and Means.

By Mr. ALLEN of Kentucky (by request): Petition of J. A. Head, of Owensboro, Ky., for the repeal of the stamp tax on medicines—to the Committee on Ways and Means.

Also, paper to accompany House bill for the relief of the estate of Mary H. S. Robertson—to the Committee on War Claims.

Also, papers to accompany House bill granting an increase of pension to William H. Castlein—to the Committee on Invalid Pensions.

By Mr. BABCOCK: Petition of the Junior Equal Suffrage Club of the District of Columbia, in favor of a constitutional amendment giving the right of franchise to women—to the Committee on the Judiciary.

By Mr. BARNEY: Petition of A. P. Abel and other dairy farmers of Washington County, Wis., in favor of the bill to tax oleomargarine—to the Committee on Agriculture.

By Mr. BINGHAM: Resolutions of Ellis Post, No. 6, Grand Army of the Republic, of Philadelphia, in favor of House bill No. 7094, for the establishment of a Branch Soldiers' Home at or near Johnson City, Tenn.—to the Committee on Military Affairs.

Also, resolutions of the Commercial Exchange of Philadelphia, Pa., with reference to the bill for the encouragement of the American merchant marine—to the Committee on the Merchant Marine and Fisheries.

By Mr. BOWERSOCK: Petition of Saunders Post, No. 254, of Moran, Kans., Grand Army of the Republic, in support of House bill No. 7094, entitled "A bill to establish a Branch Soldiers' Home at or near Johnson City, Washington County, Tenn."—to the Committee on Military Affairs.

Also, petitions of W. C. Markham, of Baldwin, Kans., and McClure & Dallas, of Blue Mound, Kans., against the passage of House bill No. 6071, relating to second-class mail matter—to the Committee on the Post-Office and Post-Roads.

By Mr. BRENNER: Petition of C. J. Needham and others, of Dayton, Ohio, against the passage of House bill No. 6071—to the Committee on the Post-Office and Post-Roads.

Also, petition of the Dayton (Ohio) Druggists' Association; also of the Hamilton Druggists' Association, relating to the stamp tax on medicines, perfumery, and cosmetics—to the Committee on Ways and Means.

Also, petition of J. C. Beeghly and other citizens of Trotwood,

Jacksonboro, and Pittonville, Ohio, to amend the present law in relation to the sale of oleomargarine—to the Committee on Agriculture.

By Mr. BROMWELL: Petition of the Chamber of Commerce of Cincinnati, Ohio, relative to House bill No. 7097, providing for a reorganization of the consular service—to the Committee on Foreign Affairs.

Also, remonstrance of the Cincinnati Retail Grocers' Association, against a parcel-post system—to the Committee on the Post-Office and Post-Roads.

By Mr. BROSIUS: Petition of Jonas Ely, Levi Fisher, and others, of Gap, Pa., to amend the present law in relation to the sale of oleomargarine—to the Committee on Agriculture.

Also, protests of the Pennsylvania School Journal and the Law Review, of Lancaster, Pa., against the passage of House bill No. 6071—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of John M. Good Post, No. 502, of Elizabethtown, Pa., and George H. Thomas Post, No. 84, of Lancaster, Pa., Grand Army of the Republic, in favor of House bill No. 7094, for the establishment of a Branch Soldiers' Home at or near Johnson City, Tenn.—to the Committee on Military Affairs.

Also, resolutions of the Woman's Christian Temperance Union of Landisville, Pa., regarding the government of Puerto Rico—to the Committee on Insular Affairs.

By Mr. BURKETT: Petition of W. H. Cook and other citizens of Hickman, Nebr., in favor of the Grout bill taxing oleomargarine—to the Committee on Agriculture.

Also, resolution of Hastings Commercial Club, of Hastings, Nebr., and Local Union No. 57, International Brotherhood of Bookbinders, of Omaha, Nebr., with reference to arid and public lands—to the Committee on the Public Lands.

By Mr. BURTON: Petition of the Chamber of Commerce of Cincinnati, Ohio, relative to House bill No. 7097, providing for a reorganization of the consular service—to the Committee on Foreign Affairs.

