

a prohibition of gambling and the opium trade—to the Committee on the Territories.

By Mr. SPALDING: Petition of the Woman's Christian Temperance Union and 43 citizens of Engleville, N. Dak., in favor of the anti-canteen bill—to the Committee on Insular Affairs.

Also, resolutions adopted at a conference of the governors of arid-land States, held in Salt Lake City, Utah, in relation to the public arid lands of the United States—to the Committee Irrigation of Arid Lands.

Also, petition of F. W. Burrows, S. A. Klov, and other retail druggists, Cooperstown and Bathgate, N. Dak., for the repeal of the stamp tax on proprietary medicines—to the Committee on Ways and Means.

By Mr. SULZER: Petition of the Holland Dames of the New Netherlands, New York, urging the selection of a national hymn, to be used and known as such, and suggesting the "Star Spangled Banner"—to the Committee on the Judiciary.

By Mr. WACHTER: Petition of Louis Schulze and 108 wholesale and retail druggists of Baltimore, Md., in favor of the pure food and drug bill—to the Committee on Interstate and Foreign Commerce.

Also, papers to accompany House bill granting a pension to John D. C. Adams—to the Committee on Invalid Pensions.

Also, paper to accompany House bill granting a pension to Myers Uhlfelder, private, Fourth Regiment Maryland Volunteers—to the Committee on Invalid Pensions.

Also, paper to accompany House bill for the relief of Mrs. Mary Shannon, administratrix of the estate of Joseph R. Shannon, deceased—to the Committee on War Claims.

By Mr. JAMES R. WILLIAMS: Petition of J. A. Kinnaman and other soldiers in the late civil war, residing in Flora, Ill., for the passage of a civil-pension bill—to the Committee on Invalid Pensions.

Also, paper to accompany House bill for the relief of Jennie Langtree—to the Committee on Invalid Pensions.

By Mr. YOUNG: Petition of the A. Colburn Company, Philadelphia, asking for the defeat of Senate bill No. 4047, as affecting the manufacture of baking powder—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Philadelphia Engineering Works, Limited, relating to Senate bill No. 4300, and the organization of officers in the Ordnance Department—to the Committee on Military Affairs.

Also, petition of George W. Atherton, of the Pennsylvania State College, asking for the passage of Senate bill No. 3982, for the establishment of department of mines in connection with land-grant colleges—to the Committee on Education.

SENATE.

WEDNESDAY, May 23, 1900.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.
The Secretary proceeded to read the Journal of yesterday's proceedings.

Mr. FAIRBANKS. I ask unanimous consent that the further reading of the Journal may be dispensed with.

Mr. KEAN. I think the Journal had better be read.
The PRESIDING OFFICER (Mr. PLATT of Connecticut). Objection is made. The reading of the Journal will be continued.
The Secretary resumed and concluded the reading of the Journal, and it was approved.

COLLECTION OF CUSTOMS REVENUE.

The PRESIDING OFFICER laid before the Senate a communication from the Secretary of the Treasury, recommending that the further sum of \$100,000 be appropriated for the expenses of collecting the revenue from customs of accounts to be presented after the close of the fiscal year, etc.; which was referred to the Committee on Appropriations, and ordered to be printed.

BUREAU OF STATISTICS.

The PRESIDING OFFICER laid before the Senate a communication from the Secretary of the Treasury, recommending that an appropriation of \$540 be made for the rental of an additional room in the Adams Building for the accommodation of the Bureau of Statistics, Treasury Department; which was referred to the Committee on Appropriations, and ordered to be printed.

COLUMBIA RIVER IMPROVEMENT.

The PRESIDING OFFICER. The Chair lays before the Senate a dispatch sent by the Portland (Oreg.) Chamber of Commerce to the President of the Senate, and will ask that it be read, if there be no objection. The Chair thinks that the practice of reading telegrams in the nature of petitions is hardly within the rule, but it has been customary.

The telegram was read and referred to the Committee on Commerce, as follows:

[Telegram.]

PORTLAND, OREG., May 22, 1900.

The President of the United States Senate, Washington, D. C.:

The people of Oregon earnestly request emergency appropriation of

\$250,000 for repairing the present jetty and putting plant in order for improvement mouth of Columbia River, of which Oregon delegation and chief engineers fully informed these repairs absolutely necessary for holding channel from further shoaling as far as can be done until appropriations allowed for extending the jetty.

PORTLAND CHAMBER OF COMMERCE.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the concurrent resolution of the Senate requesting the President to return to the Senate the bill (S. 3215) granting an increase of pension to Andrew F. Dinsmore.

The message also announced that the House had passed the joint resolution (S. R. 76) withdrawing certain lands on the island of Oahu, Hawaii, from the public domain.

The message further announced that the House had passed with amendments the bill (S. 3490) in relation to admissions to and dismissals from the Reform School of the District of Columbia; in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the second report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8582) making appropriation for the support of the Regular and Volunteer Army for the fiscal year ending June 30, 1901.

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

A bill (H. R. 5450) to limit the effect of the regulation of interstate commerce between the several States in goods, wares, and merchandise wholly or in part manufactured by convict labor or in any prison or reformatory;

A bill (H. R. 6882) limiting the hours of daily services of laborers and mechanics employed upon work done for the United States, or any Territory, or the District of Columbia, thereby securing better products, and for other purposes;

A bill (H. R. 9827) to close all alleys in block 3 of the Walbridge subdivision of Ingleside, in the county of Washington; and

A bill (H. R. 10380) to extend to certain publications the privileges of second-class mail matter as to admission to the mails.

ENROLLED BILLS SIGNED.

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

A bill (H. R. 2156) for the relief of Oliver M. Blair, administrator of Thomas P. Blair, deceased;

A bill (H. R. 6634) to enlarge the powers of the Department of Agriculture prohibiting the transportation by interstate commerce of game killed in violation of local laws, and for other purposes;

A bill (H. R. 8369) to detach the county of Concho from the western judicial district of Texas and attach the same to the northern judicial district of Texas, and for other purposes;

A bill (H. R. 9711) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes; and

A bill (H. R. 9879) to detach certain counties from the United States judicial district of northern California and to annex such counties to the United States judicial district of southern California; to divide said southern district of California into two divisions, and to provide for the holding of terms of court at the city of Fresno and city of Los Angeles.

PETITION.

Mr. DAVIS presented a petition of the State Homeopathic Institute of Minnesota, praying for the enactment of legislation providing arsenization prophylaxis of Asiatic cholera and yellow fever; which was referred to the Committee on Public Health and National Quarantine.

BIG TREES OF CALIFORNIA.

Mr. PERKINS. I present a report, with accompanying illustrations, on the big trees of California, which has been prepared by the Division of Forestry, Department of Agriculture. I move that the report be printed as a document, in accordance with the recommendation of the Secretary of Agriculture.

The motion was agreed to.

MISSISSIPPI RIVER IMPROVEMENT.

Mr. COCKRELL. I present a copy of the opinion of the Attorney-General relative to the contract entered into by the United States with James B. Eads for the improvement of the South Pass of the Mississippi River. I move that the opinion be printed as a document.

The motion was agreed to.

REPORTS OF COMMITTEES.

Mr. KENNEY, from the Committee on Pensions, to whom was referred the bill (S. 4073) granting an increase of pension to Robert A. Edwards, jr., reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 4556) granting an increase of pension to William Fox, reported it with an amendment, and submitted a report thereon.

Mr. DAVIS, from the Committee on Foreign Relations, reported an amendment proposing to appropriate \$500 to pay Hawkins Taylor, assistant clerk to the Committee on Foreign Relations, for extra services, etc., intended to be proposed to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

He also, from the same committee, to whom was referred the amendment submitted by himself on the 18th instant proposing to appropriate \$2,288.03 to enable the Secretary of State to carry into effect the act for the disposal of the accretions of the *Virginus* indemnity fund, intended to be proposed to the general deficiency appropriation bill, reported favorably thereon, and moved that it be printed and, with the accompanying papers, referred to the Committee on Appropriations; which was agreed to.

Mr. WETMORE, from the Committee on the Library, reported an amendment proposing to appropriate \$10,000 for the purchase of the bronze statue of Rochambeau and pedestal for the same and its erection on a site belonging to the Government in the city of Washington, intended to be proposed to the sundry civil appropriation bill, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

Mr. PRITCHARD, from the Committee on Pensions, to whom was referred the bill (S. 4022) granting a pension to William B. Caldwell, reported it with amendments, and submitted a report thereon.

Mr. PRITCHARD. I am directed by the Committee on Patents, to whom was referred the bill (H. R. 149) referring to the Court of Claims the claim of William E. Woodbridge for compensation for the use by the United States of his invention relating to projectiles, for which letters patent were ordered to issue to him March 25, 1852, to report it with an amendment, and to submit a report thereon.

The PRESIDING OFFICER. The bill will be placed on the Calendar.

Mr. PRITCHARD. I move that the bill (S. 794) referring to the Court of Claims the claim of William E. Woodbridge for compensation for the use by the United States of his invention relating to projectiles, for which letters patent were ordered to issue to him March 25, 1852, being Order of Business No. 631 on the Calendar, be postponed indefinitely, and that the House bill just reported by me be given the place of the Senate bill on the Calendar.

The motion was agreed to.

Mr. ALLISON. I am directed by the Committee on Appropriations, to whom was referred the bill (H. R. 11212) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1901, and for other purposes, to report it with sundry amendments, and I also submit a brief printed report explanatory of the amendments. I shall call up the bill at the earliest practical moment.

The PRESIDING OFFICER (Mr. GALLINGER in the chair). The bill will be placed on the Calendar.

Mr. VEST, from the Committee on Commerce, to whom was referred the bill (S. 4817) to authorize the construction of a railroad bridge across the Mississippi River at St. Paul, Minn., reported it without amendment.

BILLS INDEFINITELY POSTPONED.

Mr. McMILLAN. I move that the bill (S. 2638) authorizing the Commissioners of the District of Columbia to enter into a contract for the collection and disposal of garbage and dead animals in said District, now on the Calendar, be indefinitely postponed, the subject-matter having been covered by legislation in the District of Columbia appropriation bill.

The motion was agreed to.

Mr. McMILLAN. I move that the same action be taken on the bill (S. 1873) to provide for the purchase of certain property for school purposes, the legislation having been embodied in the District of Columbia appropriation bill.

The motion was agreed to.

NANCY E. NEELY.

Mr. BAKER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House of Representatives to the bill (S. 517) granting a pension to Nancy E. Neely, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House, and agree to the same.

LUCIEN BAKER,
GEORGE TURNER,
Managers on the part of the Senate.
H. C. LOUDENSLAGER,
J. H. BROMWELL,
S. W. DAVENPORT,
Managers on the part of the House.

The report was agreed to.

BILLS INTRODUCED.

Mr. BAKER introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 4818) granting an increase of pension to John D. C. Herriman;

A bill (S. 4819) granting a pension to Ann Wilburn (with accompanying papers); and

A bill (S. 4820) granting an increase of pension to Catharine Robinson (with accompanying papers).

Mr. BATE introduced a bill (S. 4821) to provide for trial and punishment in cases of contempt of court; which was read twice by its title.

Mr. BATE. I move that the bill lie on the table and be printed.

The motion was agreed to.

Mr. KENNEY introduced a bill (S. 4822) to reimburse the State of Delaware for moneys due said State on account of the war of 1812; which was read twice by its title, and referred to the Committee on Claims.

Mr. HARRIS introduced a bill (S. 4823) granting a pension to Cassie Orme; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. MCOMAS introduced a bill (S. 4824) for the relief of James Legg; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 4825) for the relief of Anna M. Anderson and Charles L. G. Anderson, executors of George W. Anderson, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. PENROSE introduced a bill (S. 4826) for the relief of Col. Charles B. Dougherty and other members of the Ninth Regiment of Pennsylvania Infantry; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. TELLER introduced a bill (S. 4827) authorizing the Secretary of the Interior to set aside certain described lands in San Juan County, Colo., as a legal subdivision or lot, and authorizing the mayor of Silverton to enter said lands for cemetery purposes; which was read twice by its title, and referred to the Committee on Public Lands.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. TILLMAN submitted an amendment relative to the use of the dredge or dredges employed in connection with the work of improvement at the entrance to Winyale Bay, and other dredges used on Winyale Bay River system and canals, etc., intended to be proposed by him to the sundry civil appropriation bill; which was ordered to lie on the table and be printed.

Mr. TURLEY submitted an amendment intended to be proposed by him to the bill (H. R. 11646) making provision for emergencies in river and harbor works, for certain surveys, and for the diversion of certain appropriations or modification of provisions heretofore made; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. QUARLES submitted an amendment intended to be proposed by him to the bill (H. R. 11646) making provision for emergencies in river and harbor works, for certain surveys, and for the diversion of certain appropriations or modification of provisions heretofore made; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. ROSS submitted an amendment proposing to increase the appropriation for the limit of the cost of the public building at Newport, Vt., from \$50,000 to \$125,000, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

HOUSE BILLS REFERRED.

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

A bill (H. R. 5450) to limit the effect of the regulation of interstate commerce between the several States in goods, wares, and merchandise wholly or in part manufactured by convict labor or in any prison reformatory; and

A bill (H. R. 6882) limiting the hours of daily services of laborers and mechanics employed upon work done for the United States, or any Territory, or the District of Columbia, thereby securing better products, and for other purposes.

The bill (H. R. 9827) to close all alleys in block 3 of the Walbridge subdivision of Ingleside, in the county of Washington, was read twice by its title, and referred to the Committee on the District of Columbia.

The bill (H. R. 10380) to extend to certain publications the privileges of second-class mail matter as to admission to the mails was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on the 22d instant approved and signed the following acts:

An act (S. 139) granting a pension to Adelaide Sessions;

An act (S. 289) granting a pension to John B. Turchin;

An act (S. 477) granting a pension to Levi C. Faight;

An act (S. 657) granting a pension to Matthew Redmond;

An act (S. 1030) granting a pension to Catharine Harris;

An act (S. 1266) granting a pension to Jacob Saladin;

An act (S. 1833) granting a pension to Mary B. Christopher;
 An act (S. 1954) granting a pension to Edward L. Ruby;
 An act (S. 2441) granting a pension to Felix G. Sittou;
 An act (S. 2881) granting a pension to Mary A. Parker;
 An act (S. 3200) granting a pension to John P. Hinsley;
 An act (S. 3352) granting a pension to Sarah Kersey;
 An act (S. 3480) granting a pension to John Holland;
 An act (S. 3502) granting a pension to Elizabeth Whisler;
 An act (S. 4030) granting a pension to Helen M. Glennly;
 An act (S. 36) granting an increase of pension to Emma G. Sargent;
 An act (S. 135) granting an increase of pension to Frances C. De Russy;
 An act (S. 316) granting an increase of pension to Louann A. Perry;
 An act (S. 480) granting an increase of pension to Juliet Gregory;
 An act (S. 649) granting an increase of pension to Martha Madocks;
 An act (S. 682) granting an increase of pension to Wilhelmina Hippler;
 An act (S. 757) granting an increase of pension to William C. Stockton;
 An act (S. 817) granting an increase of pension to Julia A. Taylor;
 An act (S. 1031) granting an increase of pension to Thomas H. Kearney;
 An act (S. 1191) granting an increase of pension to Orpha W. Reynolds;
 An act (S. 1319) granting an increase of pension to Annie E. Joseph;
 An act (S. 1578) granting an increase of pension to George W. Campbell, alias George W. Smith;
 An act (S. 1601) granting an increase of pension to John Thornton;
 An act (S. 1603) granting an increase of pension to John W. Kaump;
 An act (S. 1803) granting an increase of pension to Richard L. Tittsworth;
 An act (S. 1909) granting an increase of pension to Cecelia A. Price;
 An act (S. 1918) granting an increase of pension to John E. Higgins;
 An act (S. 2154) granting an increase of pension to William A. Owens;
 An act (S. 2335) granting an increase of pension to John W. Blake;
 An act (S. 2463) granting an increase of pension to Ellen Leddy;
 An act (S. 2510) granting an increase of pension to Caroline C. Townsend;
 An act (S. 2570) granting an increase of pension to John M. Swift;
 An act (S. 2650) granting an increase of pension to Katharine Taylor Dodge;
 An act (S. 2652) granting an increase of pension to Louisa E. Baylor;
 An act (S. 2764) granting an increase of pension to William Murphy;
 An act (S. 2983) granting an increase of pension to Isaac H. Lynn;
 An act (S. 2994) granting an increase of pension to Fanny F. Robertson;
 An act (S. 3033) granting an increase of pension to William J. Wallace;
 An act (S. 3206) granting an increase of pension to Moses King, jr.;
 An act (S. 3380) granting an increase of pension to Hamilton K. Williams;
 An act (S. 3508) granting an increase of pension to Edward F. Phelps;
 An act (S. 3630) granting an increase of pension to Jacob N. Smith;
 An act (S. 3748) granting an increase of pension to Washington Baker;
 An act (S. 3790) granting an increase of pension to Anna M. Collier;
 An act (S. 3797) granting an increase of pension to John H. Streeter;
 An act (S. 3879) granting an increase of pension to Isaac Gause; and
 An act (S. 4291) to constitute Durham, N. C., a port of delivery in the customs collection district of Pamlico, and to extend the privileges of the seventh section of the act of Congress approved June 10, 1880, to said port.
 The message also announced that the President of the United States had on this day approved and signed the following acts:
 An act (S. 299) granting a pension to Susanna Marion;
 An act (S. 1029) granting a pension to Henry B. Lambe; and
 An act (S. 2290) granting a pension to James Richardson.

CUBAN INVESTIGATION.

Mr. PLATT of Connecticut. If there are no Senate resolutions, I ask that the resolution which has come over from a former day and is subject to call may be laid before the Senate.

The PRESIDING OFFICER (Mr. GALLINGER in the chair). The Chair lays the resolution before the Senate.

Mr. MORGAN. I hope the Senator will allow me to call up the resolution which I offered yesterday.

Mr. PLATT of Connecticut. I think this resolution takes precedence of resolutions which were offered yesterday. It has been lying on the table subject to call for some time. I gave notice yesterday that I would call it up to-day.

Mr. MORGAN. The resolutions I offered yesterday are merely pro forma, to get information from two different Departments, the War and the Navy.

Mr. PLATT of Connecticut. Let this resolution come up, and then I will yield to the Senator.

Mr. MORGAN. Those resolutions will lead to no debate.

The PRESIDING OFFICER. The resolution called up by the Senator from Connecticut will be stated.

The SECRETARY. A resolution, by Mr. BACON, directing the Committee on Relations with Cuba to investigate and report to the Senate regarding the moneys received and expended in the island of Cuba by, through, and under officials and representatives of the United States.

Mr. ALLEN. Mr. President—

Mr. MORGAN. Now the Senator from Connecticut yields to me to call up a resolution.

Mr. PLATT of Connecticut. I will yield to the Senator from Alabama and afterwards to the Senator from Nebraska.

COST OF NAVAL TRANSPORTATION, ETC.

The PRESIDING OFFICER. The Chair lays before the Senate a resolution submitted yesterday by the Senator from Alabama [Mr. MORGAN], which will be read.

The Secretary read the resolution, as follows:

Resolved, That the Secretary of the Navy is directed to furnish to the Senate, as fully and accurately as is practicable at this time, answers to the following inquiries:

SECTION 1. Since May 1, 1898, what armed vessels, tenders, and war ships have been sent to the Philippine Islands by order of the Secretary of the Navy, or from said islands to other ports or places, giving the name, tonnage, and the time and place of departure and arrival, and the distance of sea travel of each voyage?

What is the cost of fuel consumed on each of said voyages, and the cost per ton of such fuel at the port of Manila, for each month during the period since said May 1, 1898?

SEC. 2. What tolls have been paid to the Suez Canal Company on each vessel sent through said canal by order of the Secretary of the Navy, and the price per ton paid for each vessel since May 1, 1898?

SEC. 3. What distance was covered, and in what time, by the battle ship *Oregon* in her voyage from the Pacific coast to Key West; and in her voyage, subsequently, from the Atlantic coast of the United States to Manila; and whether said voyages, respectively, were made within a reasonable time? What was the cost of the coal consumed on each voyage by the *Oregon*?

What was the cost of coal consumed on each ship under the command of Admiral Dewey on his return from Manila to the United States, and what distance was covered in that voyage?

Mr. CHANDLER. Mr. President, I have examined this resolution since yesterday. I find no assertion of fact in the resolution. It is, although somewhat long, only a resolution of inquiry, and I see no objection to its passage.

The resolution was agreed to.

COST OF ARMY TRANSPORTATION, ETC.

The PRESIDING OFFICER laid before the Senate the following resolution submitted yesterday by Mr. MORGAN:

Resolved, That the Secretary of War is directed to furnish to the Senate, as fully and accurately as is practicable at this time, answers to the following inquiries:

SECTION 1. What has been the cost to the United States since May 1, 1898, of the transportation paid to or due to railroad companies for the transportation of officers and men in service with the Army of the United States, and of animals, property, munitions, equipment, arms and supplies of every kind belonging to the Quartermaster, Commissary, and Ordnance Departments of the Army, sent to the Philippine Islands from the Pacific coast or brought from any of said islands to the Pacific coast of the United States and sent to their destination from that coast to any part of the United States?

SEC. 2. What has been the cost of transportation, by sea, of the officers, men, animals, and other belongings of the Army mentioned in section 1 of these resolutions, since May 1, 1898, to Manila or other ports in the Philippine Islands, or from such ports to the ports of the United States on the Pacific and Atlantic oceans?

SEC. 3. What tolls, and at what price per ton, and what fares or charges, for passengers, have been paid by the United States since May 1, 1898, to the Suez Canal Company for transports or troop ships and for troops passing through said canal, and the tonnage of each ship and its draft?

SEC. 4. What sum has been paid to each railroad company, or each line or system of railroads, naming the same, that terminates on or near the Pacific coast, for the transportation that is mentioned or referred to in section 1 of this resolution, so as to designate the system of railroads, known as the transcontinental railroad lines, on which such transportation was furnished?

Mr. LODGE. I do not think there is any objection to the resolution. I think it is exactly the same as the preceding.

The resolution was agreed to.

ROBERT MORAN.

Mr. PLATT of Connecticut. I yield now to the Senator from Nebraska, unless the bill which he wishes to have passed should be debated.

Mr. ALLEN. By the courtesy of the Senator from Connecticut, I ask unanimous consent to call up the bill (S. 3115) granting an increase of pension to Robert Moran. It is rather urgent that it should be taken up at this time.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes to place on the pension roll the name of Robert Moran, late lieutenant-colonel Second Regiment West Virginia Volunteer Infantry, and to pay him a pension at the rate of \$72 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.

CUBAN INVESTIGATION.

The Senate resumed the consideration of the following resolution, submitted by Mr. BACON on the 11th instant:

Resolved, That the Committee on Relations with Cuba is hereby directed to investigate and report to the Senate as early as practicable regarding the moneys received and expended in the island of Cuba by, through, and under the officials and representatives of the United States, both civil and military, from the date of the occupation of Cuba by the military forces of the United States until and including the 30th day of April, 1900.

Said committee shall investigate and report as to receipts as follows: From customs; from postal service; from internal revenue; from all other sources, specifying the details as far as practicable, and particularly the places where and dates within which said amounts were collected or received, and the officer or officers collecting and receiving the same, as well as the law or authority under which said amounts were in each instance so collected or received.

Said committee shall investigate and report as to the expenditures of the said amounts so received, the necessity and propriety thereof, specifying in classes and in detail, so far as practicable, said expenditures, and particularly the work, services, or property for which said expenditures were made and the value thereof, also the law or authority under which each of said expenditures was made, the officer, civil or military, by whom said expenditure was authorized, and the officer, civil or military, by whom said expenditure was made, and the particular fund from which the money was taken for said expenditure.

Said committee shall also report a statement of all public works of every kind, including buildings, wharves, railroads, and all other structures built or constructed, improved, repaired, or decorated by or under the authority of any such officer, civil or military, and in each instance the cost, value, necessity, and propriety of the same, and the uses to which said buildings or structures have been put. Where said buildings and works were constructed or improvements were made by contract, or where the material used in the same was furnished by contract, the committee shall report copies of each of said contracts and the names of all parties interested in each of the same.

Said committee shall also report a statement of the personal property which was purchased or procured and intrusted to any officer, civil or military, in Cuba within said time, the cost and value of the same, and the uses to which said property has been put and the disposition which has been made thereof.

Amendment intended to be proposed by Mr. BACON to the resolution (S. Res. No. 327) directing the Committee on Relations with Cuba to investigate and report relative to receipts and expenditures in Cuba, viz: Insert the following:

That said committee, or any subcommittee thereof, shall have the power to send for persons and papers, to administer oaths, and to examine witnesses under oath touching the matters which they are hereby empowered to investigate, and may, either by full committee or subcommittee, hold their sessions during the sessions of the Senate or during the recess of Congress at such place or places as they may determine to be necessary or important for the efficient and proper execution of this order either in the United States or in Cuba, to employ stenographers and such clerical assistance as may be deemed advisable; and the necessary and proper expense incurred in the execution of this order shall be paid out of the contingent fund of the Senate, upon vouchers approved by the chairman of said committee.

Mr. PLATT of Connecticut. Mr. President, when this resolution was presented by the Senator from Georgia I asked that it might go over, not that I intended to oppose the passage of the resolution, but I thought that some remarks made by the Senator from Georgia in advocating its passage called for examination.

About a month ago Major-General Wood, military governor of the island of Cuba, was led to suppose or to fear that there had been irregularities, possibly peculations and embezzlements, in that portion of the government which was under the immediate control of the director-general of posts. He at once organized an inspection of the accounts of Mr. Rathbone, who was in charge of that branch of the service, which has been unsparingly pursued from that time to the present.

The Senator from Georgia, I think, or certainly the newspapers to which he gives credence, seem to think that all the official malfeasance and wrongdoing which have been discovered have been brought to light by others than those connected with the administration of affairs in the island of Cuba. It is to General Wood that the credit of discovering these official wrongs and criminalities belongs. It is to the Administration that belongs the credit of investigating and probing the matter to the bottom and using every possible effort to bring those who have been guilty of wrongdoing to trial and to punishment.

The Senator from Georgia has no monopoly of the sense of humiliation, indignation, and shame which should be and are felt by every honest and patriotic man in the United States. The disclosures in Cuba with reference to the postal affairs of that island are shocking. They strike a blow, and a direct blow, at every citizen of the United States. If the defalcation of Mr. Neely had occurred in Boston, or New York, or Washington, it would have been a sad and shameful affair, but it would not have been so sad and so shameful as when it occurs in a country which

may be said to be at present under our guardianship, for the administration of whose affairs with honesty and economy we are responsible not only to the people of Cuba but to ourselves and to the world as well.

Nothing that has occurred in the history of defalcations has made such an impression upon the public mind as this, and justly so; and more than in any other case is it incumbent upon the Government to probe this to the very bottom, unsparingly, unceasingly, without hesitation, without reference to who may be complicated or concerned.

Mr. President, I wish to remark right here that the Republican party never tolerates fraud or peculation or embezzlement. Neither the Republican Administration nor the members of the Committee on Relations with Cuba need any prodding from the party in opposition to induce them to make a most searching investigation and to use every possible effort to punish summarily and severely any persons who may have been guilty of wrongdoing or of criminality or irregularity in reference to the affairs of the government of Cuba.

But, Mr. President, there are some things that ought to be remembered in connection with this, that ought to be remembered by those patriots who, with a Presidential election approaching, hold up their hands in holy horror and seize upon what has been disclosed to endeavor to cast discredit not only upon the Administration, but upon their country as well. It ought to be remembered that in three years and three months of the present Administration this is the first occasion when they have had an opportunity to criticize in this respect. It ought to be remembered that whenever in years past there has been disclosed any instance of wrongdoing on the part of officials during a Republican Administration, that wrongdoing has been most mercilessly and thoroughly exposed and punished.

Rarely, Mr. President, during Republican Administrations have there been defalcations and frauds. There were during the Administration of General Grant what were known as the star-route frauds, and when that distinguished general and equally distinguished President uttered the words "Let no guilty man escape," he struck the keynote of confidence throughout the United States. And when, as I shall show before I get through, President McKinley has, in words almost equally concise and pertinent, directed that this scandal shall be probed to the bottom and that every guilty person shall be punished, he will be accorded a verdict of confidence from the people of the United States.

As I said, General Wood's suspicion was directed to the fact that there were irregularities in the postal accounts of Cuba. The management of the post-office affairs in Cuba was not directly under his control. Nominally it was, for he was the military governor of Cuba. Hearing or suspecting that there might be frauds or irregularities, he detailed an inspector, a military officer, as I understand—at any rate, an inspector under his own immediate command—to investigate the postal affairs. The result was, so far as disclosed, that the inspector found that a clerk by the name of Neely had been appropriating funds belonging to the Cuban postal revenues. That clerk left for the United States as soon as the investigation was commenced. He was followed by Inspector Burton to the United States, was arrested, has been held for trial, and at the suggestion of that inspector a suit for the recovery of the money has been instituted against him upon which he is required to give \$50,000 bail, as he was required to give \$20,000 bail under the original criminal charge.

I think perhaps that is all that need be said respecting the extent of the frauds which have been discovered. The defalcation amounts, as we are informed, for the months of this year, January, February, March, and April, to about \$45,000. It is suspected that the wrongdoing, the embezzlement, commenced earlier. It is not believed that there will be any eventual loss to the Cuban revenues or to the Government of the United States.

So much we know; but this has been seized upon to charge by innuendo, by rumor, by every means in which suspicion can be aroused, that the whole administration of affairs in Cuba is honeycombed with fraud, to use the language, I think, of the Senator from Georgia; that millions upon millions have been misappropriated, and that the people of Cuba have been plundered wholesale by the officers of the Government who are there in administration. I take this language of the Senator to be a direct charge:

Only through the searching examination of witnesses and the personal examination of the locality and of the public works which have been constructed can there be detected the plunder of millions of dollars through jobs given to favorites and through dishonest contracts and dishonest work under contracts.