By Mr. BUTLER: Memorial of Gen. George A. McCall Post, No. 31, Grand Army of the Republic, Department of Pennsylvania, favoring the passage of a bill to establish a Branch Soldiers' Home in or near Johnson City, Tenn.—to the Committee on Military Affairs.

By Mr. CLARKE of New Hampshire: Petition of J. W. Farr and others, of Littleton, N. H., in favor of the Grout bill taxing oleomargarine—to the Committee on Agriculture.

Also, petitions of E. E. Sturtevant Post, No. 2, of Concord, N. H., and A. Goodell Post, No. 67, of Monroe, N. H., Grand Army of the Republic, favoring the establishment of a Branch Soldiers' Home for disabled soldiers at or near Johnson City, Tenn.—to the Committee on Military Affairs.

By Mr. CURTIS: Petition of C. O. Griffin and others, of Madison, Kans., urging the passage of the Grout bill taxing oleomargarine—to the Committee on Agriculture.

By Mr. DALZELL: Resolutions of the Dayton Druggists' Association, of Dayton, Ohio, for the repeal of the stamp tax on proprietary medicines, perfumery, etc.—to the Committee on Ways and Means.

Also, resolutions of the Christian Endeavor Society of the Third United Presbyterian Church of Pittsburgh, Pa., for the passage of a bill to limit absolute divorce—to the Committee on the Judiciary.

By Mr. DOLLIVER: Petition of A. Gilmour and ten other citizens of Hobart, Iowa, in favor of the Grout bill taxing oleomargarine—to the Committee on Agriculture.

By Mr. EMERSON: Petition of Patrick Reynolds and others, of Fay, N. Y., favoring the Grout bill relating to oleomargarine—to the Committee on Agriculture.

By Mr. FITZGERALD of Massachusetts: Petition of George T. Angell, for the Massachusetts Society for the Prevention of Cruelty to Animals, Boston, Mass., against the passage of House bill No. 6071, relating to second-class mail matter—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of the Wendell Phillips and Crispus Attucks clubs, in behalf of the Baker family, recommending that the pension be increased to \$25 per month—to the Committee on the Post-Office and Post-Roads.

By Mr. FITZGERALD of New York: Resolutions of War Veterans and Sons' Association, of Brooklyn, N. Y., also resolutions adopted at a mass meeting under the auspices of the employees of the Brooklyn Navy-Yard, favoring movement to have vessels built at navy-yard at Brooklyn, N. Y.—to the Committee on Naval Affairs.

Also, resolutions of the New York Produce Exchange, favoring free trade with Puerto Rico—to the Committee on Insular Affairs.

By Mr. FLETCHER: Papers to accompany House bill granting a pension to Roger Fenton, of St. Paul, Minn.—to the Committee on Invalid Pensions.

By Mr. FOSS: Petition of the Chicago Federation of Musicians,

against the alienation of public lands by the United States to any but actual settlers, and also in favor of Government building of reservoirs—to the Committee on the Public Lands.

Also, petition of John A. Mertes, for the repeal of the stamp tax on medicines, perfumery, and cosmetics—to the Committee on Ways and Means.

By Mr. FOSTER: Petition of F. M. Fox, of Chicago, Ill., for the repeal of the stamp tax on medicines, etc.—to the Committee on Ways and Means.

By Mr. GAMBLE: Resolution of the Sioux Falls (S. Dak.) Typographical Union, No. 218, in favor of the passage of House bill No. 6872, to print the label of the Allied Printing Trades on all publications of the Government—to the Committee on Printing.

Also, petition of the members and patrons of Alsen Cooperative Creamery, of Alsen, S. Dak., favoring the Grout bill relating to dairy products, etc.—to the Committee on Agriculture.

By Mr. GREEN of Pennsylvania: Petition of Herbert Pyle and 175 others, of Reading, Pa., urging the enactment of a clause in the Hawaiian constitution forbidding the manufacture and sale of intoxicating liquors and a prohibition of gambling and the opium trade—to the Committee on the Territories.

By Mr. HAY: Papers to accompany House bill for the relief of the Opequon Presbyterian Church, of Frederick County, Va.—to the Committee on War Claims.

By Mr. HENRY of Connecticut: Petition of John T. Baker and others, of New Britain, Conn., against the passage of House bill No. 6071—to the Committee on the Post-Office and Post-Roads.

By Mr. KERR: Petition of the Congregational Church of Oberlin, Ohio, urging a clause in the Hawaiian constitution forbidding the manufacture and sale of intoxicating liquors and a prohibition of gambling and the opium trade—to the Committee on the Territories.

Also, petitions of Ed. Palmer, of Danville, Ohio, and L. C. Cook and others, of Fulton, Ohio, in opposition to the passage of House bill No. 6071, relating to second-class mail matter—to the Committee on the Post-Office and Post-Roads.

Also, petition W. L. Kohn and others, of Ashland, Ohio, favoring House bill No. 3717, to amend the present law in relation to the sale of oleomargarine—to the Committee on Agriculture.

By Mr. KETCHAM: Petitions of Kate E. Lawton and B. C. Ellsworth, of Port Ewen, N. Y., to amend the present law in relation to the sale of oleomargarine—to the Committee on Agriculture.

Also, petition of the Friends Church of Clintondale, N. Y., for the prohibition of the sale of liquor in Army canteens, etc.—to the Committee on Military Affairs.

Also, petition of the Friends Church of Clintondale, N. Y., for the suppression of gambling by telegraph, etc.—to the Committee on the District of Columbia.

By Mr. LACEY: Resolutions of Company G, Fiftieth Iowa National Guard, favoring the passage of House bill No. 7936, increasing the appropriations for arming and equipping the military of the States and Territories—to the Committee on Militia.

By Mr. LORIMER: Petition of the Political Equality League of Chicago, Ill., favoring a sixteenth amendment to the Constitution granting suffrage to women—to the Committee on the Judiciary.

By Mr. LOUDENSLAGER: Petition of the Improved Order of Red Men of Pittsgrove, N. J., to forbid the sale of liquor in canteens—to the Committee on Alcoholic Liquor Traffic.

By Mr. McALEER: Petition of the Chicago Federation of Labor against public-land grants to any but actual settlers—to the Committee on the Public Lands.

Also, petitions of S. W. Green, of New York; H. Frysinger, Chester, Pa., and the Central News Company, of Philadelphia, against the passage of House bill No. 6071, known as the Loud bill—to the Committee on the Post-Office and Post-Roads.

Also, petitions of the A. M. Collins Manufacturing Company, of Philadelphia, Pa., for the improvement of Trinity River from the Gulf of Mexico to the city of Dallas, Tex.—to the Committee on Rivers and Harbors.

Also, petition of Austin, Nichols & Co., of New York City, in favor of Senate bill No. 1439, relating to an act to regulate commerce—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Commercial Exchange, of Philadelphia, Pa., with reference to the bill for the encouragement of the American merchant marine—to the Committee on the Merchant Marine and Fisheries.

By Mr. MANN: Petitions of Rand, McNally & Co., Laird & Lee, of Chicago, and W. B. Conkey Company, of Hammond, Ind., against the passage of House bill No. 6071—to the Committee on the Post-Office and Post-Roads.

Also, resolution of the Mississippi Valley Lumbermen's Association, in relation to floating loose logs in Upper Mississippi, St. Croix, and Chippewa rivers—to the Committee on Interstate and Foreign Commerce.

Also, letter of C. U. Gordon, postmaster, of Chicago, Ill., to accompany House bill No. 1051, relating to substitute letter carriers, etc.—to the Committee on the Post-Office and Post-Roads.

By Mr. MERCER: Petition of W. E. Riddell, of Omaha, Nebr., protesting against the passage of House bill No. 8754, imposing a 2 cent tax on process butter and establishing licenses for manufactures, etc.—to the Committee on Ways and Means.