Who knows that, Mr. President? Aside from the partisan newspapers, which seem to roll every suspicion as a sweet morsel under their tongues, who knows that there has been a dishonest contract there?

I agree, Mr. President, that when these charges have been made, when rumor and suspicion and scandal mongering fill the air, an investigation by a Congressional or Senatorial committee becomes necessary. I have seen nothing of fact which I think renders a Congressional investigation necessary; nothing of admitted fact,

nothing of proven fact, which requires any investigation, unless it be the defalcation to which I have already alluded.

The Senator from Georgia makes the most astonishing proposition with reference to that that I have ever heard. If I understand him, he thinks that the postal defalcation of Mr. Neely and the accounts of the director of posts should be examined by a Congressional committee and not by a committee under the executive branch of the Government. I wonder what he would have said, I wonder what the newspapers, who are so anxious to find something to cast discredit upon the Administration—never thinking, apparently, that to discredit the Administration in this matter is to discredit their own country—I wonder what they would say if there had not been the swiftest investigation on the part of the Executive, particularly on the part of the Post-Office Department?

Mr. BACON. I beg the Senator's pardon. I did not hear him distinctly, and I will be obliged to him if he will repeat his statement about discrediting the Administration.

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

Mr. PLATT of Connecticut. Certainly.

Mr. BACON. I did not hear the Senator's statement, and that is the reason I ask him to repeat it.

Mr. PLATT of Connecticut. I said I understood the Senator from Georgia to say that the investigation of the postal frauds and embezzlement in Cuba ought to be undertaken by a Congressional or Senatorial committee, and not by the Department within which they occurred. This is what the Senator said:

Now, Mr. President, to return from the diversion, it is going to be contended here, I imagine from certain intimations I have had from Senators of the dominant party, that this investigation ought not to be undertaken by Congress, but that it ought to be left to the Executive Departments. I shall have something more to say about that subject; but I wish to say in passing here that with the statement just made, which I have no doubt is true, as to the large number of men charged with the duty of investigating in Cuba and seeing that the postal department was properly managed there, and with their utter failure to comply with their duty, in the presence of this immense embezzlement of funds, the proper authority to investigate is not the same body of men among whom these frauds have been committed, and among others of them who, while themselves innocent, and who, while they have no connection with the frauds, will, by reason of their most unfortunate association officially with those who are guilty, have of necessity to be included in the scope of the investigation.

Mr. BACON. Now, will the Senator please read in connection with that, on page 6160, in the right-hand column, beginning about the middle of my remarks on that occasion? The sentence begins, "Mr. President, if it were only the Post-Office Department," etc.

Mr. PLATT of Connecticut. I will read what is before that.

Mr. BACON. Very well.

Mr. PLATT of Connecticut. The Senator said:

But the question is whether the Congress of the United States should sit still and do nothing, or whether, in the face of this gross violation of duty, these villainous thefts of Cuban funds by the officers of one of the Departments of the Government, we shall say that we will go to the bottom of it, or whether we shall leave it for others to attempt to do so.

Mr. President, if it were only the Post-Office Department which was involved, there might be a strong argument presented as to why this investigation should be left to the Post-Office officials, because they are a trained body of men familiar with those matters, and perhaps better capacitated than any others for a proper investigation of the facts, and if an investigation shall be entered upon by the Senate those officers must be largely used in the prosecution of the investigation. But it is not a proper thing in my opinion, in any instance where there has been a widespread conspiracy by which there have been embezzlements of the funds of one Department, to leave the investigation altogether to that Department.

Mr. BACON. The Senator will notice the word "altogether."

Mr. PLATT of Connecticut. I can place no other meaning upon all the clauses that I have read than that the Senator from Georgia felt that the investigation of this matter could not be safely left to the executive department and to the Post-Office Department—that they would not thoroughly investigate and probe this matter to the bottom. If that is not the exact language which the Senator used, it is certainly the inference to be drawn from it. It is but another way in which it is sought to cast suspicion and discredit upon the Administration.

Mr. BACON. Will the Senator, in that connection, kindly read the next paragraph, as he read the one preceding?

Mr. PLATT of Connecticut. I think I have read all that is necessary to read. If the Senator desires to read all of his speech again, or any portion of it, I shall be very glad to have him do so.

I think, Mr. President, that we can not well interfere with the investigation which is being made by the executive department and by the Postmaster-General. To interfere with it while it is going on would defeat very likely the ends of justice.

I recur to my question. What would be said by the Senator, what would be said by the newspapers, by the partisan press, if there had been no effort made on the part of the Post-Office Department to investigate, or on the part of General Wood to investigate this matter, and punish those who have been engaged in it? It is a duty which is placed upon the Post-Office Department, and it is a duty which is willingly performed by that Department.

I wish right in this connection, Mr. President, to read the instruction which has been given to Fourth Assistant Postmaster-

General Bristow when he was directed to go to Cuba to probe this matter to the bottom. I have here the letter of the Postmaster-General of May 12, and, as it is short, I will read that first:

OFFICE OF THE POSTMASTER-GENERAL,
Washington, May 12, 1900.

SIR: You are directed to proceed to Habana, Cuba, at once. As you are aware, a force of inspectors has been detailed to make a thorough investigation into the administration of the postal service of the island. Besides giving the inspectors the benefit of your counsel, it will be your special duty to examine and report upon the organization of the department of posts. You will confer freely with the Governor-General, and will hold yourself in readiness for any service that may be indicated by later instructions.

Very respectfully,

CH. EMORY SMITH, *Postmaster-General*.

HON. JOSEPH L. BRISTOW,
Fourth Assistant Postmaster-General.

On the 16th this supplementary letter was written:

MAY 16, 1900.

SIR: Supplementing my letter of May 12, directing you to proceed at once to Cuba, the following further instructions are given for your guidance:

You will immediately on your arrival at Habana confer freely and fully with General Wood, military governor, and will keep in constant communication with him in the work on which you enter. You will cooperate with the military governor both in the investigation of all irregularities in the postal service of Cuba and in any measures for the reorganization of the system that may be undertaken.

The examination by the inspectors, already provided for, will have begun before your arrival. You will assume general supervision of this examination, and will enforce the instruction heretofore given that it shall be of the most searching and thorough character. If you find that you need a still larger force for the prompt and complete performance of this duty, you will call for it. The investigation must be comprehensive and minute, covering every branch of the service and all classes of officials. Its prosecution must be governed solely by the purpose of ascertaining the truth and the whole truth, and it must be uncompromising and unsparing.

Besides supervising the investigation in cooperation with the military governor, it will be your duty to examine the organization of the postal service, with its system of checks and balances, and report what greater or additional safeguards can be provided. Under the system established at the beginning of the American occupation of Cuba the administrative side of the service was placed under the control of this Department and the auditing or checking side under the control of another. This is the system of the United States Government. The irregularities and peculations which have been brought to light were apparently accomplished because officers appointed by and responsible to different Departments, and who should have been a check upon each other, entered into collusion and conspiracy to perpetrate these wrongs on the one side and to pass and cover them up on the other. You will carefully investigate by what defects of supervision or defense they were consummated, and what further measures of protection in the passing and auditing of accounts and in the handling of public funds and property may be needed.

It is desired also that the central organization of the postal service in Cuba shall receive your special attention. You will examine as to whether it is framed in the best manner for efficient administration. You will see whether, compatibly with a good mail service for the people, any retrenchments can be made, and whether economies can be effected by a consolidation and reduction of bureaus. It is desired to bring the postal expenditures within the postal revenues, so far as may be consistent with the obligation of providing a satisfactory mail service.

Your presence in Cuba as the representative of the Department, with these instructions, makes you the ranking officer of the postal administration. You will consider and advise what removals or other action may be required in the cause of justice, for the interest of the Government and of the people of Cuba, and for the welfare of the service.

You are chosen for this duty with the approval of the President, who is deeply shocked at the shameful betrayal of trust on the part of officials in whom confidence had been reposed, and who directs that in dealing with all irregularities which have been or may be disclosed the sole rule of action shall be thorough and complete investigation, the rigorous and unsparing prosecution of all guilty persons, and their swift and condign punishment.

You will communicate these instructions to General Wood, keeping him fully informed as you proceed, and reporting regularly to the Department.

Respectfully, yours,

CH. EMORY SMITH, *Postmaster-General*.

HON. JOSEPH L. BRISTOW,
Fourth Assistant Postmaster-General.

There speaks the President. He is "deeply shocked at the shameful betrayal of trust on the part of officials in whom confidence had been reposed," and he "directs that in dealing with all irregularities which have been or may be disclosed the sole rule of action shall be thorough and complete investigation, the rigorous and unsparing prosecution of all guilty persons, and their swift and condign punishment." But the Senator from Georgia thinks that really the Post-Office Department, the Executive Department, can not or will not make a thorough investigation of these wretched, shameful disclosures.

Mr. President, as I remarked a little while ago, the people of the country have confidence in William McKinley as President of the United States. I go a little further than that, and I aver that no President of the United States while holding the office of President ever had the confidence, the respect, the affection of the people to the extent which President McKinley has. Other Presidents have been canonized after their death; they have passed into history as entitled to confidence, respect, and love, but no President who, now dead, is thus respected, ever escaped in office the criticisms, the innuendoes, and the attacks which President McKinley has justly escaped.

Mr. President, the people of the country will be satisfied to leave this sad and shameful business in the hands of the Executive and his Cabinet. They well know that there will be no covering up of fraud, no condoning of crime, no toleration of irregularities. It is, therefore, that I think that these postal disclosures do not call at this time necessarily for a Senatorial investigation; but when it is

charged on the floor of the Senate, when it is charged in the press, that there is a disposition to cover up frauds to shield the guilty persons, when speeches are made along this line for the purpose of campaign circulation, it becomes necessary to have the investigation to meet such charges, such insinuations, and such rumors. There is no danger but what this investigation will be most thorough as it is now being pursued.

I took up only yesterday or the day before one of the newspapers in which it was said—I do not find it at this moment—that the Administration did not dare to touch Mr. Rathbone, who was in charge of postal affairs in Cuba, as he was too closely related in his dealings and his affairs with men who are strong with the Administration. I had no sooner read that statement in that paper than I also read the order of the Postmaster-General suspending Mr. Rathbone from office, and the news from Habana that all his conduct was being most rigorously and thoroughly investigated. I am out of patience, Mr. President, that what has really occurred, sad and shameful and humiliating and disgraceful as it is, filling us all with indignation, should be amplified and exaggerated and seized upon to endeavor for political reasons and political purposes, and for the purposes of a political campaign, to convince the people that our administration in Cuba is disgracefully lax and dishonest throughout.

The administration in Cuba has been a difficult matter. I shall allude a little further on to our peculiar relations with Cuba; but I can say right here, I think, that there never has been a more difficult task of reconstruction in the world. History does not show one. All examples of reconstruction work in history have been simple compared with the responsibilities which this country assumed in the matter of the reconstruction of Cuba. I think that no greater care could have been taken by the Executive as to the selection of officers to whom the administration of affairs in Cuba should be intrusted. It is well to remember that in these days when all the mud artillery of the partisan press is opened up on the Administration; it is well to stop for a moment and see what has been done in the way of selecting officials to whom should be intrusted the governmental affairs in the island of Cuba.

In the first place, after the treaty of peace came the evacuation. We had to receive at the hands of the Spanish military authorities their relinquishment of the island and the transfer of the property which was to be transferred to the United States in trust for the people of Cuba. The treaty of Paris provided that the island should come under the military occupation of the United States on the 1st of January, 1899. I will refer to that later.

Who were selected by the President to receive this transfer of authority? Were they men who were suspected by the people of the United States, or were they men who would be trusted by the people of the United States? I want to read their names. Admiral Sampson, General Wade, and Gen. M. C. Butler. Those were the three commissioners appointed to superintend the evacuation of Cuba and to receive the transfer of property from the Spanish authorities.

Then came the question of government and the selection of a military governor. Who was selected? The third ranking major-general of the Army was Gen. John R. Brooke. Major-General Miles was commanding. He was not available for that service. Gen. Wesley Merritt, if I am not mistaken, was then in the Philippines. He was not available for that service. The President selected as military governor of the island of Cuba General Brooke. Whatever may be said by way of sneer about the fitting up of costly quarters for him or the allowance made to him for expenses, there is no officer in the United States Army, and there never was an officer in the United States Army, who stood higher in the estimation of the people or the Army than Major-General Brooke, a man of long service, of the purest and highest character, of unspotted and unblemished reputation, of conceded integrity, and fully versed in international law as well as in military law. What better selection could have been made? He remained there for a year, and I am inclined to read one word from the order with which he took leave of his command there and gave it up to Gen. Leonard R. Wood.

General Brooke was a man of years. He had spent a year in most arduous and perplexing duty in that debilitating climate, and was anxious to return to the United States. General Wood had, from his very entrance into and participation in the Spanish war, shown himself to be a man of rare faculty both as a fighter and administrator. I think it would be pretty safe to say that the President of the United States might have looked over all the people of the United States, in the Army and out of the Army, and he could not have made a better selection than that of Major-General Wood for military governor of the island of Cuba. It was a choice universally approved; and if in all this there has been the taint of suspicion, if in all this invention of suspicion and rumor, anyone has dared to cast a shadow upon or to asperse the official or personal integrity of Maj. Gen. Leonard R. Wood, I have yet to hear it. He was selected to take the place of General

Brooke. But first I want to show what General Brooke said on turning the command over to General Wood.

HEADQUARTERS DIVISION OF CUBA,
Habana, December 20, 1899.

PROCLAMATION.

By direction of the President, I hereby transfer to my successor, Maj. Gen. Leonard Wood, U. S. V., the duties and responsibilities of the office of military governor, bespeaking for him that support and confidence you have come to accord to me.

To those who have been associated with me in the performance of the difficult task of reorganizing and placing in operation the civil government of the island I hereby tender this expression of my appreciation of and thanks for their loyal and patriotic support and assistance. A year ago I found a country most thoroughly devastated, its resources and commerce destroyed, its rural population gathered in its towns, without food and without shelter, dying from starvation and exposure. The Government of the United States immediately supplied food and work. In a short time this terrible condition passed away, and now the country is rapidly pressing on to a prosperity hitherto unknown in its history. Look about you and see how true this is. The various steps which led up to the present conditions are well known to you and need not be mentioned here. The change is truly marvelous.

Without a semblance of civil government, then, you now have a complete organization of your municipal and provincial governments, all in the hands of your own citizens, the "military control" being purely advisory and supervisory. Many of your laws have been modified and changed to suit the times in which you live, as well as in the interest of good government. Your courts have been reorganized and are in operation; peace reigns; law and order rule, and by your own industry and a careful observance of these conditions the full restoration of your social affairs and prosperity is assured.

Feeling that your future is in your own hands to make or to mar, and trusting that wise counsels may prevail among you, I say to you farewell.

JOHN R. BROOKE,

Major-General, Military Governor.

I wish to repeat one sentence:

A year ago I found a country most thoroughly devastated, its resources and commerce destroyed, its rural population gathered in its towns without food and without shelter, dying from starvation and exposure. The Government of the United States immediately supplied food and work.

And yet the Administration is criticised here on the floor of the Senate because of unlawful expenditures for sanitation, for aid to the destitute, for rations, for food, and for the employment of labor.

Mr. President, General Brooke and, later, General Wood were made military governors. Who were placed in command of the departments? General Ludlow, General Lee, General Wilson, General Carpenter, and General Wood of Santiago, who was afterwards transferred and made governor of the whole island. Does anyone on the other side of the Chamber accuse the President of lack of care and caution in the selection of these officers because he gave General Lee command and made him military governor of one of the provinces? Is there any word of suspicion directed against him, or indeed either one of the general's who were made military governors of the provinces in Cuba?

I should like to put in here, without reading, a list of the military officers to whom civil duties have been assigned from time to time in the island of Cuba and in different departments. I will not stop to read it, but whoever does I think will no longer suggest that the highest care has not been exercised in the selection of military officers to discharge the civil duties.

The PRESIDING OFFICER. Without objection, the paper will be printed in the RECORD.

The list referred to is as follows:

NAMES OF OFFICERS OF THE ARMY HAVING IMPORTANT COMMANDS OR DUTIES IN CUBA.

Evacuation committee.—Rear-Admiral William T. Sampson, United States Navy; Maj. Gen. J. F. Wade, United States Volunteers; Maj. Gen. M. C. Butler, United States Volunteers; Brig. Gen. J. W. Clous, secretary and recorder of commission.

Division of Cuba.—Commander and military governor: Maj. Gen. J. R. Brooke, December 29, 1898, to December 20, 1899; Maj. Gen. Leonard Wood, December 20, 1899, to date. Chief of staff: Maj. Gen. A. R. Chaffee, December 29, 1898, to May 1, 1899. Adjutant-general: Lieut. Col. W. V. Richards, December 29, 1898, to date. Chief quartermaster: Brig. Gen. C. F. Humphrey, December 29, 1898, to date. Chief commissary: Lieut. Col. A. L. Smith, December 29, 1898, to August 24, 1899; Maj. O. E. Wood, September 30, 1899, to date. Chief surgeon: Lieut. Col. R. M. O'Reilly, December 29, 1898, to November 12, 1899; Lieut. Col. Calvin De Witt, December 15, 1899, to April 3, 1900; Maj. V. Havard, April 3, 1900, to date. Chief paymaster: Maj. G. E. Smith, December 28, 1898, to March 11, 1899; Maj. F. S. Dodge, June 1, 1899, to date. Chief signal officer: Col. H. H. C. Dunwoody, December 28, 1898, to date. Chief of customs service and secretary of finance: Lieut. Col. T. H. Bliss, December 28, 1898, to date. Inspector-general: Maj. R. H. Rolfe, February 4, 1899, to September 28, 1899; Col. G. H. Burton, September 28, 1899, to date. Treasurer and disbursing officer of customs: Maj. E. F. Ladd, January 27, 1899, to date. Superintendent of charities: Maj. E. St. J. Greble, February 21, 1900, to date. Inspector-general: Brig. Gen. O. H. Ernst, January 2, 1899, to May 6, 1899. Auditor for island of Cuba: First Lieut. E. C. Brooks, Sixth Cavalry, April 20, 1900, to date.

Department of Habana.—Commander (also military governor of the city of Habana): Brig. Gen. William Ludlow, January 1, 1899, to May 14, 1900. Adjutant-general: Maj. T. B. Mott, January 1, 1899, to March 1, 1899; Lieut. Col. H. L. Scott, March 1, 1899, to May 1, 1899. Inspector-general: Lieut. Col. P. Reade, January 30, 1899, to July 22, 1899; Maj. G. S. Grimes, Second Artillery, September 18, 1899, to May 1, 1900. Chief commissary: Maj. Carroll Mercer, January 10, 1899, to March 29, 1899; Capt. P. Mothersill, March 29, 1899, to May 1, 1900. Chief quartermaster: Maj. J. T. French, April 27, 1899, to May 1, 1900. Chief engineer: Lieut. Col. W. M. Black, January 2, 1899, to May 1, 1900. Chief surgeon: Maj. W. C. Gorgas, February 10, 1899, to May 1, 1900.

Department of the Province of Habana.—Commander: Maj. Gen. Fitzhugh Lee, December 30, 1898, to April 19, 1899. Adjutant-general: Lieut. Col. J. H. Dorst, December 30, 1898, to April 19, 1899. Chief quartermaster: Lieut. Col. G. E. Pond, December 30, 1898, to March 14, 1899; Maj. J. L. Wilson, March

14, 1899, to April 19, 1899. Chief commissary: Lieut. Col. O. E. Wood, January 24, 1899, to April 19, 1899. Chief surgeon: Lieut. Col. L. M. Maus, December 30, 1898, to February —, 1899; Maj. J. R. Kean, February 16, 1899, to April 19, 1899.

Department of Province of Habana and Pinar del Rio.—Commander: Brig. Gen. Fitzhugh Lee, April 19, 1899, to May 1, 1900. Adjutant-General: Maj. R. E. L. Michie, April 20, 1899, to May 1, 1900. Chief quartermaster: Maj. J. L. Wilson, April 20, 1899, to March 13, 1900. Chief commissary: Maj. O. E. Wood, April 20, 1899, to May 1, 1900. Inspector-general: Maj. R. B. Harrison, April 20, 1899, to April 8, 1900. Chief surgeon: Maj. J. R. Kean, April 20, 1899, to May 1, 1900. Disbursing officer, customs funds for the department: Maj. S. D. Sturgis, May 10, 1899, to August 11, 1899.

Department of Pinar del Rio.—Commander: Brig. Gen. G. W. Davis, January 3, 1899, to February 10, 1899; Brig. Gen. E. B. Williston, February 10, 1899, to March 20, 1899; Brig. Gen. H. C. Hasbrouck, March 20, 1899, to April 23, 1899. Adjutant-general: Maj. S. D. Sturgis, January 10, 1899, to April 23, 1899. Inspector-general: Maj. R. A. Brown, January 4, 1899, to March 31, 1899. Chief quartermaster: Maj. G. H. Sands, January —, 1899, to February 18, 1899; Lieut. Col. N. H. Creager, February 14, 1899, to April —, 1899 (remaining on duty at constructing quarters at Guanajay to September 8, 1899). Chief commissary: Capt. John Landstreet, January 3, 1899, to February 1, 1899; Maj. J. H. Heatwole, February 1, 1899, to April 22, 1899. Chief surgeon: Maj. William L. Kneidler, January 3, 1899, to June —, 1899.

Department of Matanzas.—Commander: Maj. Gen. J. H. Wilson, January 12, 1899, to April 21, 1899. Adjutant-general: Lieut. Col. G. R. Cecil, January 12, 1899, to April 21, 1899. Chief quartermaster: Lieut. Col. J. B. Aleshire, January 12, 1899, to April 21, 1899. Chief commissary: Maj. E. F. Taggart, January 12, 1899, to April 21, 1899. Chief surgeon: Lieut. Col. T. E. Wilcox, January 12, 1899, to March 20, 1899. Inspector-general: Lieut. Col. F. D. Baldwin, January 12, 1899, to April 21, 1899. Engineer officer: Lieut. Col. John Biddle, January 12, 1899, to April 21, 1899. District of Matanzas: Brig. Gen. J. P. Sanger, commanding, from January 13, 1899, to May 24, 1899.

Department of Santa Clara.—Commander: Maj. Gen. J. C. Bates, January 4, 1899, to April 19, 1899. Adjutant-general: Maj. L. V. Caziarc, January 11, 1899, to April 21, 1899. Chief quartermaster: Capt. S. A. Smoke, January 4, 1899, to March 21, 1899. Chief commissary: Maj. J. O. Varndoe, January 4, 1899, to March —, 1899. Chief surgeon: Maj. J. H. Hysell, January 4, 1899, to April 21, 1899. Provost-marshal: Maj. J. A. Logan, January 4, 1899, to February 25, 1899 (also acting military commandant judicial district of Sagua la Grande and Remedio).

Department of Puerto Principe.—Commander: Brig. Gen. L. H. Carpenter, January 10, 1899, to July 16, 1899. Adjutant-general: Capt. J. E. McMahon, January 24, 1899, to April 29, 1899; Capt. C. M. O'Connor, Eighth Cavalry, April 29, 1899, to June 19, 1899. Chief quartermaster: Capt. C. J. Symonds, January 10, 1899, to July 16, 1899 (being also disbursing officer for island custom funds). Chief commissary: Capt. W. M. Loveland, January 21, 1899, to April 6, 1899; Maj. Henry Page, April 6, 1899, to May —, 1899. Chief surgeon: Maj. S. T. Armstrong, January 10, 1899, to July 16, 1899.

Department of Santiago (designated Department of Santiago and Puerto Principe from July, 1899).—Commander: Brig. Gen. Leonard Wood, January 1, 1899, to December 20, 1899; Col. S. M. Whitside, Tenth Cavalry, January 22, 1900, to date. Adjutant-general, Lieut. Col. J. H. Beacom, January 1, 1899, to March 25, 1899; Maj. George Andrews, March 25, 1899, to date. Chief quartermaster, Maj. J. T. Knight, January 1, 1899, to July 1, 1899; Capt. C. M. Angur, July 1, 1899, to date. Chief commissary, Maj. E. T. Wilson, January 1, 1899, to May 18, 1899; Maj. J. H. Heatwole, May 18, 1899, to July 6, 1899; Capt. W. H. Beck, Tenth Cavalry, July 10, 1899, to September 15, 1899; Capt. T. F. Ryan, September 15, 1899, to date. Chief surgeon, Maj. V. Havard, January 1, 1899, to April —, 1900. Inspector-general, Maj. J. H. McLeary, February 11, 1899, to April 1, 1899. Judge-advocate, Maj. H. C. Carbaugh, February 10, 1899, to May 20, 1899; Maj. G. M. Dunn, May 20, 1899, to May —, 1900.

Department of Matanzas and Santa Clara.—Commander: Brig. Gen. J. H. Wilson, April 21, 1899, to date. Adjutant-general, Lieut. Col. G. R. Cecil, April 21, 1899, to May 23, 1899; Maj. J. H. Dorst, May 23, 1899, to August 19, 1899; Maj. E. St. J. Greble, September 19, 1899, to February 20, 1900. Inspector-general, Lieut. Col. F. D. Baldwin, April 21, 1899, to June 8, 1899; Maj. G. L. R. Brown, Tenth Infantry, September 25, 1899, to February —, 1900. Chief quartermaster, Lieut. Col. J. B. Aleshire, April 21, 1899, to June 30, 1899; Maj. W. H. Miller, June 30, 1899, to date. Chief commissary, Capt. M. B. Peterson, April 25, 1899, to date. Chief surgeon, Maj. F. J. Ives, April 25, 1899, to date. Judge-advocate, Maj. H. C. Carbaugh, May 29, 1899, to October 5, 1899.

OTHER OFFICERS THAT SERVED IN CUBA, IN COMMAND OF TROOPS, AS COLLECTORS OF CUSTOMS, ETC.

Maj. Gen. J. W. Keifer, commanding First Division, Seventh Army Corps, at Habana, January 1, 1899, to March 11, 1899.

Brig. Gen. J. K. Arnold, commanding Second Division, Seventh Army Corps, at Habana, January 17, 1899, to April 12, 1899.

Brig. Gen. H. T. Douglas, commanding brigade, at Habana, January 7, 1899, to March 6, 1899.

Brig. Gen. E. P. Ewers, commanding district at San Luis, January 1, 1899, to March 23, 1899.

Maj. L. W. V. Kennon, assistant adjutant-general, on special duty at Headquarters Division of Cuba.

Capt. J. F. R. Landis, First Cavalry, collector of customs at Caibarien since January 5, 1899.

Capt. F. G. Irwin, jr., Second Cavalry, collector of customs at Manzanillo, May 1, 1899, to May 1, 1900, and on same duty at Santiago to date.

Capt. H. J. Slocum, Seventh Cavalry, disbursing officer Cuban customs funds at Habana, from August 12, 1899, to date.

Capt. E. A. Ellis, Eighth Cavalry, collector of customs at Guantanamo, since January 24, 1899.

First Lieut. A. E. Saxton, Eighth Cavalry, civil disbursing officer district of Santiago since August 14, 1899.

Second Lieut. H. A. Roberts, Eighth Cavalry, disbursing officer customs funds at Puerto Principe since December 9, 1899.

Capt. C. H. Grierson, Tenth Cavalry, disbursing officer at Santiago, Cuban census, September 25, 1899, to March 23, 1900.

First Lieut. H. C. Schumm, Second Artillery, collector of customs at Baracoa, January —, 1899, to April —, 1900.

Capt. John Conklin, jr., Fifth Artillery, collector of customs at Trinidad, December 30, 1898, to May —, 1900.

Capt. S. D. Freeman, Tenth Cavalry, collector of customs at Santiago, October 25, 1899, to May 1, 1900.

Capt. Elias Chandler, First Infantry, collector of Customs at Ysabella de Sagua since January 31, 1899.

First Lieut. L. S. Upton, Fifth Infantry, collector of customs at Manzanillo since May 5, 1899.

First Lieut. Preston Brown, Second Infantry, superintendent of street cleaning, Cienfuegos, June 29, 1899, to September 16, 1899.

Capt. W. Y. Stamper, Eighth Infantry, collector of customs at Cienfuegos, January 1, 1899, to February 19, 1900.

Second Lieut. J. W. Wright, Fifth Infantry, collector of customs at Baracoa since April 14, 1900.

First Lieut. M. B. Stokes, Tenth Infantry, collector of customs at Cardenas since June 23, 1899.

Maj. J. G. Davis, surgeon, chief sanitary officer, Habana, February 9, 1899, to February 10, 1900.

Maj. H. M. Lord, paymaster, in charge of and paying funds to Cuban army, June 3, 1899, to September 23, 1899.

Maj. J. J. Brereton, quartermaster, collector of customs at Cienfuegos, December 31, 1898, to May 11, 1899.

Capt. W. H. Hay, assistant quartermaster, collector of customs at Matanzas since December 29, 1898.

Capt. S. F. Dutton, A. C. S. Volunteers, disbursing officer, civil funds, Guanajay, February 14, 1899, to May 30, 1899.

H. C. CORBIN, *Adjutant-General.*

Mr. CHANDLER. May I ask the Senator whether any of the recent disclosures show that any officer of the Army has been guilty of fraud or dishonesty?

Mr. PLATT of Connecticut. There is nothing which has come to my attention to show that one cent has been improperly expended or appropriated by any military officer performing civil duties in the island of Cuba.

Mr. TILLMAN. Has the Senator from Connecticut had his attention called to the matter of the wharf for the railroad, built on the south side of the harbor?

Mr. PLATT of Connecticut. Well, what of it?

Mr. TILLMAN. I just want to know if he has investigated it. I know nothing except what I have seen in the papers. I supposed the Senator would be able to give the Senate some information or light on the subject.

Mr. PLATT of Connecticut. If the Senator or anybody else has any charges to make in regard to that, I wish he would make them now.

Mr. TILLMAN. If the investigation is ordered, I will furnish some witnesses. I will agree to do that.