By Mr. MOODY of Massachusetts: Resolutions of Gen. James Appleton Post, No. 128, of Ipswich, Mass.; Charles Sumner Post, No. 101, of Groveland, Mass., and A. W. Bartlett Post, No. 49, of Newburyport, Mass., Grand Army of the Republic, in support of House bill No. 7094, entitled "A bill to establish a Branch Soldiers' Home at or near Johnson City, Washington County, Tenn."—to the Committee on Military Affairs.

By Mr. NEVILLE: Resolutions of the International Brotherhood of Bookbinders' Local Union No. 57, of Omaha, Nebr., against the alienation of public lands by the United States to any but actual settlers, and also in favor of Government building of reservoirs—to the Committee on the Public Lands.

Also, petition of C. H. Jeffords and officials and citizens of Custer County, Nebr., to accompany House bill to correct the military record of Robert Ellison—to the Committee on Military Affairs.

Also, resolutions of Company A, Nebraska National Guards, of Kearney, Nebr., favoring the passage of House bill No. 7936, increasing the appropriations for arming and equipping the military of the States and Territories—to the Committee on Militia.

By Mr. NOONAN: Petition of William Gray and other druggists, Chicago, Ill., for the repeal of the stamp tax on medicines, etc.—to the Committee on Ways and Means.

By Mr. OVERSTREET: Petition of I. N. Heims and 41 other druggists of Indianapolis, Ind., for the repeal of the stamp tax on proprietary medicines, perfumery, etc.—to the Committee on Ways and Means.

Also, petition of the Political Equality Association of Indianapolis, Ind., in favor of woman suffrage in the constitutions of Hawaii, Cuba, Puerto Rico, and the Philippines—to the Committee on Insular Affairs.

By Mr. POLK: Petition of Sullivan Post, No. 388, Grand Army of the Republic, of Dushore, Pa., in favor of House bill No. 7094, to establish a Branch Soldiers' Home at or near Johnson City, Tenn.—to the Committee on Military Affairs.

By Mr. QUARLES: Petition of the heirs of James S. Kincaid, deceased, late of Alleghany County, Va., for reference of war claim to the Court of Claims—to the Committee on War Claims.

Also, petition of the heirs of Samuel Kincaid, deceased, late of Alleghany County, Va., to refer claim to the Court of Claims—to the Committee on War Claims.

Also, petition of the heirs of William Trent, deceased, late of Appomattox County, Va., praying reference of war claim to the Court of Claims—to the Committee on War Claims.

By Mr. ROBERTS: Resolutions of Camp J. P. Gould Post, No. 75, Grand Army of the Republic, of Stoneham, Mass., in favor of House bill No. 7094, for the establishment of a Branch Soldiers' Home at or near Johnson City, Tenn.—to the Committee on Military Affairs.

By Mr. RUSSELL: Petition of W. W. Perkins Post, No. 47, Grand Army of the Republic, of New London, Conn., in support of House bill No. 7094, entitled "A bill to establish a Branch Soldiers' Home at or near Johnson City, Washington County, Tenn."—to the Committee on Military Affairs.

By Mr. SHAFROTH: Petitions of North Side Woman's Christian Temperance Union, West Side Woman's Christian Temperance Union, Asbury Methodist Episcopal Church, and Smith's Chapel, United Brethren Church, of Denver; United Brethren Church of Hygiene, Colo., favoring the enactment of a clause in the Hawaiian constitution forbidding the manufacture and sale of intoxicating liquors and a prohibition of gambling and the opium trade—to the Committee on the Territories.

By Mr. SHERMAN: Petition of C. E. Sittig and others, of Utica, N. Y., in favor of the bill to tax oleomargarine—to the Committee on Agriculture.

Also, protest of Charles Webb and others, of Roane, N. Y., in opposition to the passage of House bill No. 6071, relating to second-class mail matter—to the Committee on the Post-Office and Post-Roads.

By Mr. SHOWALTER: Petition of A. L. North and others, of Slippery Rocks, Pa., favoring the passage of the Grout oleomargarine bill—to the Committee on Agriculture.

Also, petition of A. T. Shallenberger and other retail druggists of Beaver County, Pa., for the repeal of the stamp tax on medicines, etc.—to the Committee on Ways and Means.