Mr. PLATT of Connecticut. I think I will, having been interrupted, stop right here, breaking up the continuity of my remarks, for the purpose of saying one word about that railroad. I saw recently in a newspaper a statement that there had been some great frauds connected with the building of that railroad, and it took the shape which these other stories take, that there had been an unconscionable contract made; that the parties behind the contract were the former Secretary of War, Mr. Alger, and the two Senators from the State of New York, Senator DEWEY and Senator PLATT. If that is the charge, let us have it. I saw a statement, as quickly as the charge was promulgated, by the former Secretary of War that he had nothing whatever to do with it, and I saw a statement also made—and it was not necessary that he should make it—by the junior Senator from New York that he had nothing whatever to do with it. It was not necessary that he should say that. It was not necessary that the former Secretary of War should say it. It shows the recklessness of the people who are hunting stones to throw at this Administration.

When this war commenced we were told we were to have a carnival of corruption and extravagance. Our anti-expansion friends lamented over it in advance. The war has gone on; all the expenditures of the war have been made; and people anxious for campaign material have been scrutinizing them, and it comes down to this, that some men who were trusted and believed to be trustworthy have gone wrong in Cuba in postal affairs and have perhaps appropriated a hundred thousand dollars, more or less.

I am not going to stop to go into the question of the railroad at the present time. It was built before General Brooke took possession. It was built before there was a military governor in Cuba. It was built before General Wood was there. It was built under the quartermasters of the Army. It was built in haste. It was built to land troops and supplies and distribute them through the island, to avoid the pest holes where yellow fever bred, and the increased expense of transportation. I do not believe there was anything extravagant in it or any impropriety in the contract. I want to go a little further and say that, as I understand it, there has been no work performed under the military government in Cuba when performed by contract except with the same care as to advertisement and letting of bids that prevails in the United States when work is contracted for to be performed under the Engineer Corps of the Army.

Mud slinging is not proof, Mr. President. If there is any irregularity in Army circles or in any other circle of administration in Cuba, God knows I want to go to the bottom of it and have it exposed; but it is only just a little less reprehensible than wrongdoing of this character to attempt to seize upon it to cast discredit upon the Administration and upon the country which we all ought to support.

Mr. LODGE. I hope the Senator from Connecticut, before he leaves the matter of the railroad, will state, if he has the figures, what it actually cost. The statement has been made in the newspapers that it cost a million and a half. That I know is false, of course. I want to know how false it is.

Mr. PLATT of Connecticut. If I can lay my hands upon them, I think I have some figures here.

Mr. FAIRBANKS. I think it was in the neighborhood of \$190,000.

Mr. LODGE. That was my impression, but I was in hopes that the Senator from Connecticut would give us the exact statement.

Mr. FAIRBANKS. Aside from the land or the right of way.

Mr. LODGE. Yes.

Mr. BACON. I think I can furnish the Senator with the figures if he wishes them—\$342,611.84.

Mr. PLATT of Connecticut. I will put in an extract from the report of the chief quartermaster, Division of Cuba, General Humphrey, of the expenditures on account of construction of military railroad, Triscornia, Cuba, including pier and amount paid for maintenance and repair. The first statement is up to August 30, and the second brings the cost up to September 30, 1899. The construction of the railroad and pier cost \$211,000, of which \$24,000 was for the pier. You can take \$24,000 from \$211,000, and that will give the total cost of construction. The road is about 7½ miles long. I will put in all these figures without reading them:

[Extract from report of chief quartermaster, division of Cuba, Habana, Cuba, August 30, 1899.]

Statement of expenditures on account of construction of military railroad, Triscornia, Cuba, including pier and amount paid for maintenance and repair.

For excavation.....	\$112,005.05
For track laid and ballasted.....	69,865.25
For trestles.....	5,287.27
For pier.....	24,414.17
For engineering.....	3,049.44
Total for construction.....	214,631.18
For maintenance and repair:	
Labor.....	13,713.25
Miscellaneous tools and supplies.....	3,869.23
Total.....	17,582.48

Respectfully submitted.

C. F. HUMPHREY,

Deputy Quartermaster-General, U. S. A., Chief Quartermaster.

WAR DEPARTMENT, OFFICE OF CHIEF QUARTERMASTER,
DIVISION OF CUBA,
Habana, Cuba, November 20, 1899.

Statement of cost of construction, equipment, and maintenance of the military railroad piers and construction of warehouses at Triscornia, Cuba, up to and including September 30, 1899.

Construction of railroad and pier (contract).....	\$211,581.74
Construction of switch connection with United Railways of Habana.....	366.63
Construction of semaphore; junction with United Railways of Habana.....	80.12
Piling at end of Pier No. 1.....	725.04
Construction of wharf for lighters (contract).....	12,900.00
Construction of telegraph station.....	175.00
Construction of superintendent's office.....	35.00
Construction of water tank.....	1,316.00
Civil engineering (construction).....	6,512.37
Two locomotives, at \$8,975 each.....	17,950.00
Cost unloading and setting up same.....	475.57
Twenty freight cars, at \$625 each.....	12,500.00

Cost of railroad, including equipment, pier, and wharf..... \$264,617.47

WAREHOUSES.

Construction of 7 warehouses (contract).....	39,900.00
Construction of 3 platforms, connecting 4 of the above.....	840.00
Labor and material, painting warehouses.....	630.30
Putting new floor in old building on dock.....	500.00
Total.....	41,870.30

OPERATING, ADDITIONAL GRADING, BALLASTING, ETC.

Labor.....	31,315.00
Miscellaneous material.....	4,809.07

Total..... 36,124.07

Grand total..... 342,611.84

Respectfully submitted.

Deputy Quartermaster-General, U. S. A., Chief Quartermaster.

A true copy.

C. F. HUMPHREY,

Deputy Quartermaster-General, U. S. A., Chief Quartermaster.

The entire expenditure as above has been reimbursed to the appropriations of the Quartermaster's Department, as follows:

Army transportation, fiscal year 1900.....	\$17,778.68
Regular supplies, fiscal year 1900.....	3.20
Regular supplies, fiscal year 1899.....	17.00
Barracks and quarters, fiscal year 1899.....	41,450.00
Army transportation, fiscal year 1899.....	280,325.95
Army transportation, January 1, 1899.....	3,037.01

Total..... 342,611.84

It will be noted that the cost of constructing the railroad, \$211,581.74, included in the same contract the construction of a pier. Deducting the probable approximate cost of the pier, \$20,000, will leave for the construction proper of about 6 miles of railroad \$191,581.74, or about \$32,000 per mile. Considering the great difficulties under which the road was constructed, the imperative need for the utmost haste in the work, and the fact that all material and labor had to be transported from the United States, it would appear that the cost of this railroad was not in any way excessive.

Mr. TILLMAN. Mr. President—

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

Mr. TILLMAN. I am seeking information. I should like to have the Senator state, if he has the information, by whose order

and upon whose recommendation this road and pier were built. Spain had been there for a good while and had got along without it; and we had a harbor down at Matanzas, I believe, that was accessible for shipping supplies or materials of war, if we needed any, westward toward Habana; and it is just a question as to whether the pier and road were needed at all, as we were there only temporarily and certainly did not propose to go into improvements of a permanent character. If the Senator has anything bearing on that phase of the question, I hope he will give it to us.

Mr. PLATT of Connecticut. I suppose the Senator believes that Secretary Alger and Master of Transportation Hecker and Chief Quartermaster Humphrey really set to work to build this 7 miles of railroad for the purpose of giving somebody a fat contract and swindling the Government when the road was not necessary. I suppose the Senator from South Carolina really believes that.

Mr. TILLMAN. I wish the Senator, if he has anything on that line, would put it in, so that we may have the advantage of it. I know nothing except what I have seen and heard. There seems to be something fishy about it.

Mr. PLATT of Connecticut. You can hear and see fishy things if you desire.

Mr. CULBERSON. I should like to ask the Senator from Connecticut a question for information purely. That is, whether or not the \$211,000 includes the cost for right of way?

Mr. PLATT of Connecticut. I do not think it does.

Mr. CULBERSON. How much did the right of way cost?

Mr. PLATT of Connecticut. I do not know whether it cost anything. I believe there have been some claims made about it which are not yet adjusted. Of course I have not been so thoroughly into this matter that I profess to be an expert in the explanation of it. I have been far enough into it to understand that the Senator from Georgia was grossly misinformed when he suggested that it cost a million dollars.

Mr. BACON. Will the Senator please point to the place where I suggested that?

Mr. PLATT of Connecticut. I will ask the Senator if he did not suggest it?

Mr. BACON. I certainly did not.

Mr. PLATT of Connecticut. Even if he suggested it by way of illustration.

Mr. BACON. I at the same time disclaimed any knowledge of it.

Mr. PLATT of Connecticut. But when the speech goes out as a campaign document, the people will understand as they read it that the Senator intended to have it understood that it cost a million dollars.

Mr. BACON. I decline to have the Senator construe my language in direct opposition to what I said.

Mr. PLATT of Connecticut. I hope I may be able to find it. [A pause.] This is what the Senator said:

Mr. President, it is alleged that there is a railroad built down there out of this money. The proper thing to do is not simply to receive a statement of facts that a million dollars have been used in the construction of a railroad. I am using that amount simply for illustration, not knowing what was the cost, although it is rumored that the cost was enormous.

That is what the Senator said. He did not say it cost a million dollars, but the people who read his speech will understand that he meant to have it understood that he thought it cost a million dollars.

Mr. CULLOM. Or some other enormous sum.

Mr. PLATT of Connecticut. Or some other enormous sum.

Mr. BACON. I will say to the Senator—

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

Mr. PLATT of Connecticut. Yes. I am not making this speech for campaign purposes, and therefore I will be more tolerant of interruption than the Senator from Georgia was.

Mr. BACON. I will satisfy the Senator, if he will pursue an investigation of this matter, that it is intended for something more than campaign purposes. What I wanted to say to the Senator is this: I had seen it stated in the papers that it was a million dollars, but I had no knowledge on the subject whatever, and therefore I was careful to say that I did not have it and that my information simply was that it was enormous; and that I stand by and expect to prove before I get through.

Mr. PLATT of Connecticut. Before I was interrupted by Senators who seem to be troubled about the building of a railroad down in Cuba, which was said to be necessary and which I do not believe was undertaken by officers of the Army or the Secretary of War or anyone else for the purpose of giving a contract or a job or defrauding the Government of the United States, I had adverted to the care which had been used in the selection of military officers charged with the exercise of civil functions in Cuba; and notwithstanding the lamentable occurrences which followed the organization of the postal service in Cuba, I undertake to say that just the same care was exercised in the selection of officials who should have charge of and be employed in that

branch of the service as in the military department. It may be a question as to whether it was wise to organize what seemed to be a separate department of posts, whether it would not have been wiser to have placed the whole matter in the hands and under the control and immediate supervision of the military governors, Generals Brooke and Wood, but I think that the question was decided at the time according to the best light which could be obtained.

The postal system is especially one requiring technical knowledge and experience. In Cuba everything was chaotic; the postal affairs were conducted on archaic principles, like those in the earliest times of this Republic, in the days of Benjamin Franklin as Postmaster-General and the pony carrying of the mail, and when it was thought that we ought to give the people of Cuba while we remained there in administration a good service and a service modeled upon our own now magnificent and excellent service, it was the most natural thing in the world to suppose that we would—and if the newspapers' attention had then been called to it, they would have congratulated the President upon so determining—organize that department by the trained officials in the Post-Office Department.

Now, if that was to be done, if it was not to be organized and administered by Army officers, I insist that no better selection could have been made from the standpoint of that time and the knowledge which the Postmaster-General and the President of the United States supposed they possessed than was made. Who was Mr. Rathbone? If he has been guilty of any irregularity or any extravagance or any appropriation of moneys, there will be no disposition to shield him. The people will lament the fact, but they will pursue him unsparingly. Who was he? If those had been consulted who believe most in civil-service reform and merit appointments, where trained knowledge and experience and capacity and a good record are held to entitle one to be selected for office, they would have selected Estes G. Rathbone as the man to organize that department.

It is not the first time that men have gone wrong. It is not the first time that men employed in the management of banks and railroads and business affairs and educational organizations and churches who were trusted have gone wrong. Temptation is sometimes too strong to be resisted. But who was Mr. Rathbone? He was a man who had been educated in the Post-Office Department, whose first experience there, I think, was that of inspector, who had been employed in the Interior Department, if I am not mistaken, as inspector of the Interior Department, who, when Benjamin Harrison came to be President of the United States was for his merit selected by President Harrison to be Fourth Assistant Postmaster-General, and the office was created for him. Could there have been greater care exercised in the selection of a man? Will Senators who are familiar with people who have had post-office experience and technical training and who understand the postal system of the United States point out now some man whom they think would have been a better man to select, from all the knowledge which the people and the office and the Administration had at that time, than Estes G. Rathbone? If he has fallen—and nobody knows yet that he has; if he has appropriated money—and nobody knows yet that he has—

Mr. CHANDLER. Will the Senator allow me? Is there any evidence that Mr. Rathbone has been anything but unsuccessful in his administration? Is there any charge that he has appropriated money?

Mr. PLATT of Connecticut. None that I know of.

Mr. BACON. If the Senator will pardon me in that connection, there was certainly published in the public press what was represented to be an interview with the Postmaster-General, who admitted the fact that Mr. Rathbone had taken the public funds in Cuba and applied them to the purchase of personal apparel, to say nothing of other uses to which he had put such funds. How true that is I do not know. The Senator asked whether there was any such charge. I say there has been such a charge in the public press, and that the Postmaster-General is represented in that public press in a public interview to have said that it was true that Mr. Rathbone had used some of the money in the purchase of personal apparel.

Mr. CHANDLER. I remember, now, seeing the statement as to the apparel, but when the Senator from Connecticut alluded to Mr. Rathbone as having gone wrong, it occurred to me that I had not seen any charge against Mr. Rathbone except that all these defalcations had occurred under his administration, where he had given to him such extensive powers. He certainly has been unfortunate in results, and therefore was relieved, as a general might well be relieved who had failed to win a battle.

Mr. BACON. The Senator will not understand me as saying that that is true of Mr. Rathbone. I do not know it. But the Senator asked the question whether there had been any such charge, and the Senator from Connecticut replied that so far as he knew there had been none. I simply point out the fact, not that it is true, that it has been so charged in the public press, and that the Postmaster-General himself is represented as having

said in an interview that it was true; and there has been no denial of the authenticity of that interview.

Mr. CHANDLER. Has there been any charge against him of having received money?

Mr. BACON. Of what?

Mr. CHANDLER. Of having received the money of the Government dishonestly?

Mr. BACON. There is a charge of having used money of the Government in the most extravagant and riotous living—in cutting a figure socially—as was expressed in the paper, which was only second to that of him who is called the Governor-General; that he had appropriated over \$3,000 to the renting of a house for himself to live in; that he had used money in the purchase of personal apparel; that a Cuban clerk accustomed to the misappropriations of Spanish officials was so shocked by it that he would not draw the papers necessary to put it in the shape of a warrant, and that it had to be transferred to another clerk who would do it, and it was done.

I repeat I do not say that there is a single word of truth in any of that, because I do not know it, but the Senator wanted to know if there had been any charges. I simply tell him that it was charged not only on the streets but in the public press of this city.

Mr. CHANDLER. I am obliged to the Senator for giving me the information. I remember now seeing those general statements about Mr. Rathbone. The particular point to which I want to call attention, inasmuch as some of the postal officials have been stealing money, cash, is that I believe it has not been charged that Mr. Rathbone has directly taken any money of the Government.

Mr. BACON. I hope it may be found that he has not.

Mr. PLATT of Connecticut. I was proceeding to say when I was interrupted—and it always happens that when a Senator is making rather a telling point he is interrupted—that from the standpoint at the time of his selection no better man could have been selected for this office than Mr. Rathbone; and if he has fallen, we lament it, but shall not condone it. If there is any irregularity or misappropriation of money, or if he has charged anything of his own personal expense to the Cuban revenues which ought not to be charged to the Cuban revenues, it will be found out and summary justice will be meted out. It was an appointment which by civil-service reformers would be called a merit appointment and not a spoils appointment. I know newspapers have tried to give that impression, and I find in the New York World of May 21 a scare headline which says, "Cuba's postal head said to boast that they dare not remove him." I find on the same day this order relieving him, which I will ask to have put in the RECORD:

WASHINGTON, May 21, 1900.

Ordered, That Estes G. Rathbone be, and he is hereby, suspended from the office of director-general of posts of Cuba; that Joseph L. Bristow, Fourth Assistant Postmaster-General, be, and he is hereby, appointed acting director-general of posts of Cuba, without other salary than that of Fourth Assistant Postmaster-General; that all records, books, papers, supplies, and other properties of the department of posts of Cuba shall be immediately delivered to the custody of the acting director-general of posts hereby appointed.

CHARLES EMORY SMITH,

Postmaster-General.

What else was done? I will not go into the outlining of the plan upon which the postal system was organized in Cuba. I will only say that anybody in the administration of the affairs of this Government, called upon to administer the affairs of Cuba, would have felt impelled to organize there a complete and efficient postal service, modeled as nearly as possible upon the service of the United States. That was done. I shall have a word to say hereafter perhaps about the power which was given Mr. Rathbone. He was selected, as I said, as Fourth Assistant Postmaster-General and served for four years. The plan which was adopted was this: That all the accounts of the post-office system in Cuba should be audited by some one not connected with the postal service—should be audited by some one connected with the Treasury Department—as the accounts of the Post-Office Department in our own Government are audited under the Treasury Department, and by the Sixth Auditor of the Treasury Department.

For the auditing of those accounts Mr. Lawshe, the Deputy Auditor of the Treasury for the Post-Office Department, a most rigid and unbending officer, was detailed by the Secretary of the Treasury to go to Cuba, where he remained two months, organizing the auditor's office and system. No more thorough man could have been named for that duty. If Senators who desire this investigation had been seeking for a man to organize the auditing department for the post-office system in Cuba, to whom would they have gone rather than the Deputy Sixth Auditor, who had charge of auditing the postal accounts of the United States? He remained there two months, organizing the auditor's office and assisting, when he returned to take charge of his duties in the Post-Office Department at Washington. Mr. Reeves, who since 1888 had been a trained and experienced clerk in the office of the Sixth Auditor and engaged in the auditing of postal accounts, was sent down there to take the place of auditor. Would a civil-service

reformer have been able to select a man more likely to meet their ideas of efficiency and merit than to take this clerk who had been trained in that Department and that office here in Washington?

Now, as to Mr. Neely. I do not know that Mr. Neely had had any previous experience in the Department. He was sent as a clerk to assist General Rathbone. He had the confidence of all the people who knew him in Indiana. I can say that without fear of contradiction. His integrity had never been questioned. I will repeat it in the hearing of the Senator from Indiana [Mr. FAIRBANKS], who has just come to his seat. I think that Mr. Neely before he went to Cuba had the confidence and respect of all people who knew him in the State of Indiana. That is his reputation. He went there as a clerk at \$1,800, and he showed such capacity there that he was put in charge of the finances; and then how it happened we do not know. How it happens that a cashier of a bank goes wrong, how it happens that the treasurer of a college goes wrong, how it happens that anybody goes wrong, we do not know. But these men, Neely and Reeves, went wrong, appropriated Cuban postal funds, and have brought disgrace and humiliation and shame and reproach upon the country—not upon the Administration so much as upon the country, which had assumed the honest, upright, and economical administration of the affairs of Cuba while Cuba remained in our possession.

Other men have been sent from the Post-Office Department. I will give a list of them. I will not stop to read it, but whoever does read it will see that great care has been taken to select persons not only of experience, training, and technical knowledge, but persons supposed to be of the highest integrity:

From office of First Assistant Postmaster-General, to establish a money-order system: Edward M. Gadsden, late chief clerk money-order system; date of original appointment July 26, 1884. Frank E. Waring, clerk, money-order system; date of original appointment August 6, 1885. To establish a dead-letter office: Charles N. Dalzell, clerk of class \$1,800, originally appointed March 27, 1880; William E. Corbin, clerk of class \$1,600, originally appointed January 6, 1880.

From office of Second Assistant Postmaster-General, to establish bureau of transportation and railway mail service, nine railway postal clerks of long experience in the home service.

From office of Third Assistant Postmaster-General: F. A. Barbour, clerk, originally appointed in Department December 30, 1884.

From office of Fourth Assistant Postmaster-General, to assist in general organization, four post-office inspectors: Lawrence Leatherman, appointed originally July 9, 1890, served in Cuba from February 9 to May 28, 1899; William T. Sullivan, appointed originally April 21, 1897, served in Cuba from February 10 to May 28, 1899; James W. Erwin, appointed originally June 27, 1887, served in Cuba from February 10 to April 23, 1899; A. O. Swift, appointed originally January 2, 1896, served in Cuba from March 27 to June 2, 1899.

A committee was appointed for the purpose of selecting men best qualified to discharge those duties efficiently, and I will give the names of that committee:

August W. Machen, Superintendent of the Free Delivery System since May 6, 1893.

Albert W. Bingham, chief of the finance division, Post-Office Department; date of original appointment in Department, March 20, 1866.

John M. Masten, assistant superintendent Railway Mail Service; originally appointed in the service in 1880.

Martin C. Fosnes, post-office inspector; date of original appointment, December 19, 1890.

Martin A. MacDonald, secretary, a clerk in the office of the Second Assistant Postmaster-General; originally appointed in the service August 17, 1886.

Now, there is one other thing which I ought to notice. Great stress has been laid upon the fact that extra allowances have been made to the military governor of Cuba and to others who have been performing civil functions in the island of Cuba. I doubt whether any real complaint has been made that those allowances, or extra salary, if you please to call it extra salary, were unnecessary. I think the Senator from Georgia in his speech said that he did not make that charge, but that they were illegal. The allowances now in force by the report of the Adjutant-General of the Army were for the military governor of Cuba, \$7,500 a year; the military governor of Habana, \$5,000 a year; the collector of customs, \$1,800, and the treasurer of the island of Cuba, \$1,800; and those are all.

Those allowances were necessary unless we propose to treat our officers in Cuba charged with the administration of civil affairs with a parsimony and meanness which, to use the language of the Senator from Georgia, would bring the blush of shame to the cheek of every American citizen.

The American people do not want the Governor-General of Cuba to live out in the suburbs in a one-story house and walk in the hot sun to his duties in the city, and transact his business on the sidewalk, nor do they want him to pay the necessary expenses incidental to the proper performance of the duties of that office out of his own pocket or his own salary. I am not going to stop to discuss that question, but as to the question of legality I will say a word. It has been charged that these allowances were illegal, because there is a statute, section 1269, which provides that—

No allowances shall be made to officers in addition to their pay except as hereinafter provided.

I am quoting from the speech of the Senator from Georgia. I now have the statute here, and his citation is correct.

Then it goes on to refer to fuel, quarters and forage, forage in kind, forage to officers, traveling pay under orders, etc.

Now, Mr. President, it is perfectly plain that that refers to pay and allowances of Army officers out of funds of the United States and from appropriations made of United States money, and that alone. More than that, it refers to their pay for the discharge of their strictly military duties, duties discharged in the line of duty and as military officers pure and simple. Whenever a military officer has been called upon to perform civil functions in the United States, it has been customary by statute to increase his pay. I think I may make the statement without fear of contradiction and without qualification that whenever an officer of the Army has been called upon by law in the United States to perform civil functions, provision has been made for extra payment on account of those civil functions.

The PRESIDING OFFICER. The Senator from Connecticut will suspend for a moment. The hour of 2 o'clock having arrived, it is the duty of the Chair to lay before the Senate the unfinished business, which will be stated.

The SECRETARY. A 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.

Mr. SPOONER. I ask unanimous consent that the unfinished business be temporarily laid aside to enable the Senator from Connecticut to finish his remarks.

The PRESIDING OFFICER. The Senator from Wisconsin asks unanimous consent that the unfinished business be temporarily laid aside to enable the Senator from Connecticut to finish his remarks. Is there objection? The Chair hears none, and it is so ordered.

Mr. PLATT of Connecticut. Mr. President, such is the case with reference to the engineer officer of the District of Columbia and a variety of officers who are called upon by law to perform civil offices in addition to their military duties. So the principle of the thing is not attacked. That was true with regard to our officers in Mexico. At the time of the Mexican war General Scott collected large amounts of money by way of contributions from the enemy and allowed the officers who had charge of those contributions a commission, and paid out \$50,000 himself as a secret-service fund. Statutes were passed authorizing all this.

Now, it was not necessary to have any statute before or after these allowances in Cuba to these officers. The people of the United States are not going to condemn these allowances from principle. They are not going to say that the officers there ought to have been required to pay out of their own salary or their private funds the expenses which they were forced to incur in the discharge of these offices; not at all. The point is merely technical, and if the reply is technical, it is because the charge and allegation are technical. These are not revenues of the United States out of which these allowances have been made. These officers are not paid out of the revenues of the United States. They are paid, as they should be paid, out of the revenues of the island of Cuba, for their services are for the benefit of the people of Cuba, and the people of Cuba have not complained.

What complaint has come from Cuba that these allowances were improper? The Cubans have been accustomed to a Governor-General who had a salary of \$15,000 and an allowance of \$90,000—\$45,000—and when they saw that the pay and allowance of the Governor-General sent there by the United States was fixed at only \$15,000, they thought it was a very moderate sum to be paid to the Governor-General of Cuba. There has been no complaint in Cuba. The whole question as to whether these allowances could be properly made depends upon whether the military governor—which means the President of the United States and those under him in military authority—can direct the expenditure of the Cuban revenues. Is there any question about that?

Is it seriously contended that the President of the United States and the Secretary of War under him, and others to whom he may properly delegate the authority, can not control and direct the expenditure of money while we are in possession of the island of Cuba? You may say it is extravagant, if you will, but do you say it is unlawful? I have no doubt that it was both proper and lawful, and that the people of the United States will have little trouble about this item which the Senator from Georgia thinks calls so loudly for investigation by a Senatorial committee.

But the Senator from Georgia, having dished up newspaper rumors and become responsible for them and the other rumors which he had heard somewhere but admits he does not know anything about, says there is one thing which surely requires investigation, and that is the extravagant expenditures of Cuban money, and he told us that in the first year we had collected \$16,346,015.17, and that we had expended \$14,085,805.32; and he says that this is proof in itself of extravagance, if not corruption, and of gross misappropriation of funds and plundering the people

of Cuba. Then he goes on to prove it by reference to the expenditures for State purposes of the different States, his own State among them, and he gives us a list of States where he says the expenditures are very much less than in Cuba.

Mr. BACON. Mr. President, if the Senator will pardon me, I do not like to interrupt him, but he misrepresents me, and I certainly ought to correct him. The Senator can not find where I said that these things were as charged. I simply said that they were charged, and that being charged by reputable witnesses and appearing in reputable journals, the duty of investigation followed. I would have thought it would have been as improper for me to say in advance that they were true as, if I were otherwise situated, I would think it improper for me to say they were untrue before I had investigated them, especially if I was going to be charged with the duty of investigation.

Mr. PLATT of Connecticut. The Senator read from the Washington Post principally, and though I am not able to turn to it now, he admitted that by reading it he accepted it as true.

Mr. BACON. The Senator is mistaken.

Mr. PLATT of Connecticut. Well, it is here in the speech.

Mr. BACON. I can find it, but I recollect very distinctly what I said without finding it. I said that by reading it I gave—

Mr. PLATT of Connecticut. Here it is.

Mr. BACON. Very well; read it.

Mr. PLATT of Connecticut. The Senator said:

I am reading still from the narrative in the Washington Post, and of course, in reading it, I necessarily assume the position of giving it credence and saying that I believe it to be true.

Mr. BACON. Certainly. That is a very different thing from saying it is true.

Mr. PLATT of Connecticut. And the Senator does not think that is a charge at all?

Mr. BACON. I do not say that at all; on the contrary, I say it is just as a grand jury makes a charge, or a person swearing out a warrant makes a charge for trial, in order that the truth may be ascertained.

Mr. PLATT of Connecticut. Well, here is one thing that the Senator said called for investigation. He claims that this rests upon figures:

I say again, Mr. President, that if we had no information of the improper expenditure of any money in Cuba, if we had no rumor that there had been any money improperly expended in Cuba, if we simply had the naked fact that in the year 1899 the officers, civil and military, of the United States Government had collected over \$16,000,000 in Cuba, and that they had expended over \$14,000,000—I say that simple fact would be so startling in its nature as to demand on the part of Congress an investigation to ascertain whether or not that money had been properly, prudently, honestly, and economically disbursed.

Then he goes on to give the items of expenditure from the report of the Secretary of War, and then he proves and clinches his contention, as he supposes, by telling what the States expend, and he gives an illustration from several States. The State of Georgia, where he says that only \$2,900,000 are spent, and Indiana—

Mr. BACON. Less than a million dollars, if the Senator will pardon me, for the ordinary current expenses.

Mr. PLATT of Connecticut. Well, the total expenses were \$2,900,000, and in Indiana the total expenditures were five million and a half dollars; in Minnesota the total expenditures were six and a half million dollars. Then he comes to Connecticut. The total expenditures were \$2,530,280.33; of this, for education, \$633,729.67; for ordinary support of the State, including public debt, \$896,000.

Mr. BACON. I call the attention of the Senator to the fact that there is a typographical error there. That ought to be "eighteen hundred thousand." The subtraction shows it. The figures themselves show that instead of \$896,000 it ought to be \$1,896,000 in the case of Connecticut.

Mr. PLATT of Connecticut. As the Senator made these statements they were rather startling. If the expenditure in Cuba was \$14,000,000 during the year of 1899, and the whole expenditure of the State of Georgia was only \$2,900,000, and the whole expenditure of the State of Connecticut was only two and a half million dollars, and the whole expenditure of the State of Minnesota was only \$6,000,000, there would be some color to the argument which the Senator makes, that there had been extravagant and unwarranted expenditure in the island of Cuba. But the Senator utterly and absolutely ignored the fact that the instances which he was giving were only instances of State expenditures pure and simple, and did not include in any way expenditures for national and municipal government. Take the State of Massachusetts. He says that the expenditure of the entire State of Massachusetts, with nearly 3,000,000 inhabitants, were only \$9,000,000. He forgot to state that in the city of Boston the municipal expenditures were over \$20,000,000. He forgot to state that in Cuba all expenses of government, of what may be called national and state government and municipal government and local government, that every possible expenditure made under either of these heads was paid out of the Cuban revenues.