Also, petition of Sharon Post, No. 254, Grand Army of the Republic, of Sharon, Pa., favoring the establishment of a Branch Soldiers' Home for disabled soldiers at or near Johnson City, Tenn.—to the Committee on Military Affairs.

By Mr. SOUTHARD: Petition of George L. Seeley and other citizens of Ottawa County, Ohio, for an appropriation to improve the Portage River by deepening the channels from Port Clinton to Oak Harbor—to the Committee on Rivers and Harbors.

By Mr. SPRAGUE: Memorial of Post No. 22, Grand Army of the Republic, of Massachusetts, favoring the passage of a bill to establish a Branch Soldiers' Home in or near Johnson City, Tenn.—to the Committee on Military Affairs.

By Mr. STARK: Petition of E. J. Hunter and 22 citizens of Hamilton County, Nebr., urging the enactment of a clause in the Hawaiian constitution forbidding the manufacture and sale of intoxicating liquors and a prohibition of gambling and the opium trade—to the Committee on the Territories.

By Mr. SULZER: Resolutions of the New York Produce Exchange, favoring free trade with Puerto Rico—to the Committee on Insular Affairs.

Also, resolutions of the municipal assembly of the city of New York, for the construction of gunboats and cruisers in the several navy-yards of the Government—to the Committee on Naval Affairs.

Also, petition of the Business Publishing Company, New York City, against the passage of House bill No. 6071, relating to second-class mail matter—to the Committee on the Post-Office and Post-Roads.

By Mr. THOMAS of North Carolina: Petition of J. L. Mathias and other citizens of Magnolia, N. C., in opposition to the passage of House bill No. 6071, relating to second-class mail matter—to the Committee on the Post-Office and Post-Roads.

By Mr. VAN VOORHIS: Papers to accompany House bill granting a pension to Lewis H. Mathews—to the Committee on Invalid Pensions.

Also, papers to accompany House bill for the relief of Aaron Haines—to the Committee on Invalid Pensions.

By Mr. WADSWORTH: Petition of E. S. Sterling and 78 farmers, of Orleans County, N. Y., in favor of the Groat bill taxing oleomargarine—to the Committee on Agriculture.

By Mr. WEEKS: Petition of the Farmers' Club of Columbus and citizens of Marlette, Mich., favoring the passage of House bill No. 3717, amending the oleomargarine law—to the Committee on Agriculture.

Also, petition of Miss Maud Ward and other citizens of Port Huron, Mich., in opposition to the passage of House bill No. 6071, relating to second-class mail matter—to the Committee on the Post-Office and Post-Roads.

Also, memorial of the Port Huron Guards, of Port Huron, Mich., favoring the passage of House bill No. 7936, increasing the appropriations for arming and equipping the military of the States and Territories—to the Committee on Militia.

Also, memorial of the Trades and Labor Council of Port Huron, Mich., urging the passage of House bill No. 4728, relating to leave of absence with pay to certain employees of the Government; also, relative to public lands—to the Committee on Naval Affairs.

Also, memorial of the Chicago Federation of Labor, against the leasing of public lands, etc.—to the Committee on the Public Lands.

Also, memorial of the Michigan State Farmers' Institute Agricultural College, urging the passage of the pure-food and dairy bill, etc.—to the Committee on Agriculture.

Also, petition of the Detroit Typographical Union, No. 18, favoring the passage of House bill No. 6882, relating to hours of labor on public works, and House bill No. 5450, for the protection of free labor against prison labor—to the Committee on Labor.

By Mr. WEYMOUTH: Paper in support of bill for the relief of K. H. Beshgetour—to the Committee on Claims.

Also, petition of General Wadsworth Post, No. 63, Grand Army of the Republic, of Natick, Mass., in favor of House bill No. 7094, to establish a Branch Soldiers' Home at or near Johnson City, Tenn.—to the Committee on Military Affairs.