Mr. BACON. Mr. President—

Mr. PLATT of Connecticut. Was that fair, Mr. President?

Mr. BACON. If the Senator will pardon me, he is most mistaken as to what I said. Fortunately what I said is in print. So far from the Senator having a right to use the strong language of his own, that I ignored it, on the contrary, if the Senator will look at the speech and at the colloquy had between the Senator from Iowa [Mr. ALLISON] and myself, and the Senator from Wisconsin [Mr. SPOONER] and myself, the Senator will see that I deducted from the gross total of Cuban expenses the item which they had for municipal expenses. Therefore in the comparison the fact that there is no item of municipal expenses in the State statements made the thing equal and fair.

One word further. In order to put the matter beyond dispute, I even conceded, for the sake of the argument (the Senator will find it in the RECORD), that the unnamed expenses of a State in the State tabulation should represent 50 per cent of the total expenses in Cuba outside of the municipal expenses, and that there would still be over \$7,000,000 for the ordinary expenses in Cuba as compared with the States, no one of which had made any such expenditure for its government, even after all the expenses to which the Senator now alludes had been eliminated and excluded from the calculation. The Senator says that I ignored it. On the contrary, I most carefully stated it and took it into account.

Mr. PLATT of Connecticut. The Senator ignored it until his attention was called to it, and then admitted it. But he utterly failed to allude to other items which were just as much entitled to be considered as the matter of payment to municipalities.

The truth is that in Cuba all expenses, postal expenses—States do not pay postal expenses—all expenses of public works, all expenses of municipal government, all expenses of local government, all expenses of sanitation, all expenses of rural guards and police, are paid out of the Cuban revenues under the direction of the military governor. When you come to consider that fact, the case is not made out.

The Senator might have taken the District of Columbia as a fair illustration. There are a million and a half people in Cuba, twice as many as there are in the State of Connecticut, and I think our expenditures in the State of Connecticut, including State expenditures and local and municipal taxation, must be \$10,000,000 a year. I think, with half the population of Cuba, we expend nearly as much as has been expended in Cuba; and Connecticut is an old State. There is no reconstruction there, no pestilence there to be avoided; there is no building up from the ground. If they had spent money in Cuba the way it is spent in Connecticut, there would have been an expenditure of \$20,000,000 instead of \$14,000,000.

The Senator from Georgia might have taken the District of Columbia for an example. I think the last District of Columbia appropriation bill, which we have just passed, carries over \$7,000,000. That does not pay for the erection of public buildings nor the running of post-offices.

Mr. BACON. This is the national capital.

Mr. PLATT of Connecticut. Well, Habana is the national capital of Cuba. Over \$7,000,000 are appropriated for the District of Columbia. How many inhabitants have they here? They had about 230,000 I think in the last census; they may have 280,000 or 300,000 here now. There was a million and a half in Cuba. We do not pay for filling up flats and the building of memorial bridges and public buildings or anything of that kind. This \$7,000,000 does not pay for postal expenses. We have about 69 square miles here. They have about 44,000 square miles in Cuba. Suppose I were to argue along the line which the Senator from Georgia argues, that because they had four times as much population in Cuba as we have in the District of Columbia and many times the square miles they ought to spend four times as much money in Cuba as they do in the District of Columbia. Four times seven millions would be \$28,000,000 that would then have been properly expended in the island of Cuba. Perhaps I am spending too much time upon this subject, but as it was so much dwelt upon by the Senator from Georgia I think a little examination of it is entirely proper.

What was the condition of Cuba when we took it? What does General Brooke say? He says there was a starving and dying people there; that it was the home of yellow fever, as India is the home of cholera and the plague.

Mr. President, as long ago as 1762, I think it was, and perhaps it was earlier than that, we sent down a regiment from Connecticut to assist the English in reducing Habana, and that regiment never came home. It perished with the yellow fever. From that day to this Habana has been the fear of the United States as a home of yellow fever.

We spent how much in sanitation in Cuba? We spent there in sanitation \$3,052,000. Was that improperly expended? All this Southern country, which the Senator from Georgia represents, has lived in mortal dread and fear of yellow fever imported from Habana; every Southern port is quarantined against it now, and

there has not been a fatal case there in the last month. I find in a paper this morning this extract:

Surgeon-General Sternberg has received a report from Maj. W. C. Gorgar, of the Medical Corps, chief sanitary officer of Habana, in which he says that while the death rate for April was 482, there were no deaths from yellow fever, the first month so favored since May, 1899, and the only month when there were no deaths from this disease during the past ten years, with two exceptions, February and May, 1899.

This military government, which is so criticised and charged with extravagance, has been extravagant, if at all, in stamping out pestilence and death and taking care of starving and dying people. I wish I had the speech of the Senator from Vermont [Mr. PROCTOR], delivered here just before we engaged in this war, showing the condition of the reconcentrados. We came to a heritage of death and pestilence in Cuba, and we met the situation. There is no distress there now; there is no epidemic of disease there now. Habana is as healthy as New Orleans; and it is all to the credit of this military government there, which is a better government than they have before had and they know it, and if they succeed, when they set up a government for themselves, in establishing and maintaining a government under which they will have as much of peace and prosperity and happiness as they have had under this government, they will be entirely content.

Mr. FAIRBANKS. With the Senator's permission, I wish simply to call his attention to a report of General Wood, when governor of Santiago, in which he makes the statement that the death rate had been reduced there, at a conservative estimate, fully 40 per cent.

Mr. PLATT of Connecticut. I see this dispatch, too, from Habana in a paper this morning:

SALARIES PAID IN CUBA—NO PRESENT MEANS OF MAKING MUNICIPALITIES SELF-SUPPORTING.

HABANA, May 22, 1900.

The amount paid in salaries in Cuba can not be compared with the outlay for any Territory of corresponding size and population in the United States. Here the entire municipal charges, including expenditure for police and jails, are paid out of the island's funds, as at present no means exists of making the municipalities self-supporting.

During the latter part of 1898 General Wood had organized the municipal taxes of Santiago in such a way that these would entirely cover expenses, leaving a margin for civic improvements; but when the entire island came under the American régime he received orders not to collect the taxes. Now the difficulties in the way are much greater than they would have been at the beginning. Nevertheless, General Wood has hopes that after the elections most of the municipalities can be made self-supporting.

Mr. President, perhaps I have dwelt too long upon this matter. There was one other subject referred to by the Senator from Georgia, which he says is the most important of all. It may be summed up in a word. He wants to know what we are doing in Cuba, why we are there, what our authority is to be there, and why we do not come away. Well, we are there because the American people sent us there, sent the Army there. We are there because the American people, acting through Congress, directed the President of the United States, as Commander in Chief of the Army and Navy of the United States, to go to Cuba and destroy the power of Spain there. That is why we are there.

I agree that the situation in Cuba is unique, that history does not furnish a parallel, that no precisely similar case has been treated by writers upon international law, that our relations there must be determined upon general principles and the necessity of the situation.

Mr. President, I was not in favor of the war with Spain. I believed that it might have been avoided with honor and with the security of freedom to the island of Cuba. But the American people said "No;" and when, by accident or design, the good ship *Maine*, with its American sailors on board, was blown into the air, and its sailors found a grave in the harbor of Habana, there was no power on earth that could prevent the war. When that war was declared, I accepted the consequences. I thought I saw then more clearly than a good many of the people who were urging us on in hot haste to engage in war. I thought I saw that if we turned Spain out of Cuba we would become responsible not only to Spain and the Cuban people, but to ourselves and to the whole world for the proper administration of the affairs of Cuba and the erection of a proper republican government there. We have a duty to perform in Cuba yet, as we had a supposed duty to perform when we went there to free the people of Cuba. That duty is not yet discharged. The American people will see to it that that duty is fully and completely discharged, as much as they saw that its performance was begun.

What is that duty? It is said that our only right to be in Cuba is because in the resolution of intervention the fourth paragraph said this:

Fourth. That the United States hereby disclaims any disposition or intention to exercise sovereignty, jurisdiction, or control over said island except for the pacification thereof, and asserts its determination, when that is accomplished, to leave the government and control of the island to its people.

It is said that it is our only warrant for being there; that we are self-constituted agents for the purpose of the pacification of the island, with a duty to leave the moment that pacification is accom-

plished. Well, there is a little more than that, Mr. President. We went to war with Spain, and we had conquered a portion of the island of Cuba. The American people do not forget El Caney, San Juan, and Santiago. They do not forget so easily the achievements of our Navy. There was war with Spain, and a portion of Spain was conquered. Then we had a preliminary treaty of peace, and by that treaty of peace we came, as the conquerors, into possession of the island of Cuba, and by that treaty of peace we agreed to do something, too. Article I of that treaty says:

ARTICLE I. Spain relinquishes all claim of sovereignty over and title to Cuba.

And as the island is, upon its evacuation by Spain, to be occupied by the United States, the United States will, so long as such occupation shall last, assume and discharge the obligations that may under international law result from the fact of its occupation, for the protection of life and property.

That was our agreement with Spain. Why did we make it? Because the ambassador of France, in negotiating the protocol, insisted upon it. I read from a letter addressed to the Secretary of State by Duke Almodovar del Rio, minister of state of Spain, taken up afterwards by Ambassador Cambon. He says this:

The necessity of withdrawing from the territory of Cuba being imperative, the nation assuming Spain's place must, as long as this territory shall not have fully reached the conditions required to take rank among other sovereign powers, provide for rules which will insure order and protect against all risks the Spanish residents as well as the Cuban natives, still loyal to the mother country.

That is why that was inserted in the treaty of peace with Spain. What was the occupancy that was referred to in that treaty? It was a military occupancy. What was the protection which was to be given under international law and the obligations that were to be discharged under international law? They were obligations that resulted from military occupation for the protection of life and property.

Now, put the two things together, Mr. President. Up to the time of the evacuation by Spain our occupancy was a military occupancy, and was so recognized by the treaty. When the evacuation was made and the property turned over to us, it was turned over to the military authorities. When did that occupation cease to be a military occupation? The Senator from Georgia acknowledges that the original occupation was a military occupation. When did it cease to be a military occupation, and when will it cease to be a military occupation? It will cease to be a military occupation when, under that military occupation, an opportunity shall have been given to the people of Cuba to set up for themselves a government to which we may turn over the island and to which we may leave the government and control of the island.

What does "pacification" mean in that clause? Does it mean merely the establishment of nominal and formal peace? Does it mean that so soon as hostilities ceased our troops were to be withdrawn and the island left to all the contentions and factions which existed there? No, Mr. President; we became responsible for something else than mere nominal peace in the island of Cuba. We became responsible for the establishment of a government there, which we would be willing to indorse to the people of the world—a stable government, a government for which we would be willing to be responsible in the eyes of the world. Until that time occurs, no patriotic American will ask that our troops and our Government be withdrawn from the island of Cuba.

Mr. BACON. Will the Senator kindly state when that time will arrive?

Mr. PLATT of Connecticut. Mr. President, it is easy to ask questions of that sort. Anybody can ask questions. That time will be delayed long, perhaps, if a party, for party purposes, makes the work of bringing it to a conclusion more difficult. That is what I complain of. The blush of shame ought to mantle the cheeks of every man who strives to hinder or to embarrass the operations of Governor-General Wood in the island of Cuba, seeking to bring about that time as rapidly and as quickly as it may be brought about.

Mr. President, what has been done? What would Senators have done that has not been done? As I said, we took Cuba in a chaotic condition. General Brooke is authority for that. It is a matter of common knowledge. We can take judicial knowledge of the fact that we took Cuba without government, with chaos and incipient anarchy there, and we brought order out of chaos. We now have peace and quiet and prosperity there.

Why has not a government been set up there? How could it have been earlier set up? By the treaty with Spain the Spanish inhabitants were given until the 11th of April in this year to register and preserve their allegiance to Spain. Until that time nobody knew who was entitled to take part in the setting up of a new government.

Then came the census, which was just as essential and just as necessary in order to ascertain who had the right to participate in the setting up of a new government, and it was hoped that would be accomplished at the same time that was fixed for the registration of Spanish citizens on the 11th of April; and it came pretty near it. The work was well done, promptly done, and quickly done, but there was a little delay on that account.

Then came the fixing of the suffrage to determine the right of the people to participate in the election. That had to be done, had it not? Then came the election, the choice of registration officers. That had to be done, had it not? Then the municipal elections, the first step toward the establishment of a national government, now set for the 18th of June. Do Senators think it could have been done earlier, more quickly, more expeditiously? Do Senators think that the government for which we are charged with the responsibility, could have been inaugurated by town meetings and gatherings in the street, inaugurated after the fashion of Spanish pronunciamientos, dictators calling themselves presidents? Perhaps they regret that we have not suffered such a republic to be established there as was said to have been established by Aguinaldo in the Philippines. That could have been done quickly.

Mr. President, we could have withdrawn our troops; but that was not what we were called upon to do; that was not the task which honor, national obligation, justice to ourselves, to the people of Cuba, and responsibility to the world has set before us. And, Mr. President, we shall see to it that when it is established it will be a government which we can indorse to the nations of the world, a government which will maintain all international obligations, and which, if it be necessary, we will stand behind to enable it to maintain all international obligations.

It is not the work of a moment, Mr. President; but it will not take long. The work is being conducted as rapidly as is possible under the circumstances, and with reference to the kind of work to be performed. The haste is in the United States, not in Cuba. The Cuban people are satisfied that the work is progressing properly, judiciously, and that the independence and self-government which has been promised to them will be established and confirmed to them. It is people in the United States who want campaign material, who want to cast discredit upon the Administration, who think Mr. Bryan can do this thing better than can President McKinley—these people are getting impatient; but they will not succeed, in my judgment, in disturbing the confidence of the people of the United States.

Mr. President, I have spoken longer than I intended on this subject. I repeat what I said at first, that the charges by way of insinuation, inuendo, rumor, scandal, and mud throwing, have made it necessary that this investigation should go on; and whatever of personal discomfort may be encountered. I am willing to accept it, and, so far as I am concerned, to promise that nothing shall be covered up; that everything shall be brought to the light of day; that the keen sunlight of publicity shall be turned upon the administration in Cuba; and, Mr. President, I entertain a confidence, which is not to be shaken until the facts shall shake it, that when that investigation has been concluded it will definitely appear that we have been regaled with grossest exaggerations and with the most uncalled for suspicions; and that we shall find that our Army officers now, as ever, can be trusted, and are honest and upright, and that our civil officers may also be trusted as upright men, although it unfortunately appears that some of them have now gone so wickedly and lamentably astray.

I had prepared a proposed amendment to give the resolution life and vitality. As it was drawn, of course nothing could be done under it. The Senator from Georgia yesterday submitted an amendment, which he proposes to offer, very much in the line of an amendment which I myself had prepared. I think I would accept the amendment of the Senator from Georgia with one or two words changed in it. I would want authority to employ expert accountants, particularly.

Mr. BACON. I am perfectly satisfied with that.

Mr. PLATT of Connecticut. I shall offer at the proper time the following amendment to the resolution:

Said committee is authorized to conduct said investigation, and make such report by subcommittee or committees appointed by the chairman; and the committee, or any subcommittee thereof, is authorized to sit during the recess of Congress at such place or places in the United States or Cuba as may be necessary; and is empowered to send for persons and papers, issue subpoenas, administer oaths, examine witnesses, employ stenographers, expert accountants, and other necessary assistance, and the expenses of said investigation shall be paid out of the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

Mr. BACON. Before the Senator from Wisconsin proceeds, I wish to make a statement. I had previously, at the suggestion of Senators on the other side of the Chamber, agreed—in fact I had upon my own motion stated to them—that I would not ask the Senator from Wisconsin to yield further than he has already done in permitting the Senator from Connecticut to conclude his remarks, and at their suggestion I intended to do what I now do—ask that I may be allowed to proceed to-morrow morning immediately after the conclusion of the morning business. I think I would be entitled to do so anyhow under the order which has been previously given, making the resolution subject to my call; but I prefer to make it in the shape of a request that I may have unanimous consent then to proceed. If that is the understanding, all right.

ARMY APPROPRIATION BILL.

Mr. HAWLEY submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 8582) making appropriations for the support of the Regular and Volunteer Army for the fiscal year ending June 30, 1901, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 16 and 47. That the House recede from its disagreement to the amendments of the Senate numbered 1, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 20, 21, 22, 23, 24, 25, 26, 27, 28, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 45, 46, and 48, and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: Strike out the matter inserted by the Senate amendment, and in lieu of the matter stricken out insert the following: "For the purpose of connecting headquarters, Department of Alaska, at St. Michael, by military telegraph and cable lines with other military stations in Alaska, \$450,550;" and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: Strike out of the matter inserted by said amendment, after the word "owned," the following: "wholly or in part;" and the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: Strike out all of the matter inserted by said amendment and insert in lieu thereof the following: "seven hundred thousand;" and the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment as follows: Strike out all of the matter inserted by said amendment and insert in lieu thereof the following: "four million eight hundred thousand;" and the Senate agree to the same.

Amendment numbered 29: That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment as follows: After the word "dollars," at the end of the amended paragraph, insert the following: "Provided, That the Secretary of War is empowered to appoint as many hospital stewards as in his judgment the service may require, not to exceed an additional one hundred, but no more than one hospital steward shall be stationed at one post or station without special authority from the Secretary of War;" and the Senate agree to the same.

Amendment numbered 30: That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert the following: "For additional pay for increased rank when in command by competent authority, \$50,000: Provided, That no part of this sum shall be used for pay of officers assigned to higher command than their rank in the Army, unless such service shall be continuous for a period of not less than three months;" and the Senate agree to the same.

Amendment numbered 44: That the House recede from its disagreement to the amendment of the Senate numbered 44, and agree to the same with an amendment as follows: Strike out the closing words of the paragraph, as follows: "transportation now made, and such other expenses as are necessary" and insert in lieu thereof the following: "current expenses;" and the Senate agree to the same.

Amendment numbered 49: That the House recede from its disagreement to the amendment of the Senate numbered 49, and agree to the same with an amendment as follows: Strike out the matter inserted by said amendment; and the Senate agree to the same.

Amendment numbered 50: That the House recede from its disagreement to the amendment of the Senate numbered 50, and agree to the same with an amendment as follows: Strike out the matter inserted by said amendment and insert in lieu thereof the following:

"That the act approved January 12, 1899, granting extra pay to officers and enlisted men of the United States Volunteers, shall extend to all volunteer officers of the general staff who have not received waiting-orders pay prior to discharge, at the rate of one month to those who did not serve beyond the limits of the United States and two months to those who served beyond the limits of the United States; and officers and enlisted men of volunteer organizations who have served honestly and faithfully in the Volunteer Army of the United States during the war with Spain and have been honorably discharged without furlough, or by reason of their services being no longer required, or at any time by reason of wounds received, or disability contracted in the service and in the line of duty, and who have not received the extra pay granted in said act, or in subsequent acts of Congress supplemental thereto; and this act shall be deemed to apply to officers of volunteers who resigned and enlisted men of volunteers who were discharged upon their own applications subsequent to the issue of orders for the muster out of their organizations and prior to the dates of muster out."

And the Senate agree to the same.

JOS. R. HAWLEY,
THOS. H. CARTER,
F. M. COCKRELL,

Managers on the part of the Senate.

J. A. T. HULL,
THOS. M. JETT,
Managers on the part of the House.

The report was agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed a concurrent resolution authorizing the President of the Senate and the Speaker of the House of Representatives to close the present session by adjourning their respective Houses on Wednesday, June 6, at 3 o'clock p. m.; in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

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

A bill (H. R. 6876) providing for the transfer to Post 39, Grand Army of the Republic, at Lawrence, Mass., of certain guns now in possession of Battery C, Massachusetts Volunteer Militia; and A joint resolution (H. J. Res. 255) to print the annual reports of the American Historical Association.

CHINESE IN THE PHILIPPINE ISLANDS.

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on the Philippines, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith a report from the Secretary of State, with accompanying papers, relative to the status of Chinese persons in the Philippine Islands.

EXECUTIVE MANSION, May 22, 1900.

WILLIAM MCKINLEY.

REPORT ON BEET-SUGAR INDUSTRY.

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States; which was read, referred to the Committee on Agriculture and Forestry, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith, for the information of Congress, a communication from the Secretary of Agriculture forwarding a report on the progress of the beet-sugar industry in the United States during the year 1899. It embraces the observations made by a special agent on the various phases of the beet-sugar industry of the Hawaiian Islands; also the results of analyses of sugar beets received by the Department of Agriculture from the different States and Territories, together with much other information relating to the sugar industry.

Your attention is invited to the recommendation of the Secretary of Agriculture that 20,000 copies of the report be printed for the use of the Department, in addition to such number as may be desired for the use of the Senate and House of Representatives.

EXECUTIVE MANSION, May 22, 1900.

WILLIAM MCKINLEY.

AMERICAN NATIONAL INSTITUTE AT PARIS.

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith a report from the Secretary of State in regard to the proposed American National Institute at Paris, to be erected on ground to be donated by the Government of France and to be free from taxation.

EXECUTIVE MANSION, May 23, 1900.

WILLIAM MCKINLEY.

FINAL ADJOURNMENT.

The PRESIDING OFFICER laid before the Senate the following concurrent resolution of the House of Representatives; which was referred to the Committee on Appropriations:

Resolved by the House of Representatives (the Senate concurring): That the President of the Senate and the Speaker of the House of Representatives be authorized to close the present session by adjourning their respective Houses on Wednesday, the 6th day of June, at 5 o'clock p. m.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the bill (S. 4560) to provide for officers in the customs district of Hawaii.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 10301) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1901; asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. LOUD, Mr. GARDNER, and Mr. SWANSON managers at the conference on the part of the House.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills:

A bill (S. 124) regulating permits for private conduits in the District of Columbia; and

A bill (S. 4048) to amend an act regulating the inspection of flour in the District of Columbia, approved December 21, 1898.

GOVERNMENT OF THE PHILIPPINE ISLANDS.

The Senate, as in Committee of the Whole, resumed the consideration of 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 PRESIDING OFFICER. The Senator from Wisconsin [Mr. SPOONER] is entitled to the floor.

Mr. MORGAN. Before the Senator from Wisconsin proceeds I desire to offer an amendment to the bill and have it read at the desk and printed.

The PRESIDING OFFICER. The amendment proposed by the Senator from Alabama will be read.

The SECRETARY. It is proposed to insert as new sections the following:

SEC. —. In the execution of the powers delegated by Congress to the President by this act, he shall in good faith and without discrimination, secure to

every inhabitant of the Philippine Islands the equal enjoyment of all the personal rights and immunities that are due to citizens, under the Constitution of the United States.

SEC. —. The laws relating to currency and the purchase of silver coins and their recoinage, that are provided in the act for the government of Porto Rico, approved on the 12th day of April, 1900, shall apply to the Philippine Islands, and shall be faithfully enforced by the President of the United States.

SEC. —. Custom-houses for the collection of duties on imports shall be established by order of the President at such ports in the Philippine Islands as he may find necessary for the collection of customs duties, and he shall appoint collectors of customs and other officers necessary for that purpose. Said islands shall constitute a customs district of the United States, as to which the President shall have power and is required to exercise the authority that is given him by law with reference to any other customs district.

SEC. —. All exports and imports of every kind shall pass freely between said islands and the United States, into and from any collection district of the United States, and into and from any port of said islands or any port of the United States without other charge or duty than such as is lawful with reference to the coastwise trade of the United States.

SEC. —. All laws and regulations lawfully made, that apply to the coastwise trade of the United States, shall apply to and be enforced with reference to trade, and to imports and exports between the United States and the Philippine Islands: *Provided*, That vessels of any nationality shall be admitted to engage in the importation and exportation of cargoes between the United States and the Philippine Islands, on the same terms and conditions with vessels that are registered under the laws of the United States.

The PRESIDING OFFICER. The amendment will be printed and lie on the table.

Mr. SPOONER. Mr. President, I regret exceedingly that it was impossible for me yesterday to conclude the remarks which I desire to submit upon this bill, and I express again my grateful sensibility to the Senate for the courtesy which permits me to conclude to-day. No one could be more anxious than I am, for personal reasons, to yield the floor to others.

I had referred to the protocol of August 12. It changed the entire status. What I mean by that is this: After the protocol was signed, agreeing to the suspension of hostilities, providing for a relinquishment of the title to Cuba and the cession of Porto Rico to the United States, it declared that the United States should hold and occupy Manila pending the negotiation of the treaty, which should define or settle "the control, disposition, and government of the Philippine Archipelago." We here bound ourselves by a contract with Spain, as solemn a covenant as one nation ever entered into with another. All compacts between nations rest upon honor, but this was of peculiar force, for the reason that a powerful nation was making covenant with one defeated. From the day that the protocol was entered into we were bound to hold Manila. If we had not, in the absence of knowledge of the protocol by our officers, captured it, by the terms of it Spain would have surrendered it to us and our troops would have taken possession of it.

It is not difficult, I think, to understand that Spain desired we should occupy Manila. It was to secure protection to Manila and to the people of Manila. Senators who criticize, as many have and as many will, the Administration and General Otis for objecting to a joint occupation of Manila by Aguinaldo and our own troops, predicated upon the demand that he withdraw his troops from the suburbs, as an injustice to an ally forget that we could not have permitted an insurgent against Spain, pending the negotiation of that treaty, to occupy Manila and its suburbs with us without a breach of national faith.

Nor is that all. It was said here the other day that the United States ought to have recognized, before the protocol was entered into, the independence of the Philippine republic, with Aguinaldo at its head. I will not go further into that at this time. I commented upon it yesterday. To me it is utterly fantastic in its folly from the standpoint of international law, and in this case from the standpoint of justice and national honor.

Those people had already shown that they had no conception of what was necessary to constitute a government. Agoncillo, back in April, had approached one of our consuls—I do not remember which—as a representative of a "Philippine republic" proclaimed the year before at Biak-na-Bato, proffering to the United States, as war with Spain seemed possible at least, a *treaty of alliance, offensive and defensive*, with neither government, laws, troops, flag, seaport, nor any visible power under the sun.

Mr. President, I call attention to this effect of the protocol; no matter what government had been established in the Philippine Archipelago, from the day the protocol was signed the Government of the United States could not without dishonor have recognized it. That protocol tied the hands of the United States and tied the hands of Spain. Until the ratification of the treaty we could consent to no change of status. Spain could create no change of status. From the moment that international obligation, informal in a way as it was, had been entered into Spain could not have sold the Philippines to any government in the world. We could not attack a Spanish garrison, for hostilities had been suspended. We could recognize no government, whatever it might be, created by insurgents against Spain or in any other way, for it remained an open question, so far as the legal effect of the protocol was concerned, whether at the end of the negotiations Spain might not still hold the Philippines.

It has been said that until hostilities broke out Aguinaldo was our ally. Senators have treated the performances of Aguinaldo after August 12, 1898, the date of the protocol, as acts done in aid of our cause, acts done as an ally of ours. That, Mr. President, is an impossibility. We could not, as I say, have fired a shot at a Spanish soldier or at the Spanish flag anywhere in the Philippine Archipelago, for by agreement hostilities were suspended. No more could Aguinaldo do this as an ally of ours or acting in our interest or by our procurement, for we could not honorably do through another what it would be a breach of honor to do ourselves.

Aguinaldo knew of the protocol, for he was informed in writing by General Otis and General Anderson that the protocol had created international relations and obligations between Spain and ourselves which we must observe, and which we could not observe if we entered into such an agreement as he proposed.

So it must be taken as settled, it can not be escaped, that from the date of the protocol, whatever Aguinaldo did against Spain in the archipelago he did on his own account, and not for the United States, and he did little. As I said yesterday, he simply marched in where Spain marched out in certain places, Iloilo having been abandoned by order of the Spanish Government, Aguinaldo's forces having been unable to take it, after the demand for the cession had been made by our commissioners and after Spain had yielded to it.

Another thing about it, Mr. President. If Aguinaldo had by his troops, after the protocol, captured Iloilo and other cities and extended his military power throughout the Philippines, it is very difficult, as a matter of international law, to see that that could have been efficacious for him or his so-called government as against us. The status could not be changed there by him except in hostility both to Spain and to us, and the principle contended for is not to be admitted.

It might be dangerous in the future to establish the principle that when two great powers, engaged in a war with each other, have suspended hostilities pending negotiation of a treaty of peace, a part of the citizens of one, inhabiting the territory, can take possession of the municipal governments which have been erected, can take possession of abandoned cities, starve out scattered and disheartened garrisons, and then, when the treaty is concluded, defeat the power of cession or a power of acceptance upon the theory that in the meantime nobody opposing them they had created an "independent government."

I take it that if there had been no insurrection in Cuba and our people had gone to war with Spain upon a *casus belli* of our own—if you please, the destruction of the *Maine*—and that war had proceeded to an end, we had captured Santiago, and captured Habana, the Spanish fleet had destroyed a city or two of ours and then been sent by our Navy to the bottom, and in treaty of peace Spain, had ceded Cuba to the United States, and in the meantime, pending negotiation of the treaty, the inhabitants of Cuba without resistance, under the leadership of some chieftain, had taken possession of interior posts, had starved out here and there a Spanish garrison, had issued proclamation of independence and established in that way a government—call it republic or call it what you choose—and then had insisted that Spain had lost the power of cession because of the existence of a government formed in this way, the United States would have paid no attention to it. The nations of the world never could allow this doctrine, for all that would be necessary to defeat at the end of a war a cession by way of conquest would be for the ceding or defeated nation to bring about such a change in the status pending negotiations as it is alleged came about here.

Mr. HALE. Mr. President—

The PRESIDING OFFICER (Mr. PLATT of Connecticut). Does the Senator from Wisconsin yield to the Senator from Maine?

Mr. SPOONER. I do.

Mr. HALE. I wish to remind the Senator that precisely the situation he has depicted has occurred time and again in history—that where as the result of a war a colony or an island or a dependency has been turned over to the conquering power, the conquering power, finding just the difficulties that he has cited, has abandoned it and been glad to wash its hands of it.

Mr. SPOONER. Does the Senator think in the case I have put we would have abandoned Cuba?

Mr. HALE. I think if it had been the best thing finally for us to do we would have done it.

Mr. SPOONER. But, because it would have been the best thing, finally, not because we were obliged to do it.

Mr. HALE. I think if we had found that the population in Cuba was as hostile to us as it had been to the power from which we had got the government, and if we had had the cession made to us, we would have abandoned it and would have been glad to get rid of it.

Mr. SPOONER. Well, that is a matter of opinion. I am of the impression that with Cuba lying so near us, with all the

trouble which had come to us from her proximity and the tyranny of Spain in Cuba, the United States in the case I have put would have taken Cuba and held it, giving to the people of Cuba what they never had had before, individual liberty and good government.

Mr. HALE. The Senator has more confidence than I have in the experiment we are trying to-day of teaching to the people of Cuba honesty and good government and good management and good affairs. I do not sympathize with him in the belief that this people has gained anything thus far in what it has taught the Cubans. I think we would have been better off if we had not taught the Cubans the lesson that has been taught in the last few months.

Mr. SPOONER. What lesson?

Mr. HALE. The lesson of fraud, peculation, appropriation of revenues, cheating, stealing—a carnival in every direction of corruption and fraud. I think it would have been very much better if we had not taught those people or tried to teach those people this.

Mr. SPOONER. It is a little tiresome for me to be called upon on this side of the Chamber to reply to a Democratic speech.

Mr. HALE. The Senator is not making any allusion of that kind to me?

Mr. SPOONER. I make this allusion because of the very general language of the Senator, not to impeach his loyalty to the party, which is unimpeachable.

Mr. HALE. I am as good a Republican as the Senator from Wisconsin.

Mr. SPOONER. I understand that.

Mr. HALE. I do not recognize any line of fealty to party obligations that compels me to consent to the proposition that everything has gone right in Cuba.

Mr. SPOONER. Nobody pretends it.

Mr. HALE. I think the experiment has been a failure. I would vote to-morrow, Republican or Democrat, to withdraw from Cuba and leave that people to establish and set up and maintain their own government. I would keep the proposition that was put into the declaration of war and leave the people there, and there is nothing that has happened since that goes to remove that impression from me. I do not understand that that is a question of party fealty.

I tell the Senator that he has no right, when I get up and protest against things that have occurred, to declare that I am making a Democratic speech. I am making a Republican speech, and the time will come, Mr. President, when Republicans will be glad if we get out of this thing without worse things happening than are happening now. In what I say I am more interested for the Republican party than I am for anything else.

Mr. SPOONER. Will the Senator allow me to interrupt him for a question?

Mr. HALE. Certainly.

Mr. SPOONER. What does the Senator mean when he speaks in general terms about a carnival of fraud?

Mr. HALE. And corruption.

Mr. SPOONER. And corruption in Cuba.

Mr. HALE. I mean the things disclosed.

Mr. SPOONER. What things? I should like the Senator to file a bill of particulars.

Mr. HALE. I do not need to do that; it has been done already.

Mr. SPOONER. That is what the Senator means then by his statement that under our Administration in Cuba there has been a carnival of fraud and corruption, is it?

Mr. HALE. Now, Mr. President, it is not the Administration which is at fault. It is the natural result. There never has been an instance of the setting up of supreme government and uncontrolled government in a colony or an outside dependency that has not been attended with precisely the things that we have seen in Cuba.

In the early days of England in India the scenes of the days of Clive and of Warren Hastings were precisely, on a larger scale, what we have seen, and they disrupted the English Government; they turned out ministries and put in other ministries, because the English people would not allow the thing to be done. It is an incident. We are at fault; Congress is much at fault. The Administration is not at fault. The Administration has selected men who were believed to be good men—Major Rathbone, Mr. Neely, and other men—but the situation is such that we are simply seeing what has always been seen when this experiment has been tried.

We went into it with utter confidence, believing that it was an easy thing. I did not believe it was an easy thing. I voted against the treaty of peace because I believed it would lead to just these things. I believed that colonial dependencies and annexation would result in precisely what they have resulted in. I am glad to see that the Administration is trying to cure it, but I do not want anybody to say that it is an unexpected thing.

Mr. SPOONER. Mr. President, so far as anything I said is

concerned, the Senator's observations are, in the language of Shakespeare—

But a bolt of nothing, shot at nothing.

I was not engaged, and am not, in the discussion of any proposition to which the Senator's observations are pertinent. I was no more anxious to go into war with Spain than was the Senator. But when a Senator can see, looking at our relations with Cuba, no difference between the flag of the United States in Cuba and the flag of England under Clive in India, he is troubled, to my mind, in some degree with mental obliquity. What is the difference? We went to war to free Cuba. Have we done Cuba and the Cubans no kindness, Mr. President, by pouring out millions of our money and shedding the blood of our soldiers in order to drive Spanish tyranny forever from Cuba? Has the Senator any suspicion in his mind that the pledge made in the resolution passed by Congress as to the temporary character of our occupation in Cuba is not to be kept?

Mr. HALE. I have.

Mr. SPOONER. Kept not simply to the letter, but kept in spirit?

Mr. HALE. I have very grave suspicion, Mr. President. I am glad the Senator has asked that question.

Mr. SPOONER. Then, Mr. President, the Senator is a pessimist, beyond any I have ever met.

Mr. HALE. Now, let me say to the Senator I think there are very powerful influences in this country; I think they are largely located in New York City; I think they are largely speculative and connected with money-making enterprises that are determined that we shall never give up Cuba. I think there is a dangerous cloud in the sky; I think the time will never come, unless something earnest and drastic is done by Congress, when the last soldier of the United States will be withdrawn from Cuban soil. I do not think the President favors that.

Mr. SPOONER. Favors what?

Mr. HALE. Holding on to Cuba. I do not think the Secretary of War favors that. I discover (and the Senator has different apprehensions from mine if he does not discover) very powerful influences—commercial, mercantile, money influences, and political influences—that are opposed to our ever withdrawing from Cuba. I take up the newspapers, as the Senator may, that are foremost in the large cities, in favor of the general programme which is now going on, and not only do I not find a single intimation or hint that we are to withdraw from Cuba, but I find every day intimations and hints that we are never to withdraw from Cuba.

The Senator must not exclude from his enlightened mind the things that are in the public mind. No matter whether he denies it or not, I am profoundly impressed and profoundly depressed by the fact that I find in hundreds of quarters a determination that we shall never withdraw from Cuba, but shall retain her as a possession of the United States.

Mr. SPOONER. Now, Mr. President, it is hardly fair for the Senator to interject his speech in my remarks upon the Philippines.

Mr. HALE. I was simply answering the proposition of the Senator.

Mr. SPOONER. If I were, as the Senator says he is, inclined to doubt for one moment that the United States Government will seasonably withdraw from Cuba, I should be ashamed of the Government.

Mr. HALE. Mr. President—

Mr. SPOONER. Now, I wish to go on.

Mr. HALE. That assurance from the Senator more than repays me for all that I have said. I shall count upon him in the future.

Mr. SPOONER. To say that the Senator will count upon me in the future is little less than an insult.

Mr. HALE. Oh, no.

Mr. SPOONER. For it implies, Mr. President, that but for my assertion the Senator had doubt if I might not be willing to see violated the pledge given by the Government.

Mr. HALE. Mr. President—

Mr. SPOONER. He does not so mean it.

Mr. HALE. The Senator knows—

Mr. SPOONER. I know he does not so mean it.

Mr. HALE. He knows I do not mean it, but I was very glad to hear that assurance from the Senator.

Mr. SPOONER. He need not have been.

Mr. HALE. I say it is not every man that feels that way.

Mr. SPOONER. I hope there is no man in the United States who does not feel that way.

Mr. HALE. I am glad to hear the Senator say that.

Mr. SPOONER. This is a Government of honor, Mr. President, and it is a people of honor. The people of the United States did not go to war to free Cuba, pouring out the blood of its sons, knowing not what bitter fruitage the war might bring to them,

without a conscience, without a love of liberty; and when the Senator expresses a fear that the conscience of the people of the United States, their desire to keep the pledge of this Government, will be lulled to slumber by the power of commercialism he degrades the people and underestimates, in my judgment, their integrity.

Mr. HALE. Still, I am afraid of it.

Mr. SPOONER. What have we done for Cuba? When, since the morning stars first sang together in the heavens, has any people done for another people what we have done for Cuba? And, Mr. President, as rapidly as may be, in absolute good faith, not being hurried by demagoguery, not being speeded in violation of national honor by insinuation and mere politics in a Presidential election, this Administration will, I am certain, go forward to redeem to its utmost the pledge to Cuba.

We have given the best government to the people of Cuba thus far it ever had. We have given to the people of Cuba a government the like of which they never could have had without our intervention. We have changed their criminal laws so that now a man can not be thrown into a dungeon and detained indefinitely without right of counsel. We have ameliorated in every way by military order conditions there in the administration of justice which were dreadful. We have maintained order in Cuba. Every man's life is safe in Cuba. Woman's honor is safe in Cuba. Tyranny and starvation have gone forever out of Cuba. Who is responsible for it? This "commercial" people who possibly may care nothing for its honor and its pledges!

Of course, Mr. President, there has been speculation in Cuba. Everyone regrets it; no one more than I. Everyone is ashamed of it. But in no government ever instituted has that not occurred. It has happened in Georgia. It has happened in New Orleans.

Mr. TILLMAN. It happened all over the South when the carpetbaggers had it.

Mr. SPOONER. Yes; and it has happened since the carpetbag governments. It happens in banks. I doubt not it has happened in Maine. Governments must be conducted by human agencies. There is no company which can guarantee the honesty of purpose of employees of the Government. If the Senator had listened to the very able and eloquent and entirely frank speech of the Senator from Connecticut (Mr. PLATT), I think he would have been satisfied that instead of there having been or being a carnival of corruption in Cuba there was a discovery of certain frauds in the postal service by the Administration, followed up by the Administration, made public by the Administration, and that the Administration is doing everything in its power to put the men who were guilty of it behind the bars. The government in Cuba is a military one. It rarely happens that an officer of the Regular Army in administration anywhere is not prudent, careful, and honest; and that administration ought not to be charged by general phrase, as the Senator seems to charge it, with permitting a general, almost universal, carnival of fraud in Cuba.

No, Mr. President, no one thinks, so far as I know, of violating our pledge to Cuba. We were to pacify the island; and, a little more than that, which Spain demanded that we should put in the treaty, as we were to occupy Cuba, that so long as we occupied it or remained there as a military occupant we would discharge the duties imposed by international law upon a military occupant, which, largely stated, is the protection of life and property and liberty. Spain insisted upon that not out of regard solely to the insurgents, but to safeguard the interest and protection of the loyal Spaniards who had lived there, and, as the treaty puts it, of the natives who have remained loyal to Spain.

Mr. HALE rose.

Mr. SPOONER. Now, Mr. President, I beg the Senator not to interrupt me—

Mr. HALE. All right.

Mr. SPOONER. For I am proceeding under embarrassment; not any embarrassment from what the Senator has said to me, but physical disability.

Keeping in mind our obligation to the people of Cuba—those who were insurgents and those who were Spaniards—we will see to it that just as soon as it can safely be done a government is formed there and turned over to that people. I say "we" will see to it. I speak for no one here but myself. I say with confidence that we will see to it, because of my implicit faith in the honor of the people of the United States. It never will turn out, my friend from Maine, that any man in any country can point to the Teller resolution and say with truth that it was a legislative lie.

Mr. HALE. I hope so.

Mr. SPOONER. The Senator need not hope so. He had better know so.

Mr. HALE. I do not know.

Mr. SPOONER. Well, he ought to know.

Mr. President, I have been beguiled by the Senator from Maine,

as I am always beguiled by him, away from the matter which I was discussing.

I return to the line of my argument when interrupted and repeat, under all the circumstances and conditions in the Philippines, the attempted establishment of a government without substantial opposition by Aguinaldo after the protocol would give in international law no foundation for its recognition, and would create no obligation of recognition by us in any event.

Mr. TILLMAN. Mr. President—

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from South Carolina?

Mr. TILLMAN. Unless it is entirely agreeable to the Senator I will not interrupt him because he is unwell, but the subject he is now discussing—

Mr. SPOONER. If the Senator will state what it is that he desires to know, I shall be glad to hear it.

Mr. TILLMAN. It is in connection with the very subject upon which you have had the discussion with the Senator from Maine [Mr. HALE]. I will call the Senator's attention to the resolution to which he has been addressing himself.

Mr. SPOONER. What resolution?

Mr. TILLMAN. Your bill, then.

Mr. SPOONER. I will get to that bill presently.

Mr. TILLMAN. You were discussing that bill.

Mr. SPOONER. I will get to that.

Mr. TILLMAN. But you will not get to that phase of it.

Mr. SPOONER. I will get to every phase of it, if the Senator will allow me.

Mr. TILLMAN. I hope the Senator will not shut me off just now.

Mr. SPOONER. No.

Mr. TILLMAN. I wish to call the attention of the Senate and the Senator to the phraseology of the bill introduced by him. It reads:

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 tenth day of December, eighteen hundred and ninety-eight, 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.

Now, with the Senator's permission, I will direct his attention to the effect of that bill if it becomes a law. We are under obligations in Cuba to establish a government there and turn it over to its own people.

Mr. SPOONER. I am through with Cuba.

Mr. TILLMAN. I think the Senator ought to have enough confidence in my integrity of purpose here to allow me to state my point.

Mr. SPOONER. I can not resist the Senator.

Mr. TILLMAN. I was calling attention to the difference between Cuba and the Philippines. We are now in Cuba under military law, and the President is omnipotent inside the Constitution, as some Senators contend, and some contend that the Constitution does not bind him. In the Philippines the Senator proposes that the President shall continue to do what he now does, except that after the military have suppressed all rebellion, all resistance, then the President can establish a civil government there, and appoint judicial, executive, and other officers to govern ten million of people over there—an army of carpetbaggers beside which this little squad now in Cuba looting the postal revenues would be but a mere awkward squad.

Mr. SPOONER. If the Senator ever finds a carpetbagger in heaven he would prefer to go to the other place. [Laughter.]

Mr. TILLMAN. I undoubtedly would, Mr. President [laughter]; and if the Senator from Wisconsin and the people of Wisconsin had suffered from the carpetbaggers as we in South Carolina have, he would feel so, too. It is against carpetbagging in all its forms that we, who are opposed to the acquisition of the Philippines and the governing of subject peoples from this country by the appointing of proconsuls, protest here.

Mr. SPOONER. From all I can learn, I would infinitely prefer the carpetbagging even of South Carolina, if I had any property, to the government of Aguinaldo up to date; and when the Senator assumes and other Senators assume that there is any purpose in the Government to fill up Cuba, Porto Rico, and the Philippines, with appointees without regard to fitness, with men unfit for the discharge of the duties, I think he would do better to wait until there is some foundation for that suspicion. I have seen nothing of it as to the Philippines; and no man ever lived, Mr. President, with higher purpose to safeguard by the most rigid inquiry and in the strictest possible way the interests of these people while in our charge by the appointment of honest and capable men than President McKinley.

Mr. TILLMAN. Let us grant that; I will grant it; but it is a

question as to whether you can by such a system of government ever get anything but dishonesty.

Mr. SPOONER. There may be now and then a thief, but he will be punished, and under this Administration he will be ferreted out by Government officers and sent to prison. Over in the Philippines General Otis has arrested three men and thrown them into prison for embezzlement. They were tried by commission, and two of them found guilty and punished. They were not Americans as I remember it.

The world is not growing worse, Mr. President. Almost every man charged with official duty wants to do the right thing, just as Senators want to do their duty; and the argument which is based upon a universal indictment of the integrity of men who are willing to go to these distant places has no substantial foundation in fact. If Mr. Bryan should be elected President, he would have the same difficulties. I hope he never will be elected, but if he should be he would have the same difficulties. I am willing to believe that he would try to select honest men, and when he found one as to whom he had been mistaken he would secure for that man prompt conviction and punishment.

Mr. TILLMAN. Will the Senator allow me?

Mr. SPOONER. That is a part of the subject to which I do not care now to pay further attention. It is not at all pertinent.

Mr. TILLMAN. If you do not like to be interrupted on account of physical disability—

Mr. SPOONER. It is not physical disability just at this minute. I never felt better in my life than I do at this moment. My objection is to being interrupted by a suggestion which is entirely impertinent to the matters which I wish to discuss. When I say "impertinent," I do not refer to the Senator, of course—I mean irrelevant; I use it in the legal sense.

Mr. TILLMAN. If the Senator will permit me, I will state that, so far as I can judge of the temper of the Democratic party, if Mr. Bryan should be elected, the difficulty of governing those people by carpetbaggers will not trouble anybody very much. We do not consider that it is a function of the United States to undertake to educate 10,000,000 of Asiatics, who have been taught in the Spanish schools, what free government is or what self-government is; and we do not propose to undertake to find enough honest men to go over there and administer the affairs of those islands in a decent Democratic way.

Mr. SPOONER. If you did, you would have to go into the Republican party, probably, for some of them. [Laughter.]

Mr. TILLMAN. We certainly would not ask you to lend us Mr. Rathbone, or Mr. Neely, or Mr. Thompson, or any of that ilk.

Mr. SPOONER. Well, Thompson is in jail and Mr. Neely under bail.

Mr. ALLEN. If the Senator will permit me, I trust he will not bring Mr. Bryan into this discussion at all. Mr. Bryan is a private citizen, and I think it would more comport with the dignity of the Senate to leave his name out of the discussion.

Mr. SPOONER. Well, Mr. President, I am willing to take lessons in dignity from the Senator from Nebraska.

Mr. TELLER. Will the Senator allow me a word?

Mr. SPOONER. Certainly.

Mr. TELLER. I think the Senator from Wisconsin is attempting to discuss this question from a legal standpoint, but he has been drawn off by questions, which are, as he says, impertinent in a legal sense, and he probably has been induced to say some things that he would never otherwise have thought of saying. If I were on the floor I believe I would know how to deal with the question, but feeling ill, as the Senator from Wisconsin does, he is rather too good natured, and I appeal to the Senate to let the Senator proceed uninterruptedly. That will be better for him and better for us.

Mr. TILLMAN. Better for those in favor of his proposition.

Mr. TELLER. Whether in favor of it or not, it would be better for the dignity and high character of this Senate.

Mr. SPOONER. I hope I have not seriously offended my friend from Nebraska.

Mr. ALLEN. Not at all.

Mr. SPOONER. I recognize the fact that Mr. Bryan, while a distinguished leader, is in private life, although he is not a private citizen.

Mr. ALLEN. Mr. Bryan's name ought not to be voluntarily brought into the Senate and involved in a discussion here, and I think it would comport more with the dignity of discussion in this Chamber not to do so.

Mr. SPOONER. I do not hold myself altogether responsible for bringing it in, but I feel entirely at liberty to do so, and I shall do so in a respectful way if the course of my argument requires it.

Now, Mr. President, I do not know what real fealty to the doctrine of the Declaration of Independence—and I refer to it only for a moment—Senators or any political party would show which would turn over to an oligarchy, composed of not more than one-sixth of the inhabitants of the Philippine Archipelago,

the government and the fate of ten million people, a vast majority of whom we think we have reason to know do not desire it, and a sudden withdrawal, as is suggested by the Senator from South Carolina [Mr. TILLMAN], of our troops from the Philippines upon the theory, which I am glad to hear him avow, that we have no duty in the Philippines—

Mr. TILLMAN. I did not say that.

Mr. SPOONER. Practically that, Mr. President; for I do not hesitate here to say that any man or any party which in the environment, in which this country now is in the Philippines, should propose that it should withdraw its forces and leave Manila and the Filipinos who have been friendly to us—the autonomists, as Aguinaldo in a proclamation of his own of June 12 last denigrates them—and the people who have nothing in common with him, to a government created by him and officered by his satraps, would violate every plain duty which could grow out of a difficult and delicate situation.

The resolution of the Senator from Georgia [Mr. BACON], manly and straightforward as that Senator is in legislation here, is based upon a different proposition from that; and if we should withdraw our troops from Manila, as suggested by the amendment of the Senator from South Dakota [Mr. PETTIGREW], and enter into negotiations for peace with a government which is destroyed, if it ever had any substantial existence, and that withdrawal should be followed by a massacre in Manila, if the "clubs" organized by Sandico and those who were to join in the massacre or extermination should visit their vengeance on the Europeans in that city, nothing, Mr. President, in the history of this Government or this country could ever in the slightest degree redeem us from the stain of that cowardly withdrawal and stigma thus put upon our honor.

Mr. TILLMAN. Mr. President—

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from South Carolina?

Mr. SPOONER. What is it?

Mr. TILLMAN. I wish the Senator would allow me to state more fully what I would consider—

Mr. SPOONER. That is just exactly what I do not want the Senator to do.

Mr. TILLMAN. But the Senator puts me in a false attitude as to what I wish to do in the Philippines, and then he goes on and argues as though he had some basis for it other than his own imagination, and I must insist that that is not fair.

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from South Carolina?

Several SENATORS. No, no.

Mr. SPOONER. Why, of course, Mr. President, I find it impossible to decline to yield to Senators.

Mr. TILLMAN. The Senator said a moment ago he never felt better in his life, and I am glad he is more than able to take care of himself in any debate on this floor.

Mr. SPOONER. I feel well, but I am afraid that my colleagues do not, or will not, if I continue much longer.

Mr. TILLMAN. It seems that some of your colleagues want to take care of you, when I am very sure you can take care of yourself better than they can take care of themselves.

Mr. SPOONER. I do not agree with the Senator in that.

Mr. TILLMAN. I wish to say this in regard to what I consider the duty of this Government, and I am not any more than one Democrat: We have destroyed the only government that was there—Aguinaldo's. It may be that it was a dictatorship, and I dare say it was, but still it was the only government they had there. It had the support of the people, whether voluntarily or involuntarily does not matter. Now, we have destroyed that government; we have got that government broken all to pieces, and we are fighting there for the suppression of the guerrillas, small bands, who are harassing our troops.

I think if those guerrillas would stop we would get a condition by which we could reestablish some government there, if we would simply say to those people, "We do not propose to continue to govern you by military force or by carpetbaggers sent from the United States, but we will allow you to set up some sort of a government of your own as soon as you are in a condition to do so, which will insure law and order and protection for life and property to citizens and foreigners there. We will leave you to deal with your own people in your own way, because we do not believe it is our duty to use force to protect you from yourselves."

Mr. SPOONER. The Senator having protected himself in the RECORD, I shall spend no time now, but I will, a little later on, on that branch of the subject, when I come to explain what I think the duty of this Government is, and what I think the people of the United States will deem it to be.

The men who propose to turn over, without first ascertaining their wish about it, the fate of ten million people to the government of Aguinaldo and the Tagalogs, have a different understanding from that which appeals to me of that part of the Declaration of Independence which refers to the consent of the governed.

Self-government is not a right. Self-government is a faculty.

It does not come to a people in a day; it does not develop in a night; and if there is anywhere in this world where a proposition has been announced and carried into effect that the majority entitled by law to govern; but in the opinion of a minority unfit, shall not be permitted to govern, it is not in the Philippines, but it is in the United States.

But, Mr. President, for the purpose of establishing the proposition that this Government has acted toward Aguinaldo with Punic faith—that is the adjective, "with Punic faith"—I am compelled briefly to consider the evidence upon which, in the several relations, that charge is made.

First, it is said that Aguinaldo was promised independence, and that for the Government of the United States not to accord it is for it to perpetrate an act of national dishonor.

I deny, Mr. President, that there is any basis whatever for the assumption that Aguinaldo was promised independence or that the Filipinos were promised independence.

It is claimed by Aguinaldo that he was promised independence by our consul at Singapore, Mr. Pratt, and at Hongkong, Mr. Wildman. Mr. Day, inferring from a publication in a Singapore paper that possibly Mr. Pratt had been indiscreet, cabled him June 16, 1898, to avoid unauthorized negotiations with Philippine insurgents, to which Mr. Pratt replied June 19 as follows:

SECRETARY OF STATE, Washington:

No intention negotiate; left that Dewey, who desired Aguinaldo come.

PRATT.

June 16, 1898, Mr. Day wrote to Mr. Pratt, among other things, as follows:

If in the course of your conferences with General Aguinaldo you acted upon the assumption that this Government would cooperate with him for the furtherance of any plan of his own, or that in accepting his cooperation it would consider itself pledged to recognize any political claims which he may put forward, your action was unauthorized, and can not be approved.

June 20, in reply to cable of June 16, Mr. Pratt wrote the Secretary of State as follows:

My action in the matter was limited to obtaining the assurance of General Aguinaldo's willingness to cooperate with our forces, communicating this to Commodore Dewey, and, upon the latter's expressing a desire that he should come on as soon as possible, arranging for the General to do so.

Under date July 28 Mr. Pratt wrote the Secretary of State as follows:

I declined even to discuss with General Aguinaldo the question of the future policy of the United States with regard to the Philippines; that I held out no hopes to him of any kind; committed the Government in no way whatever, and in the course of our conferences never acted upon the assumption that the Government would cooperate with him—General Aguinaldo—for the furtherance of any plan of his own, nor that in accepting his said cooperation it would consider itself pledged to recognize any political claims which he might put forward.

The Senator from Washington some time since, in the course of a speech here, read from a Singapore paper what he contended indicated an admission in a public speech by Consul Pratt that he had promised independence. That Senator omitted to state, although I know he would have stated it if he had known it, what I state now, that when Mr. John Foreman made substantially the same statements in the first edition of his book on the Philippines Consul Pratt filed a bill in equity and obtained an injunction restraining him from the further distribution of the edition, upon the ground that the statement was not true, and in the second edition and all subsequent editions there is a note at the beginning of the book correcting the statements and announcing the omission of the pages from the book.

Mr. Wildman also was heard from upon the subject. Under date of August 8, 1898, from Hongkong, he addressed the following cablegram to Mr. Moore, Assistant Secretary of State:

Never made pledges or discussed policy of America with Aguinaldo further than to try and hold him to promises before Dewey took him to Cavite, believing it my duty, it being understood that my influence is good. If report contrary, I disavow.

Could anything be more idle than to predicate a charge of dishonor upon an alleged breach by the United States of a political promise made by a consul? Consuls are not diplomats. As the Senator from Minnesota [Mr. DAVIS] said the other day, they are only commercial agents.

It has been said here that there are men learned in international law surrounding Aguinaldo. That is, I think, quite true; and how foolish it is to suppose that Aguinaldo and the junta would for one moment, had such promise or assurance been given, relied upon them.

It is alleged that Admiral Dewey promised Aguinaldo independence. Aguinaldo says that himself. He did not claim it, so far as I have been able to discover, until a short time before the outbreak of hostilities, and in the "True version of the Philippine revolution," which he published to the world.

On May 26 the Secretary of the Navy cabled Admiral Dewey as follows:

It is desirable, as far as possible, and consistent with your success and safety, not to have political alliances with the insurgents, or any faction in the islands, that would incur liability to maintain their cause in the future.

June 6 Admiral Dewey replied to this dispatch:

Receipt of telegram of May 26 is acknowledged, and I thank the Department for the expression of confidence. Have acted according to the spirit of Department's instructions therein from the beginning, and I have entered into no alliance with the insurgents or with any faction.

Admiral Dewey has since specifically denied it. He denied it in the letter over his own signature addressed to Senator LODGE; he denied it in his cablegram to the Secretary of the Navy; he denied it in a memorandum inserted in the report of the Philippine Commission, which he signed; he denied it in a statement sent to the Senate by the President only a day or two ago.

No one would impute to Admiral Dewey, who conducted affairs in the Far East after the fall or destruction of the Spanish fleet with consummate ability, such ignorance as to his power and duty as for one moment to believe that he had pledged to this man, whom he had never seen before and of whom he knew nothing, independence for a government which he was yet to establish.

In a memorandum written for the preliminary report of the Philippine Commission, of which Admiral Dewey was a member, he says, referring to his first meeting with Aguinaldo, May 19:

No alliance of any kind was entered into with Aguinaldo, nor was any promise of independence made to him, then or at any other time.

Aguinaldo, however, in what is called "the true version of the Philippine revolution," says on one page here—I will spend but a moment upon it—that on one occasion Admiral Dewey, accompanied by General Anderson, visited him, and that in the presence of General Anderson this statement was made by Admiral Dewey:

The Admiral continued: Documents are useless when there is no sense of honor on one side, as was the case in respect of the compact with the Spaniards, who failed to act up to what had been written and signed.

Have faith in my word, and I assure you that the United States will recognize the independence of the country. But I recommend you to keep a good deal of what we have said and agreed secret at present. I further request you to have patience if any of our soldiers insult any Filipinos, for, being volunteers, they are as yet undisciplined.

Admiral Dewey, on January 30 last, denounced this pamphlet and the statements, in so far as they related to him, as a tissue of falsehood, thus:

DEAR SENATOR LODGE: The statement of Emilio Aguinaldo, recently published in the Springfield Republican, so far as it relates to me, is a tissue of falsehood. I never promised him, directly or indirectly, independence for the Filipinos. I never treated him as an ally, except so far as to make use of him and his soldiers to assist me in my operations against the Spaniards. He never uttered the word "independence" in any conversation with me or my officers. The statement that I received him with military honors or saluted the Filipino flag is absolutely false.

Sincerely, yours,

GEORGE DEWEY.

It will be noticed that at the interview in which Admiral Dewey is alleged to have uttered the foregoing, General Anderson was present. General Anderson was asked by telegraph by the Adjutant-General, under date May 11, concerning this conversation, to which he replied as follows:

PHILADELPHIA, PA., May 14, 1900.

ADJUTANT-GENERAL,
Washington, D. C.:

Telegram received. I have Aguinaldo's pamphlet. His statement as to Admiral Dewey's promise of recognition and documents not being necessary, are not true as to any occasion when I was present. I can recall only two occasions on which we saw Aguinaldo together. All his statements inaccurate, except that we were fighting a common enemy.