By Mr. JAMES R. WILLIAMS: Petition of G. A. Farleigh and others, of Jeffersonville, Ill., in opposition to the passage of House bill No. 6071, relating to second-class mail matter—to the Committee on the Post-Office and Post-Roads.

By Mr. WILSON of Idaho: Petition of the Equal Suffrage Association of Idaho, favoring the sixteenth amendment to the Constitution, granting suffrage to women—to the Committee on the Judiciary.

By Mr. YOUNG of Pennsylvania: Petitions of J. B. Lippincott & Co., the Central News Company, of Philadelphia, Pa., and William B. Wilson, of West Philadelphia, Pa., against the passage of House bill No. 6071—to the Committee on the Post-Office and Post-Roads.

Also, petitions of the Union Dairy Company, of Cleveland, Ohio, and Isaac W. Davis & Co., of Philadelphia, Pa., favoring House bill No. 3717, to amend the present law in relation to the sale of oleomargarine—to the Committee on Agriculture.

SENATE.

TUESDAY, March 13, 1900.

The Senate met at 12 o'clock m.

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

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

The PRESIDENT pro tempore. Without objection, the Journal will stand approved.

SLOOP SIDNEY.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law filed under the act of January 20, 1885, in the French spoliation claims set out in the annexed findings by the court relating to the vessel sloop *Sidney*, Jared Bartholomew, master; which, with the accompanying papers, was referred to the Committee on Claims, and ordered to be printed.

CLAIMS OF LETTER CARRIERS.

The PRESIDENT pro tempore laid before the Senate a communication from the Acting Attorney-General, transmitting, in response to a resolution of December 18, 1899, a list showing the amounts which have been reported by the commissioners of the Court of Claims as representing services actually performed by letter carriers in excess of eight hours per day under the act of May 4, 1888, etc.; which, with the accompanying papers, was referred to the Committee on Claims, and ordered to be printed.

LEASING OF INDIAN LANDS FOR GRAZING PURPOSES.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Interior, transmitting, in response to a resolution of December 19, 1899, the documents, correspondence, reports, and papers relating to the leasing of grazing lands in the Ponca, Otoe, and Missouri Indian reservations, in the Territory of Oklahoma, since the commencement of the year 1897; which, on motion of Mr. PETTIGREW, was, with the accompanying papers, referred to the Committee on Indian Affairs, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. H. L. OVERSTREET, one of its clerks, announced that the House had passed the joint resolution (S. R. 75) to print 31,000 copies of the eulogies on Garret A. Hobart, late Vice-President of the United States.

The message also announced that the House had passed a bill (H. R. 9279) making appropriations to supply additional urgent deficiencies in the appropriations for the fiscal year ending June 30, 1900, and for prior years, and for other purposes; in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

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

- A bill (S. 35) granting a pension to Louise Donath;
- A bill (S. 236) granting an increase of pension to Mary Ellen Lauriat;
- A bill (S. 237) granting an increase of pension to Cutler D. Sanborn;
- A bill (S. 240) granting a pension to Nancy Ellen Bessom;
- A bill (S. 266) granting an increase of pension to William Hamley;
- A bill (S. 526) granting an increase of pension to Joseph M. Waddell;
- A bill (S. 548) granting an increase of pension to John F. McMahon;
- A bill (S. 872) granting an increase of pension to William H. H. Nevitt;
- A bill (S. 899) granting an increase of pension to Mary A. Dennis;
- A bill (S. 917) granting an increase of pension to Sarah E. Campbell;
- A bill (S. 992) granting an increase of pension to Frederick Auer;
- A bill (S. 1003) granting a pension to Julia M. Johnson;
- A bill (S. 1058) granting a pension to John Bailey;
- A bill (S. 1059) granting a pension to Silas B. Hensley;
- A bill (S. 1295) granting a pension to Louisa Hale;
- A bill (S. 1329) granting a pension to Mary Jackman;
- A bill (S. 1469) granting an increase of pension to Philip P. Getchell;
- A bill (S. 1711) granting an increase of pension to Charles L. Green;
- A bill (S. 1712) granting a pension to Arminda D. Davis;
- A bill (S. 1771) granting a pension to Ellie Kee;