ANDERSON, Brigadier-General, Retired.

It has seemed strange to me that any American should be found to make the charge of dishonor upon the Government or its Administration based upon nothing except the statements of Aguinaldo, contradicted, as he is, over and over again.

But that is not all. Some documents have been captured over there. Among others is a document which gives the secret proceedings—it has been sent to the Senate—of the junta in Hongkong on May 5. Aguinaldo was there, Agoncillo was there, Teodoro Sandico was there, Lopez was there, Montenegro was there. It is signed by a large number of them in testimony that what transpired is faithfully set down and sealed.

Mr. STEWART. May, 1898?

Mr. SPOONER. May 5, 1898. It says:

The president described the negotiations which took place during his absence in Singapore with the American consul of that English colony; both agreed that the president should confer with the Admiral commanding the American squadron in Mir Bay, and if he should accept his propositions as beneficial, in his judgment, to the Filipinos, he should go in one of the cruisers which form the fleet and take part in the subsequent events.

This was after the conversation with the consul. Strange, is it not, if the consul had promised independence to a government to be formed by Aguinaldo, that the thing which above all other things he desired, it is thought, in this communication to his associates he should have neglected to state? There is not one word in these proceedings which indicates that any such promise had been made; that any such subject had been discussed—not one word. But there are statements in this paper which show that no such promise could have been made, or that if it was made it was not relied upon.

Aguinaldo did not wish to go. He wished to send four members of the junta. He gave certain reasons why he did not wish to go, and one of the reasons was that Admiral Dewey might call upon him if he went to enter into some agreement before cooperating—I do not use the language—which would control or embarrass the future of his country; and you will find again and again expressed here the thought that the time might come—It is apparent, in fact, from this secret paper, it was anticipated—when the guns of the Filipinos would be turned against the Americans, because it is stated here—

After arguments had been made by various members of the junta in favor of Aguinaldo's going, the record is thus:

Notwithstanding the previous remarks, the president (Aguinaldo) insists that he considers it dangerous for him to go to the Philippines without a previous written agreement with the Admiral, since it may happen that if he places himself at his orders he may make him sign or seal a document containing proposals highly prejudicial to the interests of the fatherland, from which may arise the following grave disadvantages:

First. * * * *
Second. * * * * These are the means, he thinks, which should be first employed to find out certainly what are the intentions of the United States in regard to that country. * * * He adds, besides, that the Admiral, there being no previous contract, may not divide the armanent necessary to guarantee the happiness of the fatherland."

After various speeches, by Sandico and others, the document proceeds:

The authority to treat, which the President thinks of giving to the other chiefs, without reflecting at all upon their personal deserts, they do not believe can be as effective as his personal attention to the matter, to such serious affairs as those which are the subject of discussion. There will be no better occasion than the present for the expeditionary forces to land on those islands and to arm themselves at the expense of the Americans and assure the attainment of our legitimate aspirations against those very people.

The Filipino people, unprovided with arms, will be the victim of the demands and exactions of the United States, but provided with arms will be able to oppose themselves to them and struggle for their independence, in which consists the true happiness of the Philippines.

After referring to the "prestige which he (Aguinaldo) acquired in the last rebellion," it proceeds:

Once the President in the Philippines, with his prestige he will be able to arouse those masses to combat the demands of the United States if they colonize that country, and will drive them, the Filipinos, if circumstances render it necessary, to a Titanic struggle for their independence, even if later they should succumb to the weight of a new oppressor.

Were they relying upon a promise of independence?

They were arranging then, before Aguinaldo and his companions went back to Manila, for a contingency in which, having obtained arms upon a promise of cooperation they should use those arms against soldiers of the United States. No man with judgment could find what is written in this secret proceedings consistent at all, either with a promise of independence or their reliance upon a promise of independence.

It is not worth spending time on at all if it were not that on this is based a charge of dishonor, and without warrant. I for one can not discuss this matter and permit that charge to go unanswered when the facts make a complete defense against it.

He made no claim of any such promise until very late, and after he had gone to Manila he wrote to General Anderson, under date July 24, "I came from Hongkong to prevent my countrymen from making common cause with the Spanish against the North Americans;" and he justified the proclamation of his dictatorship upon that ground, and in all the letters or proclamations in which he besought independence he never claimed until his proclamation, issued shortly before the outbreak of hostilities, that it had been promised him, and in his letter to the President, which has been so greatly lauded for its literary merit, he asked for independence, but he did not contend at all that it had been promised to him. So why charge bad faith upon the Administration for not according to Aguinaldo's government or alleged government, the moment he formed it, independence as having been promised?

It is said that there was implied recognition of his government, and that upon that ground we have been acting in breach of faith. Is that true? Is it sustained? The Senator from South Dakota [Mr. PETTIGREW] says it is sustained. He based his charge for one thing upon the allegation that Admiral Dewey saluted the flag of the Philippine republic.

Mr. PETTIGREW. He undoubtedly did.

Mr. SPOONER. Well, then, Admiral Dewey is published by the Senator before the world as a concrete liar.

Mr. PETTIGREW. Not by me.

Mr. SPOONER. He denies it. The American people will believe Admiral Dewey when he says he never saluted the flag. The Senator claimed, I think—and I trust he will not regard me as personal; he nodded to me, and that is why I referred to him—that we had recognized them by conveying one of the Philippine ships—was it into Subig Bay? I think it was. Am I right?

Mr. PETTIGREW. Yes; Subig Bay.

Mr. SPOONER. Does the Senator still claim that we conveyed a Philippine ship to Subig Bay?

Mr. PETTIGREW. I will answer the Senator.

Mr. SPOONER. Very well.

Mr. PETTIGREW. The insurgents attacked the Spanish forces in Subig Bay. They sent a vessel to Manila to ask Admiral Dewey to assist. Dewey received word from this vessel, and he sent the *Raleigh* and another ship to Subig Bay, captured the Spanish garrison, and turned the prisoners over to Aguinaldo's forces.

It appears from a statement of the officers of the Government that the vessel of Aguinaldo did not accompany our vessels, our vessels leaving in the night, so that the vessel which had come to ask them to return to their assistance was not aware of their departure. I said in a resolution of inquiry that it had been stated that they did convoy or go in company with a Philippine vessel to Subig Bay to secure the surrender of the Spanish troops, and I asked for the information. My resolution was tabled by the Senate.

Mr. SPOONER. Yes; I voted to table it.

Mr. PETTIGREW. Afterwards the Administration admitted everything that had been said except that our vessels did not go back with the Filipino vessel which came to ask them for their assistance. Here was an alliance and the turning over of the prisoners to the allies.

Mr. SPOONER. I voted against the Senator's resolution. I remember the Senator's resolution. It was craftily drawn. I do not mean intentionally so, of course; but it was so drawn as that for the Senate to have adopted it would have been a finding of fact by this body that there was a Philippine Republic in the international sense and a Philippine flag; and because I believed that to be untrue, and not as the Senator seemed to think at the time of all of us, that we were afraid of laying the truth before the American people, I voted to lay the resolution upon the table. Has not the Senator been of the opinion that one or more of our naval ships convoyed a ship of Aguinaldo's to Subig Bay? Was not that the Senator's opinion?

Mr. PETTIGREW. That was my opinion at the time I presented the resolution.

Mr. SPOONER. Is it the Senator's opinion now?

Mr. PETTIGREW. I am in doubt about it now. I never could get all the information. We never have had it. The Administration does not give us the full information. We never have had any consecutive story of this revolt and the circumstances connected with it. We are left to draw our conclusions and gather our information from a censored press, from suppressed information. It is not considered compatible with the interest of the President as a candidate for reelection to furnish us the information, and we do not get it, and we have not got it.

Mr. SPOONER. Oh, I should think once in one session would be sufficient for the Senator to insult the President. The President has manifested no purpose whatever to withhold from the Senate any information, and he has been sending information here in response to the request of the Senate month after month during this session. But if the Senator has doubt about the proposition or the allegation of fact that one or more of our naval ships convoyed an alleged Filipino ship, with an alleged Philippine republic flag flying at its masthead, to Subig Bay, he has doubt of the veracity of Captain Coghlan.

The Senator from Massachusetts [Mr. LODGE] in his speech read the other day in the presence of the Senate the following letter:

MY DEAR SENATOR LODGE:

FEBRUARY 1, 1900.

I was in command of the expedition sent by the Admiral (*Raleigh* and *Concord*) to the mouth of Subig Bay, July 6, 1898, to capture Grande Island, then held by the Spaniards. I wish to affirm as strongly as human words can do so that Aguinaldo's people did not accompany us, and that they took no part whatever in that capture. No one but the Admiral, Lieutenant Brumby, Captain Walker, and myself even knew where we were to go. We left at midnight, without lights of any kind, not even signaling, as usual, for permission to get under way, and no one knew except the flagship and a vessel or two near us, that the vessels (*Raleigh* and *Concord*) had moved from their berths. It was not known until next morning that we had gone out of sight of our fleet. At this very time the so-called gunboat of Aguinaldo was anchored at Cavite, and did not learn of our departure until next day about noon. We captured Grande Island about 10.30 a. m., July 7, and no Filipino boat of any description appeared about Subig Bay until that evening about 7 p. m., when the boat we had left at Cavite came in and expressed the greatest surprise at our capture, telling us they had hoped to take part in the attack. So far as Aguinaldo's people having anything to do with the capture, after it had been done I instructed their chief at Alongapo, about 5 miles up the bay, that his people must in no way bother with the island, and to prevent them I moved the *Raleigh* out into the bay, where the searchlights were used all night to see that no insurgents went near the island. In my opinion, those on the island could have held out indefinitely, as they were well provided with everything, and the Aguinaldoites had no artillery—one small gun only on their so-called gunboat, and the rest of her armament (1) consisting of pieces of 3-inch pipe stuck through chocks and holes in her sides to stimulate guns.

There may not be much glory arising from that capture, but on behalf of my naval comrades, who did it alone, I object to having any of it taken away by anyone attempting to falsely assign us help.

Yours, very truly,

J. B. COGHLAN,
Captain, U. S. N.

This charge of dishonor, based upon the allegation that we recognized a republic over there by convoying a ship flying its flag, falls to the ground; and I know the Senator will not challenge the word of Captain Coghlan.

Mr. PETTIGREW. I will say that I think the paper the Senator has in his hand was sent in in response to a resolution passed by the Senate, which I introduced on the 27th of April.

Mr. SPOONER. Yes.

Mr. PETTIGREW. And that resolution reads as follows in regard to the Subig Bay incident:

The President is also requested to inform the Senate whether the flag of the Philippine republic was ever saluted by Admiral Dewey or any of the vessels of his fleet at any time since May 1, 1898. Did Admiral Dewey, at the request of Aguinaldo or any officer under him, send the vessels *Concord* and *Raleigh* to Subig Bay to assist Aguinaldo's forces in the capture of the Spanish garrison at that place? Did said vessels assist in the capture of the Spanish garrison, and after the surrender did they turn the prisoners thus taken over to the Philippine forces?

I think that paper corroborates and answers in the affirmative every one of those questions, except the question of saluting the flag. As far as that question is concerned, I will show by the executive officer of Admiral Dewey's own ship that he did salute the flag; I will show by the statement of Halstead, who was a Government official, that he did salute the flag; and I will show by letters from numerous soldiers that we saluted the Philippine flag and the Philippine troops every time they came in the presence of our Army. I will then leave the question as to who is right and who is wrong to be fought out between these different people. I shall try to do this in reply to the Senator's speech.

Mr. SPOONER. All right. Then the Senator admits that in response to this particular resolution of his, there was no attempt upon the part of the Administration to suppress information.

Mr. PETTIGREW. Mr. President—

Mr. SPOONER. The Senator will admit also that the information which was sent, so far as Captain Coghlan's letter covers it, disposed of all of his allegations of fact put in an interrogative form, except the matter of the saluting of the flag.

Mr. PETTIGREW. The Senator says I will admit numerous things. I admit nothing of the sort.

Mr. SPOONER. I was wrong in supposing the Senator would admit it.

Mr. PETTIGREW. Except that the reply confirms the statement I made in every particular except in that of saluting the flag. That is what I said, and as I understood the Senator—

Mr. SPOONER. Did not the Senator charge that Aguinaldo's vessel helped in the capture of the place?

Mr. PETTIGREW. I think not.

Mr. SPOONER. I thought you said so a moment ago.

Mr. PETTIGREW. Not at all. I did not say so, and I do not remember ever to have said so.

Mr. SPOONER. Did you not say we helped them to take it, or assisted them in taking it?

Mr. PETTIGREW. I have just read what I said in the resolution, and I think everything in the resolution is answered in the affirmative by the information received except the saluting of the flag, and then I made my statement in regard to that. I wrote to the officer to ascertain whether we did salute the flag or not, and I have an autograph letter to the effect that we did.

Mr. SPOONER. I withdraw my statement that the Senator admitted anything. I did him an injustice, and I will supplement that by saying that I do not expect the Senator to admit anything except that this Government has been dishonorable and guilty of punic faith in its treatment of Aguinaldo.

Mr. PETTIGREW. Yes; I think I can prove that.

Mr. SPOONER. I think the Senator can not prove it. In fact I know the Senator can not prove it.

Mr. PETTIGREW. I do not think there is any doubt about it.

Mr. SPOONER. The Senator can no more prove it than he can prove or did prove the other day that a majority of the South Dakota regiment were unwilling to serve after their term expired. I am glad the Senator could not prove that. There never comes into a soldier's life any prouder thing than that after his time has expired he served in battle under his flag; and when President McKinley congratulated the State of South Dakota, which I marched over as a soldier before the Senator ever saw it, and congratulated her people and congratulated that regiment that regardless of the expiration of their time they had gone into battle under our flag and fought with great gallantry, he recognized, as the truth warrants, a crown upon the brow of South Dakota which no man can ever take from her.

Mr. PETTIGREW. If the Senator will permit me, I read the statement of the surgeon of the regiment and the lieutenant-colonel that 90 or 95 per cent of the boys wished to be discharged. Some of the soldiers told me, immediately after the President made that statement, that it was untrue. The reason why the South Dakota boys were not proud of the service in which they had been conscripted against their will was because they were not in sympathy with the effort to destroy the liberties of another people.

Mr. SPOONER. I suspect the fact that some of them felt that way is partly attributable to the industry of the Senator, not to the soldiers themselves. [Laughter.]

Mr. PETTIGREW. That is a matter of opinion, which opinion the Senator has a right to entertain.

Mr. SPOONER. I say that because the discussion indicated that in a great many letters from the Philippine Archipelago some were replies to letters written by the Senator.

Mr. PETTIGREW. Not one of them.

Mr. SPOONER. Yes; there were some of them I am quite certain. And I say another thing, that the prompt transmission of the governor's insulting letter to the President to be read to the soldiers there was politics—Populistic politics, not American politics—and may have had something to do with inciting the agitation among some of the soldiers. I will never believe in dishonor in this Government or in the Administration, Democratic or Republican, unless I am obliged to. I will not hunt for stain upon the honor of my own country.

Mr. President, it is said repeatedly that Aguinaldo was an ally of the United States, and that in firing upon him when he attacked us—I use that phrase advisedly; we were guilty of Punic faith toward an ally. A flimsier thing never was asserted as foundation for a charge in a Presidential or any other campaign against an Administration than that. An ally in the international sense he was not and could not be. There was no Filipino nation. There was no Filipino people in the organized sense. No man could for one moment contend that there was an organization which could enter into a treaty of alliance. None such was ever pretended. As I said the other day, the Filipinos were in law enemies of the United States, not friends, because they were subjects of Spain. The Senator from South Dakota smiles.

Mr. PETTIGREW. Yes.

Mr. SPOONER. Does he dispute it?

Mr. PETTIGREW. Certainly. It is the most absurd proposition the Senator has made.

Mr. SPOONER. There never has been a work on international law which does not support that proposition; it has been decided by the Supreme Court of the United States; it is absolutely fundamental; it is in the most modern as well as in the most ancient books, that, as a matter of law, and important consequences flow from it, the subjects of a government at war with another become the enemies of that other. The Senator is a good lawyer, he is a man of ability, and if he will address his mind to that proposition to-night he will not deny it to-morrow.

Mr. PETTIGREW. I certainly shall.

Mr. SPOONER. Well, I will help him.

Mr. PETTIGREW. To deny it?

Mr. SPOONER. No; to find the law; I know where to find it.

Mr. PETTIGREW. I am well aware of the Senator's ability, and I know he is a great student, for I studied law as a boy in his father's office when he was just beginning to practice, and in complimenting me perhaps he had a notion of, in a measure, complimenting himself.

Mr. SPOONER. No; I did not mean to do that. What I meant was this, and the Senator will do me that justice, to say that I have examined the question, and I thought it might facilitate the Senator's investigation, if he cared to make it, for me to give him a list of the authorities in which I found it.

Mr. PETTIGREW. As an abstract principle, never good in practice or heard of in any history on the face of the earth, perhaps the Senator is correct.

Mr. SPOONER. Oh!

Mr. PETTIGREW. But to say that the Filipinos were our enemies under the circumstances is such a terrible stretching of the abstract principle which the Senator seeks to invoke that it has no application.

Mr. SPOONER. The Senator would not have said that if he had listened longer. I said the Filipino people were in law the enemies of the United States while we were at war with Spain. Aguinaldo and such of his confreres who individually cooperated with us against Spain were not, of course, our enemies. All others were; and if the Senator understood me as saying that the subjects of Spain who entered our Army—if any should—or who aided us in a war with Spain, were our enemies under this proposition of law, he misunderstood me. But Aguinaldo himself is not to be called, all things considered, an ally of ours. If he was an ally of ours, he was a very treacherous ally of ours, and it was not many weeks after he reached Manila before Admiral Dewey discovered that he ceased to be much of an ally and was inclined to "set up" business on his own account; so much so that he was disgusted with him, and, as one of the papers puts it, thought he had the "big-head."

Mr. Wildman, writing Mr. Moore, Assistant Secretary of State, under date of August 9th, says:

Aguinaldo had for some weeks been getting what Admiral Dewey called the big head, and writing me sulky, childish letters.

He claimed he was after independence, and, as indicated by the secret proceedings of the junta, he was proceeding in his performance after he reached Manila largely on his own account, of

course, in a way aiding us—I concede that—in fighting Spain, but for reasons of his own and for a purpose of his own. Why, Mr. President, it is stated by Mr. Whitmarsh, the special commissioner over there of the Outlook, that Aguinaldo had planned to attack our first detachment of troops when they landed at Paranaque.

In the preliminary report of the Commissioners it is stated:

The landing of the American troops at Paranaque on July 15 so exasperated the revolutionary leader that he wished to attack at once, but was deterred by lack of arms and ammunition. He finally decided to wait until the fall of Manila, enter the city with the American troops, secure the arms of the Spanish soldiers if possible, and then make his attack.

Mr. TELLER. The first one?

Mr. SPOONER. Yes; I believe the first one, that he had intended to attack them and prevent their landing. He permitted them, however, to land, but from the day General Anderson landed there his attitude was not the attitude of an ally; his correspondence was not the correspondence of an ally; his conduct was not the conduct of an ally. I assert, Mr. President, without fear of successful contradiction, upon all the facts which are within our reach, that his conduct from the day General Anderson arrived there was the conduct of an enemy.

Mr. BERRY. What date was that, if the Senator will permit me?

Mr. SPOONER. I can not give the precise date. It was in June or early in July.

Mr. PETTIGREW. The Fourth of July.

Mr. SPOONER. That we landed there. If you look at the correspondence, you will see constant complaints; you will see a constant jealousy; you will see that he insisted upon maintaining his position; you will find that his troops were insolent to our men. You will find that Aguinaldo plumed himself as being friendly rather than just in not cutting off from Manila, after our troops had arrived there, the water supply. He constantly wanted recognition. He sought in every cunning way which could be devised to secure some recognition from General Anderson of him as president or of his alleged government. He prohibited the people from furnishing supplies to General Anderson.

Was that the conduct of an ally? Anderson wanted horses; he wanted supplies; he had newly arrived in the country. He proffered, of course, to pay for them. The correspondence shows that he received no reply; that he received no supplies, and that Anderson was informed upon sufficient authority that they were forbidden by Aguinaldo, and Professor Worcester says that witnesses swore before the Commission that Aguinaldo had ordered them not to furnish our Army with any supplies; and they were not furnished until General Anderson informed him that if he did not permit the supplies to be furnished, things that our troops needed, he would pass him and take them.

It is stated (I presume the Senator does not believe that) that as early as June he was in negotiation with the Spaniards against us. I believe it, and I have good reason to believe it.

Mr. PETTIGREW. Mr. President, there is no doubt but that the Spaniards made offers and propositions to Aguinaldo, and there is no doubt but that he considered them. But he brought them to us and stated to us (and the conversation, I think, must be familiar to the Senator) that he had rejected them and refused to accept their offers and propositions. He seems to have been using this for the purpose of trying to compel, if possible, that public recognition of his government to which he felt he was entitled. There is no doubt about that.

Mr. SPOONER. Mr. President, on the contrary, I believe it to be a fact, and I believe the assertion is warranted by the evidence, that Aguinaldo was in treaty with the Spanish authorities to surrender Manila to him and join their forces in fighting us. One thing is very certain: That as early as October 25, long before the outbreak of February 4, 1899, before the cession of the Philippine Archipelago to us by Spain, Aguinaldo entered into negotiations with the Spaniards and proved himself, if an ally to us, to be a traitor to us.

Mr. PETTIGREW. When was that? What is the date?

Mr. SPOONER. The 25th of October, 1898. The Senator evidently has not, in his search for information, found it, but the President sent it to the Senate some time ago—April 18. Here it is. It is worth reading, because men will be told all through this country during the coming campaign (and that is what most of this business is for; nobody is deceived about that) that Aguinaldo was our ally; that up to the time we attacked him and his forces at Manila he was loyal to us as an ally.

Mr. PETTIGREW. No; we were not loyal to him.

Mr. SPOONER. We were loyal to him. We gave him more loyalty, Mr. President, than he was entitled to. We stayed there month after month enduring his insolence and the insolence of his soldiers while they endeavored to taunt, I believe by his command, our soldiers into an act of hostility, and I will prove it before I finish.

But, Mr. President, about October 25 the Spanish general at

Iloilo was apparently willing to surrender to us. When General Otis sent the expedition to Iloilo he supposed that the Spanish would surrender to us. He had received information that they desired to do it. Am I wrong about that? But they found when they reached there that he had by order of the Spanish Government evacuated the place. Now, here is what Aguinaldo wrote to him. Up to this time we had occupied no position of hostility to Aguinaldo, and no man living can truthfully say we had. This is a captured document.

[Private.]

REVOLUTIONARY GOVERNMENT OF THE FILIPINES,
OFFICE OF THE PRESIDENT,
Malolos, October 25, 1898.

The Excellent Señor General DIEGO RIOS.

RESPECTED GENERAL: I write to you without any desire of offending either your dignity or your patriotism, or of interfering in your high duties in the present circumstances, so critical for all of us, Filipinos, Spaniards, and Americans. I write to you, General, actuated solely by the desire of doing an act of evident justice, compatible with your honor and with those high duties which I cite above, and especially with the hope—

“Especially with the hope”—

OF YET SAVING FROM THE SHIPWRECK THE SOVEREIGNTY OF SPAIN IN THESE ISLANDS.

While we were fighting to liberate the Filipinos from the tyranny of Spain he was hopeful “of yet saving from the shipwreck the sovereignty of Spain in these islands.”

Mr. LODGE. Give the signature.

Mr. SPOONER. I will give the signature in a moment.

Mr. TILLMAN. Will the Senator give us the date of that?

Mr. SPOONER. It is dated Malolos, October 25, 1898.

Mr. CULLOM. Before the cession?

Mr. SPOONER. Yes, before the cession.

Mr. TILLMAN. It was while the cession was being discussed, however, and after the demand had been made.

Mr. SPOONER. It was while our commissioners were negotiating the treaty.

Mr. PETTIGREW. And if I recollect aright, after—

Mr. SPOONER. As I recollect it, before even our commissioners had demanded cession. The cession was demanded October 31 and yielded November 28.

Mr. PETTIGREW. But after Dewey had captured all his vessels and confiscated them.

Mr. SPOONER. Had captured all his vessels and confiscated them! What an awful violence!

Mr. TILLMAN. How did the President get that letter?

Mr. SPOONER. It was captured; I do not suppose Aguinaldo's consent was asked. He proceeds:

I shall explain myself, General, to see if you can understand me, and to see whether it will be the same as with General Augustin, who did not care to pay any attention to the frank warnings I gave him, with noble intentions, in my letter of June 9 last.

Had he not been negotiating with General Augustin, in command of Manila in June? That is why I said I was satisfied that as early as June this “enemy” of Spain and this “ally” of ours was in treaty with Spaniards in Manila against us to save “from the shipwreck the sovereignty of Spain in these islands.”

Mr. TILLMAN. Did the Senator ever hear the fable of the wolf and the lamb?

Mr. SPOONER. I have heard pretty nearly all the fables. I could call one or two to mind for the benefit of the Senator if I wanted to, but I will not take the time. I will read this again:

I shall explain myself, General, to see if you can understand me, and to see whether it will be the same as with General Augustin, who did not care to pay any attention to the frank warnings I gave him, with noble intentions, in my letter of June 9 last. Time has unfortunately justified me, and I am able to declare that of all the Spanish generals you alone have known how to defend the Spanish flag in these islands.

“To defend the Spanish flag in these islands;” that flag of tyranny; that flag of cruelty; that flag of merciless and long-continued outrage in the islands.

Ah! if the others had only known how to sustain it as you have, how different would be to-day the sad condition of the Spanish Empire in these lands. * * *

Ally! Enemy of Spain!

I am informed that you are considering surrendering the place to us or to the Americans. After six months of vigorous siege and of total abandonment, I understand how you can prefer us to the others.

The way to make this surrender is to join us and proclaim the federation of the Filipino republic with the Spanish republic, recognizing the chieftainship of our honorable president, Señor Emilio Aguinaldo. A fraternal embrace will take place between Filipino Visayans and Spaniards; there will be hurrahs for Spain

Ally!

and the Filipinos united as a federal republic—

Independence of Spain I thought was the sole object of his life—your troops will pass into the common army—

What common army? You will see in a moment—

you will be promoted to be a lieutenant-general; the Spanish employees in the Visayas will be supported by us; the government will pass to our provincial councils and local juntas.

Those who want to go back to Spain will be sent back at our expense, with enough to pay their way to Spain, and the flags of Spain and the Filipines will

float side by side. You will give an account of this to Madrid and especially to Pl. Marfal; AND IN THE MEANTIME WE SHALL FIGHT THE AMERICANS TOGETHER.

Ally!

We shall conquer, and then we shall wait and adjust our future relations.

I will not take the time to read it all. He adds:

Your transfer to our side does not really involve treason to Spain, since the moment sovereignty passes to the Americans you are free to transfer your allegiance. This is in accordance with the principles of national honor. On the other hand, if you join us you cause the following: First, liberty for all the 9,000 Spanish prisoners in our hands—

He did not have them; he never had them—

and then it would serve as the first base of the new alliance between Spain and the Filipinos—

Three hundred years of oppression forgotten, love of liberty and independence inspiring every thought, he negotiated for an “alliance between Spain and the Filipinos”—

and then it would serve as the first base of the new alliance between Spain and the Filipinos, and then from both will come honor and applause for you as having been the one fortunate enough to effect it. This is all that I can say to you at present, and I hope that you will tell me that you agree with me, and then I shall be able to present this to MY GOVERNMENT and obtain from it an agreement to what I have written AS A PRIVATE INDIVIDUAL.

Your most respectful and affectionate,

1-1-9-6-1-M.

It is signed “1-1-9-6-1-M,” written on the paper used in the private office of the president, and “M,” the letter at the end of it, is the first letter in the word “Miong,” and “Miong” in the Philippine cipher is “Emilio.” Is there any warrant for my assertion that in June, as well as in October, before the demand, even by our commissioners, of a cession of the Philippines, he was in treaty with Spain for the purpose of fighting the Americans? Ally, indeed!

I can not go into further detail, Mr. President. You remember his anger, because his troops were not permitted to go into Manila with his army, and loot the city. Somebody denies that. It was denied here the other day; but in the papers that complaint, or demand, is made by his commissioners, and General Otis's reply, stating that there is no “spoil of war” according to our code of war, addressed to Aguinaldo himself as in reply to a demand of his. No repudiation of it ever came from Aguinaldo.

For months before he attacked us his position had been one of hostility. His soldiers had occupied a position of hostility.

It is said we recognized his cooperation and he cooperated with us in going in and taking Manila. I will not spend much time upon that except to say that one of his bitter complaints was from the beginning that he was ignored by the American commander; that our plans were not given to him; and when our troops attacked Manila he complained that he did not even have notice of it, apparently which was true.

Mr. PETTIGREW. As the Senator seems to be addressing me—

Mr. SPOONER. That was not my purpose.

Mr. PETTIGREW. I think that I am justified in interrupting him, with his permission.

Mr. SPOONER. I always address the most intelligent man on the jury.

Mr. PETTIGREW. Here again, Mr. President, the Senator is undertaking to compliment me because he thinks my education, having been under his father and under his tutelage, will reflect great honor upon himself. I will release him from any further allusion to that subject.

Mr. SPOONER. It was under my father's; not under mine. My father taught the Senator law. I am trying to teach him patriotism. [Laughter.]

Mr. PETTIGREW. Well, I am very glad to receive such instruction as the Senator can give; but it seems to me his stock is meager, or he would be more jealous of the honor of our flag than to defend the attack, under that banner, upon the liberties of another people.

Mr. SPOONER. I love the flag. Mr. President, I would be ashamed of the flag if it were the flag of a Government that had ever attacked the liberties of a people; and when I say to the Senator that, in my eye, there is no stain upon the flag—there was one once, but blood washed it away; there has been none since; there never will be one again—he will assume from my reply that I deny his statement that under our flag an attack has been made by this Government upon the liberties of a people. Will the Senator tell me where the flag of the United States has ever gone but as the flag of liberty, except, perhaps, to Mexico in the interest of slavery?

Mr. PETTIGREW. I will answer the Senator. I presume the information is correct, as all the information we get from Manila is censored. The newspapers publish a dispatch saying that our flag went to one of those islands, and, without losing a man, we murdered 300 of its inhabitants, and all within a month.

Mr. SPOONER. Mr. President, censoring is necessary sometimes, and I suppose it was necessary over in Manila, as it always is in the midst of military operations. I think if there had

been a censorship here there would have been less insurrection and bloodshed there. I do not mean to say anything against free speech, but I do mean to say, and I will prove it, that the cable has carried from here over there in rich abundance an encouragement to a prolongation of insurrection and warfare in the Philippines. I have no criticism of any word uttered in debate upon the treaty, whatever its effect might be. That was a present duty, that was a question pending before us for debate, and every Senator was right to give expression to every thought which occurred to him for it or against it. It is not always true morally, even in a free country, and I can remember the time when a great many good men in this country wept bitter tears of heart-breaking sorrow over words which, in the exercise of free speech, were spoken, which brought death, they thought, into many a home.

There is no reason, so far as I know, to believe that General Otis has kept any information from the President of the United States, from the Secretary of War, or from the Adjutant-General. He may have censored some things to the newspapers; every government in the world does that in time of war, and must do it.

I was saying that Aguinaldo bitterly complained—and there is nothing in the talk about our recognizing him and dealing with him as an ally and recognizing his forces as the forces of the government—that he was not notified even of our purpose, the time, or the plan of our attack upon Manila. It is stated, and I think it is true, that a portion of his men fired upon our troops—possibly by misadventure; that fifty of our men took 150 arms from his men, which were afterwards returned; and all the time in correspondence, Aguinaldo, so far from claiming recognition by our generals, is complaining that he did not receive it; and over and over again he was informed by General Anderson, by General Merritt, by General Otis in writing that the military officers of the United States had no power to recognize his government or him as President.

Mr. President, I should be glad to finish this evening, but I have lost so much time by interruptions that I hardly know whether I have trespassed in an unfair way upon the Senate.

EXECUTIVE SESSION.

Mr. CULLOM. If the Senator will allow me, I will move that the Senate proceed to the consideration of executive business.

The PRESIDING OFFICER. The question is on the motion of the Senator from Illinois, 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 eight minutes spent in executive session the doors were reopened, and (at 5 o'clock and 18 minutes p. m.) the Senate adjourned until to-morrow, Thursday, May 24, 1900, at 12 o'clock m.

NOMINATION.

Executive nomination received by the Senate May 23, 1900.

POSTMASTER.

John H. Mitchell, to be postmaster at Pueblo, in the county of Pueblo and State of Colorado, in the place of George Seaver, deceased.

CONFIRMATIONS.

Executive nominations confirmed by the Senate May 23, 1900.

PROMOTION IN THE ARMY.

Infantry arm.

Capt. William W. McCammon, Fourth Infantry, to be major, May 12, 1900.

APPOINTMENTS IN THE VOLUNTEER ARMY.

To be assistant quartermasters with the rank of captain.

Kensley J. Hampton, of Kentucky, May 9, 1900.

First Lieut. Peter W. Davison, Twenty-second Infantry, United States Army, May 12, 1900.

To be assistant commissary of subsistence with the rank of captain.

First Lieut. Henry G. Cole, Twenty-third Infantry, United States Army, May 15, 1900.

Forty-second Infantry.

First Sergt. Thomas Carl, Company A, Forty-second Infantry, United States Volunteers, to be second lieutenant, May 9, 1900.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, May 23, 1900.

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

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

PERSONAL EXPLANATION.

Mr. GROW. Mr. Speaker, I ask unanimous consent to make a personal explanation.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to make a personal explanation.

Mr. RICHARDSON. Before unanimous consent is given, I should like to know what is the nature of this.

The SPEAKER. The Chair will state that the gentleman stated to the Chair that he purposed rising to a question of personal privilege.

Mr. RICHARDSON. I have no objection to that.

Mr. GROW. It is a statement which has been made with reference to myself, and will take but a minute.

The SPEAKER. Without objection, the gentleman will proceed.

Mr. GROW. Alex. I. Yowell, in what he calls "My booklet for 1898," professing to get his information from Colonel Elliott, in charge of the Washington Aqueduct, has the following:

In June, 1862, at the request of the Secretary of the Interior, Hon. Caleb H. Smith, to whose Department the aqueduct had just been transferred, I accompanied the Secretary and a number of members of Congress on a tour of inspection of the aqueduct by way of the canal. Opposite Cabin John Bridge several of the party disembarked and walked to the bridge for a nearer view. Returning in hot haste, "Do you know," said the Hon. GALUSHA GROW to the Secretary, "that d—d rebel Meigs has put Jeff. Davis's name on the bridge?" Turning to me, the Secretary said: "The first order I give you is to cut Jeff. Davis's name off the bridge."

Mr. Speaker, yesterday for the first time I was informed of this statement, and that it has appeared in some newspapers as a historic fact. I never was at this bridge, alone or with anybody else, and never made any such declaration to any human being. [Applause.]

WAR-REVENUE TAXES.

Mr. PAYNE. Mr. Speaker, I am authorized by the Committee on Ways and Means to present the following resolution and ask unanimous consent for its present consideration.

The Clerk read as follows:

Resolved, That the Committee on Ways and Means have leave to sit during the recess to consider the subject of the revision and reduction of the war-revenue taxes.

The SPEAKER. Is there objection?

Mr. LIVINGSTON. I want to ask why we can not do that now? It is surely time that the war taxes should be scaled down; and why can not the Ways and Means Committee do that now?

Mr. PAYNE. If we get consent for this resolution, I will state to the gentleman fully.

Mr. LIVINGSTON. I would rather you do it before you get consent.

Mr. PAYNE. Very well; if I can have consent of the House for ten minutes, I will state the reasons.

The SPEAKER. The gentleman asks that he may have ten minutes for the purpose of explaining the resolution. Is there objection?

Mr. UNDERWOOD. Pending that, I would like to ask the gentleman from New York if, before any discussion on the passage of this resolution, he will not allow some time on both sides?

Mr. PAYNE. Very well. Say that there be ten minutes on each side, after the resolution is before the House. A reasonable time; I understand there are some matters pressing of some importance.

Mr. ROBINSON of Indiana. What do you consider a reasonable time.

Mr. PAYNE. A few minutes. I do not know that we need much time in this matter.

Mr. LIVINGSTON. I suggest to the gentleman having the resolution in charge that we have an hour's debate, thirty minutes on a side.

Mr. PAYNE. I understand there are matters of very pressing importance here this morning, and I do not want to take up so much time.

Mr. LIVINGSTON. We have got time to burn.

Mr. PAYNE. I think we can get along without taking up so much time.

Mr. ROBINSON of Indiana. I think it would save time if the gentleman would agree to that.

Mr. PAYNE. If I can have unanimous consent now and twenty minutes on a side, I am willing to consent to it.

Mr. SULZER. I hope it will be one-half hour on each side.

Mr. PAYNE. I think the minority of the committee would be content with twenty minutes on a side.

Mr. UNDERWOOD. The members of the Ways and Means Committee will consent to a half hour on each side.

Mr. PAYNE. Very well, Mr. Speaker, I will make that request.

Mr. DE ARMOND. I think, Mr. Speaker, there ought to be more time than that.

The SPEAKER. Objection is made.

Mr. STEELE. Who made the objection, Mr. Speaker?

Mr. DE ARMOND. I will inform the gentleman from Indiana

who made it. I did. The entire session has been frittered away, and if there is any reason for this we want to know it.

Mr. PAYNE. Mr. Speaker, I report, from the Committee on Ways and Means, House resolution 49, with the recommendation that it pass.

The SPEAKER. The gentleman from New York, chairman of the Committee on Ways and Means, makes the following privileged report.

The Clerk read as follows:

Concurrent resolution.

Resolved by the House of Representatives (the Senate concurring). That the President of the Senate and the Speaker of the House of Representatives be authorized to close the present session by adjourning their respective Houses on Wednesday, the 6th day of June, at 3 o'clock p. m.

Mr. PAYNE. Now, Mr. Speaker, I wish to make a few observations on that resolution without the consent of the gentlemen on the other side. The question has been asked why a bill was not brought in at this session for the reduction of the revenue. I will state briefly the reason why we are adjourning without doing it.

If gentlemen will consult the daily statements made by the Treasury Department, they will find that for the first six months of this fiscal year, ending the 31st day of December last, the entire surplus, over and above expenses, was \$21,000,000, or, to be more exact, \$21,026,934, an average of about three and a half millions per month.

For January the surplus was \$8,795,000; February, nearly eight millions; March, \$16,559,000, or, in all, \$33,000,000 for the three months of January, February, and March. For the month of April the surplus was \$4,188,000. The total for this month of May, including the report we received for the 22d, was \$938,223, making, in all, a total of \$59,458,313 for ten months and twenty-two days.

By the legislation of Congress in passing the financial bill, which became a law, I believe, on the 14th of March, over \$270,000,000 of the old bonds had been turned into the Treasury, and a like amount of the new 2 percents will be exchanged for them as soon as the bonds are prepared.

Gentlemen will recollect that under this law the Treasury Department was required to pay a certain amount on each \$100 of bonds, by the way of difference in the value of 3, 4, and 5 per cent bonds, having a number of years to run, and the 2 per cent bonds. This percentage of allowance was fixed by law, and the payment of the difference on the exchanges of the bonds, which the Treasury Department has paid out since the 14th day of March, amounts to over \$27,000,000. It has approached \$28,000,000 on this exchange for nearly two hundred and eighty millions of bonds.

I will not take the time to elaborate the saving of interest on this exchange of bonds, but it will be greatly in favor of the Treasury of the United States and the taxpayers of the United States that this exchange thus far has been made; and additions will be constantly made to it until perhaps one-half of the \$850,000,000 of bonds outstanding are thus refunded in the 2 per cent bonds.

Now, this refunding process and the \$28,000,000 paid out, all on these bonds, which have been surrendered to the Treasury, does not appear in the daily balances to cut down the surplus from day to day and month to month as revenue, but it is in the other part of the statement where it is a draft upon the balance in the Treasury of the United States. If gentlemen will take the time to look at it, they will find twenty-eight millions has been drawn from the balance in the Treasury of the United States during the process of refunding. This money has been paid out of the Treasury and is in the hands of the people who surrendered these bonds.

In addition to that, we have \$25,364,500 of bonds that were issued and became payable in 1891, which, when they became due were extended at a rate of 2 per cent interest for such time as the Government chooses they shall run. As gentlemen know, the Treasury has recently called in this \$25,300,000 of bonds, and fixed the time at which the interest shall cease upon them; during that time they will be turned into the Treasury of the United States, and the holders of them receive the amount due upon them, with interest, up to the date fixed by the Treasury, which, I think, is about the 1st of August.

Mr. SULZER. Will the gentleman allow me—

Mr. PAYNE. I would rather finish this statement; and then if gentlemen have questions which they desire to ask I shall be very glad to answer them if I can.

Mr. SULZER. The gentleman is talking by the sufferance of the House.

The SPEAKER. The gentleman from New York declines to yield.

Mr. PAYNE. This \$25,300,500 will be taken from the Treasury of the United States, from the surplus or balance now there. Adding this to the \$28,000,000 already expended for refunding, we have nearly \$53,000,000 which has been paid out or will soon be

paid out from the Treasury since March 14, to cut down the balance in the Treasury—an amount almost equal, lacking some five or six million dollars—of the amount of the surplus for the ten months and twenty-two days of the present year that have already elapsed; in other words, taking that surplus out of the Treasury of the United States.

Now, gentlemen will see, from the fact that our surplus income for the first six months averaged three and a half million dollars a month and then for January, February, and March amounted to \$33,000,000—\$11,000,000 a month—and since that time has fallen to about \$4,000,000 in April and less than \$1,000,000 for the first twenty-two days of May, that it will be unsafe to make any great general reduction in the war-revenue taxes at the present time.

The committee have had some hearings of various interests in the country, pressing forward to be heard on the subject of the reduction of the war revenue; and after the committee had got into those hearings they found that nearly every person who had to pay any of the war-revenue taxes was not only willing but anxious to have those taxes removed from his particular industry. Representatives of nearly every industry affected by that act appeared or wanted to appear before the committee—appeared sometimes in person and sometimes by written briefs—asking to have their taxes reduced.

So that the committee found that if they wished to please all the people of the United States who think themselves injured by this war-revenue act, who have complained of the taxes paid under it, we would have virtually to repeal this war-revenue act, or wipe out from the statute books more than \$100,000,000 annually of taxation. That would result of course in a deficit to the Treasury of the United States; and I may say, at least for a majority of the Committee on Ways and Means, that they do not propose to bring in any bill or to aid in passing through the House of Representatives any bill that will possibly create a deficit in the revenues of the United States. [Applause.] They propose to raise money enough to pay as we go along, to pay the expenses of the Government as we proceed. They propose, so far as they are able, to legislate upon those lines.

These are some of the considerations, Mr. Speaker, which have led the committee to think it unsafe to undertake to perfect a revenue bill until during the recess, when a bill may be framed that may be brought in next December and passed through the House.

Now, the object of the committee in asking—and it was a unanimous request on the part of the committee after the preliminary motions had been disposed of; and so far as the committee is concerned, I think all but one gentleman voted for it—the object in asking for permission to sit during the recess was that we might, during the recess, frame a bill with the aid of greater light which would be thrown on the surrounding circumstances by the revenue that may accrue from now until the time of the sitting of the next Congress, to prepare the bill and have it ready to be introduced in the House for passage on the first day of the next session and to receive early consideration in the House, that it might then become a law and that we might intelligently reduce taxation for the people of the United States and do it when the reduction would mean something.

If we should bring in the bill now, it would be for a very small reduction of taxation. If prosperity continues to the people of the United States—if these taxes keep coming in—if the condition of the Treasury will warrant it, when we meet next December we hope to be able to make a complete revision of this internal war-revenue taxation and a considerable reduction in the amount of taxes that will be raised. We do not want to go at it piecemeal, a little here and a little there. That would satisfy few or none, and disappoint many. We want to go at it when we can do it intelligently and with justice to all the people of the United States affected by it, and thus produce some good results for the country.

Mr. FITZGERALD of Massachusetts. Will the gentleman answer a question?

Mr. PAYNE. I yield to the gentleman for a question.

Mr. FITZGERALD of Massachusetts. Does the gentleman think it a proper proceeding to compel the people who are paying war taxes to refund \$25,000,000 of bonds issued in 1891?

Mr. PAYNE. Oh, Mr. Speaker, I think it is proper for the Government of the United States to pay all of its obligations—pay them in full, pay them in good money, and pay them by taxation upon the people of the United States.

Mr. FITZGERALD of Massachusetts. Taxation laid for what purposes?

Mr. PAYNE. Taxation laid for any purpose that will pay a debt. This debt was partially due to the war; the present debt is to a large amount due to the Spanish war; and I think the people should be able and willing, and they are able and willing, to pay the debts of the Government of the United States.

Mr. SULZER. Will the gentleman now permit a question?

Mr. PAYNE. Certainly.

Mr. SULZER. Mr. Speaker, I should like to know—

The SPEAKER. Does the gentleman from New York yield to his colleague?

Mr. PAYNE. Yes.

Mr. SULZER. I should like to know when the Republican party intends to reduce or repeal the war taxes?

Mr. PAYNE. Well, if the gentleman from New York does not now understand from what I have said, I can not give him any information on the subject that will penetrate him, I think.

Mr. SULZER. You do not intend to reduce the war taxes at this session, do you?

Mr. PAYNE. Well, I have answered the gentleman's question.

Mr. SULZER. You want to put it over until after the election.

Mr. PAYNE. Does the gentleman from Tennessee desire some time?

Mr. RICHARDSON. We want some time; yes.

Mr. PAYNE. How much time?

Mr. RICHARDSON. We want to discuss the measure. I myself shall use only a few minutes. I should like to have about twenty minutes.

Mr. PAYNE. I will yield twenty minutes to that side of the House. The gentleman can use it as he desires.

Mr. RICHARDSON. I only wish to use a few minutes, Mr. Speaker. I wish to say that in my opinion this Congress ought not to adjourn until some provision is made for the reduction of the war taxes. We can get along without the enormous sum now being collected under the war-tax measure. The Secretary of the Treasury has shown by his report to Congress that the surplus at the end of the present fiscal year will amount to nearly \$90,000,000. Now, Mr. Speaker, that being true, the gentleman from New York may juggle with figures, he may use figures to disguise this fact, but his Secretary of the Treasury tells us that there will be an enormous surplus growing out of the revenues for the present fiscal year. This being true, this Congress ought not to adjourn, I say, until it makes provision for some relief to the people from these onerous taxes.

I know when the war-tax measure passed it was claimed that it was an emergency measure. The war came suddenly, and it was necessary to enact hasty legislation; but, Mr. Speaker, this Congress has been in session six or seven months in a time of profound peace, and no effort whatever has been put forth by the majority to give the people any kind of relief from this burden of taxation. And now they propose to adjourn.

The gentleman from New York has made a statement about what occurred in committee. I do not like usually to do anything of that kind, but he has said that this motion to adjourn met with no opposition from the minority, after voting on certain preliminary motions.

Now, one of those preliminary motions, Mr. Speaker, was a resolution instructing that committee to report a resolution or a bill forthwith to reduce the war taxes 50 per cent before we adjourn, the bill to take effect July 1, 1900. That they will not agree to do. That would give some measure of relief to the people. Why not pass such a resolution? It can be passed in forty-eight hours or less time. Then if the gentleman admits that the war-tax measure was hastily prepared and that it will take time to prepare a measure to take its place, then if he thinks it is necessary for the Ways and Means Committee to sit during the recess in order to prepare a safe and wise measure making further reduction, this side of the House would not object to it, I venture to say. We are for any measure or any resolution and for any fair and reasonable steps that will reduce the burden of taxation now resting upon the people. [Applause.]

Mr. STEELE. Mr. Speaker—

The SPEAKER. Does the gentleman yield to the gentleman from Indiana?

Mr. RICHARDSON. Yes.

Mr. STEELE. You might have stated also that the minority favored selecting beer and giving the beer people relief from taxation, to the exclusion of other interests.

Mr. RICHARDSON. Are you opposed to that?

Mr. STEELE. Yes.

Mr. RICHARDSON. Well, I am not. I am in favor of repealing the war tax upon beer. [Applause on the Democratic side.] But, Mr. Speaker, the resolution which we introduced was to reduce all the war taxes 50 per cent, and we believe that, you being determined to adjourn early, possibly on the 6th day of June, as an emergency relief measure we might pass the bill reducing the war taxes 50 per cent and in this way get rid of some of the surplus that is being piled up in the Treasury and give immediate relief pro tanto to the people of this country.

Now, I do not care to occupy any more time, Mr. Speaker. I yield five minutes to the gentleman from Indiana [Mr. ROBINSON].

Mr. ROBINSON of Indiana. Mr. Speaker, the Republican party and its members of the Ways and Means Committee of the House of Representatives have not kept faith with the taxpayers

of the country. The Republican members of that committee formulate for their party its policies on the subject of taxation. Under the Constitution, all bills for raising revenue must originate in the House of Representatives, and, under the rules, they are considered by the Ways and Means Committee.

The Republican members of that committee formulate policies independently of the minority members thereon. A notable instance of this occurred in 1896 and 1897. The Republican members of the Ways and Means Committee of the Fifty-fourth Congress, assured of reappointment on that committee in the Fifty-fifth Congress, met prior to the extra session of 1897 and for many weeks had hearings and took hundreds of pages of testimony on the subject of taxation. Their Democratic conferees, under the political policy adopted, were not admitted to and did not participate in these hearings. I refer to these matters to show the absolute control the Republican members have over the policies and deliberations of that committee and over the policy of the Republican party in matters of taxation.

By the resolution now presented to the House by the distinguished leader of the Republican party on the floor, the chairman of the Ways and Means Committee [Mr. PAYNE], that committee asks to sit during the recess of Congress. The Republican party has control of this Congress and of this committee, as it had of the last, and it is responsible for nonaction on the subject of stamp taxes.

Gentlemen, how much can the Americans be taxed and still forbear? The question was once asked of an Irish milkman, "When do you cease to pour water in your can?" and the wit quickly responded, "I never stop till the people cry out."

Sir, the people are crying out to-day against this unnecessary and excessive taxation, and not without cause. What cause withholds from them a lessening of the burden of this war tax? A stamp tax is now, and always has been, burdensome and oppressive to the people. It has been unpopular ever since the tea was tipped over into Boston Harbor down to the present hour. The purposes for which the war taxes were imposed have passed, but the taxes are still carefully kept up. What is the pretext for the Republican members of the committee sitting during the recess of Congress?

The real motive is found in the righteous indignation of the people who are oppressed, as expressed in the hearings before the committee and by the complaints throughout the country. It is avowed by the committee that time should be granted to consider the subject. The committee had hearings on the subject in March, in April, and in May, and during that time took copious testimony. Its hearings have included the testimony of merchants' associations, jewelers' associations, surety companies, insurance companies—life, fire, marine, accident, employers' liability, and burglary—of brewers' associations, commissioned brokers and traders, retail druggists, pharmaceutical associations, and, in addition, of individual citizens and merchants whose special trades are discriminated against and burdened by this tax.

Those who appeared before the committee represented thousands of merchants throughout the country and hundreds of thousands of people engaged in the lines affected. Scores of petitions have been sent to members of Congress by people asking to be relieved from the unnecessary burden of the stamp tax; yet the committee halt and ask for time to consider and deliberate.

My friends, your promises have been made in the past, and as regularly have been unfulfilled, passed over, and forgotten. Beware of asking for time; burdened taxpayers accord it never when it seems, as it does to those in these industries, that they have been selected out for special sacrifice and burden.

The war-tax act includes but 51 sections and covers less than 24 pages in its printed form. It was passed by the House on the 29th day of April, 1898, after but three days' consideration. The thousands of petitions asking for its modification or repeal have rested with the committee during this session, and the committee long since have heard the arguments at the hearing; yet they have not acted.

The Republican members of the committee are the most experienced and of the longest service of any members of the House. The 10 Republican members of the Ways and Means Committee have an average service in Congress of twelve years, and a total service of one hundred and eighteen years. Such service, experience, and ability would repeal the stamp tax on the proof already adduced if it were the Republican policy to repeal it, but it is not. It will not be repealed by the Republicans after the election.

Promises made now or hereafter by that party to repeal or modify it, or to correct its inequalities and injustices are shadowy and insubstantial. In proof of this we need only to remember the speech just made on the floor by the gentleman from New York [Mr. PAYNE], giving reasons why the war tax should not be repealed at this time, and giving as an additional reason why it should not be repealed that there was a refunding process now going on at the Treasury Department. The gentleman then in the following language exposes the hypocrisy of the committee in asking for leave to sit during recess and at once uses language

which shows the futility of all hope based upon the equivocal promise made for the committee. He said:

These are some of the considerations, Mr. Speaker, which have led the committee to think it unsafe to undertake to perfect a revenue bill until during the recess, when a bill may be framed that may be brought in next December and passed through the House.

Note the language, "During the recess, when a bill may be framed that may be brought in next December."

"Honesty is the best policy," is a safe rule in affairs public as well as private. Is the reflex of this motto found in passing a stamp tax to raise revenue for war, and, after the causes have passed, in keeping it up to other ends and for other purposes? Is it honesty to the people to levy taxes which are patriotically submitted to to furnish the sinews of war, and then continue these burdens to aid in a scheme of refunding, especially when the surplus is in the banks scattered throughout the country?

The Spanish war was formally declared on the 25th of April, 1898, and on the 12th day of August thereafter preliminary terms of peace were arranged, and hostilities had theretofore ceased. The war was indeed the shortest known in modern times.

As bearing upon the purposes and duration of this tax, the duty of Congress in the premises, and the present conditions that imperatively press that duty upon us I shall read some record proof. I shall first read from the debates on the war-tax bill from the 27th to the 29th of April, 1898, and from sages, prophets, and leaders of the Republican party in charge of the bill:

Mr. DINGLEY. Mr. Chairman, this bill, as the title indicates, is a war measure—a measure forced upon us by reason of the fact that the United States is now engaged in a war with Spain, and it is in view of this fact that the Committee on Ways and Means have felt called upon to take early action with reference to replenishing the Treasury and furnishing a revenue for carrying on the war.

Mr. DOLLIVER. I have said these things because I want the House to understand that the measure which is here proposed is no confession on our part of the failure of the Dingley bill. It aims to create new revenues to cover new expenditures. It levies war taxes because we are on the threshold of war times.

Mr. HOPKINS. Mr. Chairman, the bill we have under consideration is, as has been well stated by the gentlemen on this side who have preceded me, prepared not to carry on and pay the necessary expenses of the Government in time of peace, but to meet the expenses of the emergency that is upon us.

Mr. CANNON. I understand, in the third place, when the war ceases, that it will be the duty of the general Congress to immediately—when we have no longer need for these revenues—repeal the law. [Applause.] That is what I understand. * * * It is strictly and exclusively a war-revenue matter.

And further he said:

Not one dollar will be raised by taxation; not one dollar will be raised by borrowing, except as it is needed. If the war ends in six months, as the gentleman from Kentucky thinks it will, then we shall be in a position six months from now to repeal this taxation.

Mr. PAYNE, who succeeded to the leadership after the death of the lamented Mr. Dingley and is now chairman of the Ways and Means Committee, on April 29, 1898, used this language:

The proposition of the gentleman from Massachusetts is that we provide here for a set of bonds that would be payable in three years, because, he says, he wants to continue these war taxes and pay these bonds. The proposition of the committee is that when the war is over we cut off the war taxes [applause], and that we pay the bonds as we paid the bonds of the late war—out of the usual and ordinary taxes of the Government.

Mr. Speaker, let me show that every reason exists for carrying out these pledges. From the report of the Secretary of the Treasury of this day I glean that the reserve fund is \$150,000,000, available cash balance \$143,000,000, making the total surplus, including the gold reserve, \$293,000,000. By the same report the daily monthly receipts and expenditures, and the total of the same so far for this fiscal year, are shown to be as follows:

Receipts and expenditures.	This day.	This month.	This fiscal year.
RECEIPTS.			
Customs	\$1,014,081.94	\$12,299,590.30	\$209,391,815.15
Internal revenue	951,273.81	16,758,389.45	280,451,713.29
Miscellaneous	195,207.58	2,745,244.04	34,346,758.07
Total receipts	2,160,513.33	31,803,223.79	504,190,286.51
EXPENDITURES.			
Civil and miscellaneous	330,000.00	7,105,000.00	94,946,528.21
War	750,000.00	6,380,000.00	124,166,544.51
Navy	360,000.00	4,190,000.00	50,080,528.31
Indians	40,000.00	645,000.00	8,864,332.91
Pensions	405,000.00	9,645,000.00	127,490,159.27
Interest	100,000.00	2,900,000.00	39,174,880.00
Total expenditures	1,985,000.00	30,865,000.00	444,731,973.21
Excess of receipts over expenditures	175,513.33	938,223.79	59,458,313.30

In response to resolutions of inquiry by the Senate and House the Secretary of the Treasury on dates of April 9 and 24, 1900, furnished these facts:

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, D. C., April 9, 1900.

SIR: I am in receipt of the resolution of the House of Representatives of April 2, 1900, as follows:

"Resolved, That the Secretary of the Treasury be, and he hereby is, re-

quested to inform the House of Representatives whether, in his opinion, based upon such knowledge as he has, the present laws for the raising of revenue are creating and will continue to create a surplus in the Treasury over and above the wants of the Government, and if so, to what extent at the end of the current fiscal year, and a like report as to the fiscal year ending June 30, 1901. That he also report to the House of Representatives his estimates of the probable receipts of the Treasury from all sources of revenue for those years, to wit, customs, internal revenue, and miscellaneous sources.

"Resolved, That he also report to the House of Representatives the amount of internal-revenue taxes received under an act entitled 'An act to provide ways and means to meet war expenditures, and for other purposes,' approved June 13, 1898, upon articles not theretofore taxed; that said statement be itemized as far as possible for the year ending June 30, 1899, and for the nine months ending March 31, 1900."

In reply thereto, I have the honor to submit the following:

Receipts and expenditures.	Fiscal year ending June 30—	
	1900.	1901.
RECEIPTS.		
Customs	\$233,000,000	\$240,000,000
Internal revenue	292,000,000	300,000,000
Miscellaneous	35,000,000	37,000,000
Total	560,000,000	577,000,000
EXPENDITURES.		
Civil	\$104,000,000	\$115,000,000
War	135,000,000	125,000,000
Navy	55,000,000	60,000,000
Indians	11,000,000	10,000,000
Pensions	143,000,000	145,000,000
Interest	42,000,000	40,000,000
Total	490,000,000	495,000,000
Estimated surplus	70,000,000	82,000,000

Internal-revenue taxes received under war-revenue act of June 13, 1898, upon articles not theretofore taxed, fiscal year 1899 and first nine months of fiscal year 1900:

Articles.	1899.	First nine months 1900.
Schedule A	\$38,618,081.20	\$27,439,621.66
Schedule B	5,219,737.46	3,468,800.05
Legacies	1,235,435.25	1,060,871.56
Excise tax	643,446.41	820,101.28
Mixed fund	7,840.62	6,314.13
Total	45,724,540.94	33,330,708.68
Total		79,055,249.00

Respectfully,

L. J. GAGE, Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

Statement showing the amount of internal revenue collected under the war-revenue act from June 13, 1898, to March 31, 1900.

Objects of taxation.	Amount collected.
Cigars	\$5,202,691.00
Cigarettes	2,442,020.53
Snuff	1,641,281.51
Tobacco, chewing and smoking	27,070,113.79
Dealers in leaf tobacco	127,170.79
Dealers in manufactured tobacco	30,637.50
Manufacturers of tobacco	39,183.57
Manufacturers of cigars	446,724.89
Miscellaneous collections relating to tobacco	773,175.30
Fermented liquors	59,930,631.83
Additional collections on fermented liquors stored in warehouse	197,936.13
Mixed flour	14,154.75
Bankers, capital not exceeding \$25,000	712,426.19
Bankers, capital exceeding \$25,000, for each additional \$1,000 in excess of \$25,000	6,066,155.03
Billiard rooms	583,443.08
Brokers, stocks, bonds, etc.	559,356.13
Brokers, commercial	277,016.66
Brokers, custom-house	11,860.52
Brokers, pawn	71,756.33
Bowling alleys	90,628.46
Circuses	28,929.11
Exhibitions not otherwise provided for	148,759.50
Theaters, museums, and concert halls	97,729.59
Legacies	2,896,306.81
Schedule A	66,781,776.80
Schedule B	8,693,881.17
Excise tax on gross receipts	1,463,547.69
Total	183,405,292.45

This shows the condition of the Treasury as to receipts, expenditures, and surplus. Why tax to build up a surplus? A surplus becomes a prey to extravagance in appropriations and to profligate waste. A safety check to lavish expenditures is wanting when a large surplus is piled up in the Treasury. The experience of other countries and the experience of this country makes the proof of this fact so patent that it is known of all men. Place

temptation in the way of extravagance, and people will be found to embrace the opportunity to grab and to loot.

In governmental affairs this will be so, though the malfeasance does not extend to peculation and misappropriation. A surplus begets a spirit of liberality in public expenditure which runs riot, and which, in the end, and inevitably, will lead to negligence and gross remission in duty. Can anyone doubt but that facility and opportunity gave us the crop of scoundrels who robbed our Government in Cuba and blotted our name among her people? So it ever has been and ever will be, and the party that gathers up by excessive and unjust taxation a large surplus, to be the prey of those who would feed on public revenue, and who, like vultures, lie ready to seize it, are not nearly so considerate of public welfare as a party intrusted with power should be.

Just prior to the assembling of Congress this session Assistant Treasurer Vanderlip, preparing the way for anticipating and paying the interest to the bondholders in advance, gave out this interview:

"The Treasury is in a position to undertake very readily the prepayment of all the interest due during this fiscal year, large as is that amount," said Assistant Secretary of the Treasury Vanderlip yesterday. "The cash balance is an extraordinarily large one, being now nearly \$290,000,000. It was larger than this a year ago, but we were then just receiving the payments for the \$300,000,000 war loan. Our cash balance now, however, is far larger than it has averaged for many years, and if receipts continue to bear anything like so favorable a relation to expenditures as they have recently it promises to be still larger instead of being reduced."

The party in power refuses to take off the stamp tax and save the people so far from taxation, though this stamp tax was passed as a "tribute to patriotism" and was to be removed as soon as the Spanish war was over. Hundreds of millions are now accumulated in the Treasury, wrung from the people by stamp and other taxation. So much, indeed, is accumulated in Washington that the favorite banks of the country must take it and hold it and loan it out to the people to prevent a panic in the stock markets and throughout the country, and this "endless-chain" process is said to be a good thing, as it enables the people to borrow the money to meet the national taxation that is piling up so high in the vaults of the Treasury.

Some may say that this large surplus should be devoted to the payment of the national debt. This is true, but it is the policy of the party in power to keep a large bonded indebtedness in existence, for upon the national bonds the national banks are founded, and a new system of security would have to be built up if the Government bonds were wiped out and pro tanto the same result would ensue if the bonds were partially paid off. Under the present policy but a small proportion of the bonded indebtedness comparatively will be paid off by the surplus, present and accumulating, and in this view a reduction of stamp tax is the only available expedient.

The people South and West, and the people of small property everywhere, are burdened with this obnoxious war stamp tax, and cry out for relief. Their complaints are not heard amid the jingling of their money into the Treasury's surplus. They must continue to pay this stamp tax on their muniments of title, on their deeds, their papers, and their transfers. The tax itself, if just and necessary, would be less burden than the trouble and anxiety of seeking stamps where they can not be found, and the danger and risks of not having the stamp with the Government's impress and thus rendering their papers void or ineffective.

Mr. Speaker, aside from the general proposition that looks to a repeal of the law, there are special features that could have been easily corrected.

The telegraph and shifted express stamp tax by a few words, a line, could have been easily corrected and adjusted. The express and telegraph corporations, with their usual facility in escaping taxation, an attribute of organizations of their class, were able to shift from themselves to the people who send the telegrams and packages the tax that Congress sought to impose on them. It matters but little to the people who have this tax to pay whether this result is made easy by the language used in the original House bill or as changed in the Senate or as finally changed in conference.

The committee refuses to consider and report, and the House refuses to pass an amendment correcting this, and the people continue to pay while the surplus is accumulating in the Treasury.

The great burdens imposed on particular articles, particular trades and businesses, easily could have been corrected; but, sir, it was not the policy of the party in power to do so. Thousands have petitioned the committee for relief, but a deaf ear has been turned to their appeals.

The following lines of business and articles are most affected by the tax: Medicinal proprietary articles and preparations; the senders of telegrams and express packages; checks, deeds, notes, mortgages, and legal papers; shows, and gaming places and devices; ale, beer, wines, and liquors; dealers and manufacturers of cigars; commercial and other brokers; insurance of all classes, including casualty.

Druggists are obliged to stamp packages of prepared medicines, manufactured or compounded by themselves, which amounts to a special tax on them.

These matters were fully explained to the committee, and emphatic protests filed. As evidence of the care and earnestness of the petitioners, I will read a few extracts from the printed reports of the hearings before the Ways and Means Committee.

Mr. Charles Heber Clark, of Pennsylvania, said:

It means, simply stated, if I may be permitted to use the expression in its naked deformity, you come up among the everlasting hills of where we have our factory in Pennsylvania and take \$7,000 out of my pocket, which I want, and which you have no use for whatever, and you send it up to the Treasury Department and then the Treasury Department sends it over to a bank in New York and that bank loans it out at interest and puts the money in the pockets of its stockholders. (Applause by bystanders.)

There is no note by the reporter that the Republican members of the committee applauded these utterances. Further he said:

The whole point I want to make for myself is this: When there is war we are willing to do just as much for our country as anybody else, and we have always done it. We furnished about 600,000 pieces of material for use of the soldiers in Cuba, and we have evidence which we can produce to you showing that those articles preserved the lives of our soldiers; and on a great many of the articles we sold at about half price to the Government, on account of the competition, we were compelled to place revenue stamps, and we did not care anything about it; it was something that we did with pleasure. But when the time of peace comes and there is no exigency of war, and there is no other exigency, when you do not want that money, I say that, while you have the legal and constitutional right to do it, you have no moral right—allow me to say with all courtesy—you have no moral right to take that money out of my pocket.

Mr. Clark, in response to a question, said:

If there is an oppressive or unjust taxation on anybody, it ought to be taken off. That is a good general statement to make. I have had the honor of speaking on the platform in political campaigns with one of the members of this committee, and I will say that if I were to go out on the stump next fall, and on the Democratic side (and I do not believe I ever would do that), I would not ask anything better than to be able to prove that a Republican Congress is permitting \$80,000,000 or \$90,000,000 to be taken away from the people to be sent over to be distributed through New York banks.

Mr. J. H. Drabelle, of St. Louis, in his statement before the committee, to show that the trade patriotically accepted the war tax as such, and during the exigency was willing to bear its burdens, presented a letter which was sent out to the trade, which reads as follows:

St. LOUIS, June 11, 1898.

LISTERINE AND THE STAMP TAX.

The prices and terms of our physicians' specialties, listerine and Lambert's lithiated hydrangea, will not be affected by the passage of the stamp act.

N. B.—We consider the stamp tax excessive and burdensome. We therefore believe it will be of short duration. Rather than disturb our present relations with the trade, we have decided to pay the tax ourselves.

Yours, truly,

LAMBERT PHARMACAL COMPANY.

And among other things in his argument he said:

Now, as to the time for the removal of this tax, I simply want to say one word about that. We all know this war tax was a necessity. It was levied as a necessity and only for war purposes. There was no pledge and no assurance of Congress that it would be maintained any longer than the necessity existed, and has not that necessity passed? The reports of the Secretary of the Treasury seem to indicate it has.

Mr. Speaker, the stamp tax, called the war tax, was imposed by Congress to provide means to carry on the Spanish war. That war has been long over, and the increasing surplus in the Treasury calls loudly for a relief to the people from this extraordinary tax, and, unconnected with the moral obligation, to keep plighted faith with that people and repeal it as promised. The Republican members of the Ways and Means Committee and of Congress have had long notice. That party should have granted relief this session of Congress. They are charged with the obligation, and for failure will be held responsible by the people.

The SPEAKER. The time of the gentleman has expired.

Mr. ROBINSON of Indiana. I ask to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Indiana asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. STEELE. I object.

The SPEAKER. The gentleman from Tennessee [Mr. RICHARDSON].

Mr. RICHARDSON. I yield five minutes to the gentleman from Alabama [Mr. UNDERWOOD].

Mr. UNDERWOOD. Mr. Speaker, this Congress has been in session since the first Monday in last December, and the resolution now before the House proposes an adjournment on the 6th day of next June. With the general appropriation bills disposed of, I should welcome an adjournment, as it would stop the passage of Republican legislation, which, as a rule, I do not believe is beneficial to the country, if it were not for the fact that no action has been taken to relieve the people of the unjust and unequal burdens of taxation that have been put upon them by the act known as the "war-revenue bill" and the Dingley tariff act by the last two Congresses.

When the war-revenue act was passed it was claimed by its friends that it was necessary to enact it as a war measure to provide for the increased expenditures of the Government growing

out of the war with Spain. It has been nearly two years since the peace protocol was signed by the President. The emergency no longer exists, and the statements issued by the Secretary of the Treasury as to the condition of our finances show that there is a surplus in the Treasury of between seventy and eighty millions of dollars.

During the last five months that we have been in session almost every business interest in the country has appeared before the Ways and Means Committee to request the repeal or modification of this bill, and have clearly demonstrated the injury that results from it to the general business interests of the country. I do not know how this can be more clearly shown than to read a few of the statements made by the business men of the country before the Ways and Means Committee at the various hearings before that committee this winter.

Mr. Charles D. Wilson, president of the Consolidated Stock and Petroleum Exchange of New York, in his statements before the committee, said:

The extent of the surplus for the current fiscal year has been variously estimated by the Secretary of the Treasury at different times. In his annual report, submitted with the President's message of December 6, 1898, Mr. Gage predicted that for the fiscal year ending June 30, 1900, there would be a deficit of \$30,000,000. In the year that intervened between this report and that of December 7, 1899, the rebellion in the Philippines had broken out, involving the Government in extraordinary outlay. The revenue laws had remained unchanged.

Their yield, however, was so far surpassing previous expectations that in the report of December, 1899, Mr. Gage estimated that the surplus for the fiscal year of 1900 would be \$40,000,000. Two months of that fiscal year still remain to run. Up to April 28, 1900, the United States Treasury has received during the year \$469,000,000 and paid out \$412,000,000. The surplus has thus already reached \$57,000,000 in spite of the unusual disbursements in connection with the refunding scheme during the past month. Of this surplus of \$57,000,000 only \$21,000,000 had accumulated in the six months from July 1, 1899, to January 1, 1900, \$36,000,000 having been added in the four months since January 1. It is small wonder that the Secretary of the Treasury, compelled once more to revise his estimates, is now quoted in the press as expecting the surplus to reach \$80,000,000 by July 1, an estimate of \$40,000,000 higher than that made by him five months ago.

The surplus revenues thus accumulating at the rate of \$80,000,000 per annum are added to a Treasury already filled to overflowing. On April 28, 1900, the free surplus in the United States Treasury, in addition to the \$150,000,000 held in the bureau of issue and redemption, was \$147,843,631.26. The reason for this extraordinarily rapid accumulation of surplus is a simple one. It lies in the equally extraordinary increase of the Government revenues. For the fiscal year 1896 the revenue of the Government was \$327,000,000, and its need (for there was a deficit of \$25,000,000) was for \$352,000,000. In 1897, the fiscal year during which President McKinley came into office, the revenue raised was \$348,000,000, and the amount needed \$365,000,000. In 1899, the first year of the joint operation of the Dingley bill and the war-revenue act, the revenue reached \$516,000,000.

In the first ten months of this fiscal year it has amounted to more than \$470,000,000. If, ignoring all tendency to progressive increase, we estimate the yield for the last two months on the basis of the first ten, the total for this year will be over \$565,000,000. Assuming that the increase from 1900 to 1901 will be at the same rate as that between 1899 and 1900, we find that in the last year of this Administration the revenue raised will amount to \$618,000,000. President McKinley's Administration began in a year when the Government needed \$365,000,000. It will end in a year when the Government will raise \$618,000,000. The burden of taxation will thus, if the war-revenue act be permitted to stand, have in the space of four years been increased by 70 per cent.

Nor is this all. Of this increase, by far the greater portion will be in the yield of the internal-revenue taxes. In the fiscal year 1897 the internal-revenue proceeds amounted to \$147,000,000. In 1899 revenue from this source was \$272,000,000. In the first ten months of 1900 it has been \$243,000,000. Computing the yield for May and June on the basis of the last ten months, the total for the fiscal year will be \$322,000,000. Allowing, as before, for the same increase from 1900 to 1901 as from 1899 to 1900, we must expect that the internal-revenue income for the fiscal year 1901 will be over \$313,000,000—that is to say, the taxes which must in their entirety be borne by the people at home, the taxes no part of which the foreigner can pay, have doubled since 1897, and will be 113 per cent greater when President McKinley's term ends than when it began.

And yet, with this enormous and unjust increase of the burdens of taxation put upon the people during this Administration, this Republican Congress is now willing to adjourn and return to the people without even attempting to make the effort to reduce the enormous amount of taxes that is being raised.

To show how heavily these increased burdens rest upon the people of the country, and how dangerously they affect the business interests of the country, I will read from statements made by others before the Ways and Means Committee.

Mr. Rudolph Brand, president of the United States Brewers' Association, said:

Congress imposed this additional war tax upon our product in spite of the fact that fully two-thirds of the legitimate revenue sources of the country, resorted to in 1863 and 1863, remained wholly untaxed. We paid this exorbitant and unjust extra tax—a tax representing 40 per cent of the price of our product—during two years. We paid it, candidly speaking, under protest; we paid it under industrial and commercial difficulties which brought to many of us utter ruin, to some of us a serious impairment of business prosperity, and to all of us such a measure of financial embarrassments as no industry in the world has ever been exposed to by the lawmakers of its own country. The effect upon the whole trade is clearly demonstrated by the fact that during the past year—a year of unprecedented affluence in all branches of American commerce and industry—the production of beer (which is liquid bread to thousands upon thousands of our people) has decreased by 1,000,000 barrels; and this disastrous effect, the economic result of the double war tax, is felt not only by the brewers, by the growers of barley, of corn, and of hops, but also by very many important industries which depend almost exclusively upon brewing, and particularly by the great mass of consumers.

The former tax on beer amounted to \$1 per barrel. The war-revenue bill increased it 100 per cent, making it \$3 per barrel. The

total revenue raised is about \$70,000,000, which is enormously out of proportion to the capital invested.

Mr. N. W. Kendall, of New Haven, Conn., vice-president of the Brewers' Association, in that connection stated:

In the same period insolvencies, bankruptcies, and consolidation of breweries have become daily occurrences, and the number of newly formed brewing companies in the hands of receivers and of companies who are unable to pay interest upon their liabilities are increasing at an astounding rate. All these deplorable conditions prevail at a time of general prosperity in all other lines of business.

Mr. George P. Englehard, of Chicago, Ill., a representative of the Chicago Retail Druggists' Association, said:

The tax, therefore, is vastly broader in scope than under the former revenue law on this subject, which was limited to proprietary medicines or those of secret composition. It strikes practically all drugs and medicines save those dispensed on a physician's prescription. It is consequently not a patent-medicine tax, but a tax without discrimination upon all prepared medicines, just as would be a special tax upon the entire package stock of the grocer or of the dry goods or the hardware merchant.

It is said that the intent of the act was primarily to tax patented medicines, when, as a matter of fact, there are practically no American patented medicines in the market, the only remedies of the patented class sold in this country being the vast and increasing host of foreign synthetics, which, by a strange anomaly, are specifically exempt from taxation as being "uncompounded chemicals." Schedule B, therefore, violently reverses the principle of protection to domestic industry and trade by chaining American manufacturers and merchants to a ruinous system of taxation while graciously according full freedom to the manufacturers of a nation perhaps least entitled to the distinction on the principle of reciprocity.

He further stated:

Of the total revenue derived from Schedule B, \$5,200,000 for the fiscal year ending June 30 last, probably not less than \$3,200,000 was paid by the 38,000 retail druggists in the country, an average of \$85 per capita. Why does not the druggist transfer all, or at least a part, of the huge burden to the people? He can not. Proprietary articles usually have their retail prices on their labels, and to collect an extra 1½ or 2½ cents from the purchaser is manifestly impracticable. Druggists are, moreover, obliged, as before stated, to stamp every package of prepared medicines manufactured or compounded by themselves. Why this special discriminating tax on medicines? Why tax medicine, proprietary or otherwise, and not foods and clothing and jewelry?

He further stated:

How grievous is the burden a brief, though necessarily approximate, calculation will indicate. The sales of the average druggist in the average country town aggregate about \$15 per day, or about \$5,000 a year. About 60 per cent of this total consists of taxable articles, or \$3,000; 20 per cent of this is borne by the manufacturers, who failed to add the tax to their prices, leaving \$2,400 on which the druggist pays the tax. By reason of prevailing cut rates, averaging 30 per cent, the taxable value of this \$2,400 would be represented by \$3,000, on which the tax of 2½ per cent would be nearly \$75. His net profit on a business of \$5,000 would not probably exceed \$1,000, out of which he would pay \$75, or 7½ per cent of his net income. And this despite the fact that he is paying his full pro rata of all the other special taxes—on his alcohol, so largely used in his business; on everything for which other citizens are taxed. Why this special and indefensible 7½ per cent income tax on men who have special claims to exemption from the burden, since if they transferred it to their patrons it would fall upon those who merited still less the infliction—the needy, sick, and suffering?

Mr. R. I. Eads, representing the Indiana Pharmaceutical Association, said:

Our proportion of this tax has been so great that it has been absolutely destructive to the business, directly attributable to that, I believe, of a great many retail druggists, and we feel that there is no particular section of the country that needs redress and relief from it to a greater extent than we do.

In the same connection Mr. Charles Heber Clark, of Conshohocken, Pa., stated:

Now, Mr. Chairman, you and the gentlemen here know a great deal more than I do about the revenues of the Government under the present condition of the Treasury; but if you will permit me, I will state what seems to be the naked fact in regard to my own particular industry. It is this: You have probably \$80,000,000 surplus revenue in the Treasury. During this current fiscal year you will collect about \$72,000,000 more than you want, and the next year, according to what the Secretary says, you will collect about eighty-two or eighty-three million dollars which you will have no use for.

It means, simply stated, if I may be permitted to use the expression in its naked deformity, you come up among the everlasting hills of where we have our factory in Pennsylvania and take \$7,000 out of my pocket, which I want, and which you have no use for whatever, and you send it up to the Treasury Department, and then the Treasury Department sends it over to a bank in New York, and that bank loans it out at interest and puts the money in the pockets of its stockholders. That money is taken, not under the process of taxation, but of confiscation. It belongs to me; it does not belong to the Government of the United States; and, representing the gentlemen who are subjected to that wrong—for that is what it is, a most grievous wrong—with all the respect I can show, I beg to enter my solemn protest against that proceeding and to ask that you shall not modify or in any way tamper with Schedule B, but we ask that you shall repeal it by some process or other.

In the same connection Mr. J. H. Drabelle, representing the Lambert Company, of St. Louis, said:

It seems to me that it is not necessary to say to any intelligent man that a tax of that size is, I will not say grossly large, because I do not believe in epithets of any kind whatever, but it is an extraordinarily large tax, 4½ per cent on your gross receipts. What does that mean, gentlemen? That means on your net receipts you must quadruple that; possibly it may be five times that. In other words, gentlemen, if the profit to the Lambert Company on one bottle of listerine is 10 cents, it amounts to 25 per cent on the net receipts of that company; that is what it amounts to. Now, as I have said, I simply believe in giving evidence. The company I represent pays 4½ per cent on our gross receipts, and that is equivalent, as I say, to a tax of 25 per cent on our net profits, and it is not necessary to say to you, gentlemen, that a tax on an income of 25 per cent is an outrage.

I might go on indefinitely quoting from statements made by the officers of the merchant associations of New York, both wholesale and retail, from the tobacco manufacturers and from other citizens, for the repeal of the stamp tax on checks, the stamp tax

on express receipts, the stamp tax on warehouse receipts, etc., but it is unnecessary.

It is undoubtedly an evil to have a vast and increasing surplus in the Treasury; it is not only an unjust and unequal burden on the people of the country, but it offers a great temptation for wild and extravagant expenditures. An economic expenditure of public funds is always more safely maintained when the Treasury balance must be guarded in order that the expenditures may not exceed the receipts. But I do not believe that the greatest cause of complaint against the war-revenue bill lies in the fact that we have accumulated a vast surplus in the Treasury. No taxation is just unless the burdens of taxation are fairly distributed among all classes of people in proportion to the benefits they receive from the Government.

There is no provision in this bill by which the idle and unemployed wealth of the country is taxed, but the entire burdens of taxation rests on the brains and energy of the business interests of the country. The Republican party has put this tax on the men who develop the country and give employment to labor. If a man has invested his millions in Government bonds, they have said to him that he can go untaxed, but if he has invested his money in a manufacturing enterprise, in an iron furnace, or a brewery, or a railroad, where he can give employment to labor and develop the country, you say to that man that he must bear the burdens of taxation.

If you are going to discriminate in any way in levying the taxes in this country between idle wealth and productive wealth, I believe that the discrimination should fall on the idle wealth rather than the productive wealth. I would rather pass laws that would encourage a man who has money to make investments that will develop the country and give employment to labor rather than encourage him to invest his money in bonds and other securities, from which no one receives any benefit but himself.

For these reasons I voted against the war-revenue bill when it was enacted in the Fifty-fifth Congress. I still believe that it is an unwise and an unjust measure, and I believe that the Republican party is recreant to the trust that has been imposed upon it if it adjourns this session of Congress without attempting in some way to alleviate the burdens that it has placed upon the people by the repeal or modification of this law. [Applause.]

Mr. RICHARDSON. I yield three minutes to the gentleman from Massachusetts.

[Mr. FITZGERALD of Massachusetts addressed the House. See Appendix.]

Mr. RICHARDSON. I yield three minutes to the gentleman from New York.

Mr. SULZER. Mr. Speaker, when the war-tax bill was passed the Republican party promised that just so soon as the war was over the taxes should be repealed. The Spanish-American war has been over for some time. The promise has not been kept. As a matter of fact, and the record will demonstrate it, every promise the Republican party has made growing out of the Spanish-American war and incident thereto to the world, to the people of this country, to the Porto Ricans, to the Cubans, to the Filipinos has been broken; and you must now go before the people of the country in the coming campaign on a record of broken promises, national and international. It is a record of faithlessness, incompetency, and maladministration that makes every honest, patriotic, and liberty-loving citizen blush with shame.

You do not intend to repeal the war taxes. Whenever the Republican party gets a tax on a thing it never takes it off. You have had all winter to repeal or reduce these burdensome war taxes. You did not, and you will not. You intend now to play politics with this question. You want to adjourn Congress on the 6th of June and then hold sessions all over the country of the Committee on Ways and Means, sending for persons and having these taxed interests come before your committee. You will promise them anything next year if they will pay a fat contribution this year to the campaign fund of the Republican party and help you reelect your candidate for President. But I believe the people can not be longer deceived.

The people can not be fooled all the time, and they understand your sordid motive to play politics with this question. Why do you not deal with it now? We do not want to adjourn. We will stay here and vote to either reduce or repeal the vexatious war taxes. Will you agree to it? Will you meet this question honestly and squarely? I challenge you to do it. I say to you now, and I say to the people of this country, that they can never expect any relief from these unjust, from these onerous, burdensome, vexatious war taxes until the first message of William J. Bryan comes from the White House to Congress. [Applause on the Democratic side.]

The SPEAKER. The time of the gentleman from New York has expired.

Mr. RICHARDSON. Have I any time left, Mr. Speaker?

The SPEAKER. The gentleman from Tennessee has used all his time.

Mr. PAYNE. The gentleman says he needs two minutes more, and I will yield him two minutes.

Mr. RICHARDSON. I will yield that to the gentleman from Georgia [Mr. LEWIS].

Mr. LEWIS. Mr. Speaker, this Congress should not adjourn until it has repealed the war-act tax, or partially has done so at least. At the opening of this Congress I introduced a bill to repeal this law, for two sound reasons—one that the Government did not then need the money, the other that the tax was unequal on the people, taking the money out of their pockets and storing it in the vaults of the national banks of the country. Now, the same reasons exist to-day that did then why the law should be repealed.

No just government will burden the people with high taxes, thereby diverting the money from its real proper channels and ownership to concentrated centers and unnecessary requirements and demands. The Republican Administration will say that this tax money is not taken from the people or from the channels of commerce, as under the law it is deposited in the national banks, and thereby kept in the ruts of trade and circulation; but that is unfair and unjust to have the money of the people taken from them under the guise of taxation and then loaned back to them through the medium of banks that charge interest on the people's own money. I admit this is good for the banks, but, on the other hand, it is an outrage on the people who pay the taxes.

The Secretary of the Treasury reports to-day that we have on hand about \$300,000,000. Now, half of this amount, about \$150,000,000, is deposited in the national banks of the country for which they pay no interest.

This revenue law was passed hurriedly to pay part of the expenses of the war declared against Spain for the liberty of Cuba. That war has been fought and won. It is past history. Then let us at once strike this obnoxious war tax from the statute books, and let it be also past history. Now, come out and relieve the people of this burden. It is always the right time to do the right thing. Your request that the Committee on Ways and Means be allowed to sit and take up this question during the coming vacation is an admission on your part that the matter needs attention, but you think this promise of relief will tide you over until after the Presidential election next fall, will satisfy the people, and so help to continue Republican rule.

It does seem to me, after reviewing the work of Congress for the last three or four years, that the Republican party has the greatest tact for making promises to the country and letting them sleep ever afterwards, or fulfilling them only when forced to do so that they may reap political advantage thereby. Let me ask what practical legislation the Republican party has enacted in the Fifty-fifth and Fifty-sixth Congresses that they so boastingly claim has brought the country around to prosperity. You did increase the tariff tax, thereby stimulating and formulating the various trusts that afflict the country. The Dingley tariff law did no good, for the reason that our exports to the very countries against which the protective tariff was leveled have grown to large proportions, thereby showing that this country has become great as an exporting country, and that instead of barring out trade we must seek to extend our commerce to all parts of the world.

And now, adopting the same tactics as you did at the last session of Congress just prior to the elections, you have enacted moneyed legislation that I say was not in accord with the platform on which President McKinley was elected. With that you stop. Instead of enacting wholesome legislation that would be beneficial to the country, you refuse consideration of all practical measures and consume the time and money of the country in passing sham resolutions which are strangers to sincerity. Just on the eve of the elections you are rushing through the House resolutions which you hope will catch the labor vote. We are advised that you will in a few days rush through the House a resolution against trusts, which you know will never be enacted into effective law, but all is done for the sole purpose of catching votes in the coming election.

Why not do something that is of real practical benefit to and for the good of the people? Why not relieve them of this oppressive stamp-tax-act when we do not need the money arising from it? Why is it that the Senate will not pass the Nicaragua Canal bill, which legislation is so greatly desired by all the people, unless it be the great transcontinental railroad corporations? Why have you failed to pass a bill giving the country public buildings? Why have you failed to pass a bill appropriating money to open up the rivers of the country, and thereby build up and foster commerce? You are not giving the people what they need, nor are you willing to reduce their taxes.

Where does the money arising from this unnecessary tax go? I will tell you; to continue a useless and uncalled-for war; to

keep up the extravagance of a Republican administration of the affairs of the country; and according to the statement of the Secretary of the Treasury, some thirty million dollars have been used in exchange for refunding bonds and from twenty-five to thirty million dollars additional will be used this year for the same purpose. Who gets this money? Largely the national banks. Who are the bondholders? The national banks. Who pays the war taxes? The people. Where is this tax money deposited? With these national banks.

The thinking people will not accept your promise to consider this important question of reducing the war tax in vacation, after the Presidential election, but will want to know why you do not now, while this Congress is in session, take up the question, consider it, and reduce the taxes if it can be done. They will at the fall elections refute your promises and hold you responsible for your failure to enact this just legislation in this hour of their need and when you have the power to give them relief. [Loud applause on the Democratic side.]

[Here the hammer fell.]

Mr. PAYNE. I now yield five minutes to the gentleman from Illinois [Mr. HOPKINS].

Mr. HOPKINS. Mr. Speaker, the clear and comprehensive statement of the condition of the Treasury of the United States and the revenues that we are receiving from day to day, made by the chairman of the Committee on Ways and Means, furnishes ample reason for the proposed postponement of any action relating to a change of the revenue laws, and if we needed anything in addition to that statement, it is furnished by the diverging and conflicting statements of the gentlemen on the opposite side of the Chamber.

The gentleman from Alabama [Mr. UNDERWOOD], member of the Ways and Means Committee, insists that each item should be carefully considered, and that the burdensome part of the taxation should be removed, and that interests which now escape taxation entirely should be subjected to proper taxation. The leader upon that side of the Chamber [Mr. RICHARDSON] dissents in toto from any such process, and insists that we should have a horizontal reduction of 50 per cent on the existing law. Now, that illustrates the Democratic position on all legislation. They are true to their traditions.

I remember, Mr. Speaker, when they were engaged in their nefarious scheme of repealing what is known as the McKinley law, that they refused hearings to all the great interests of the country which were to be affected by that legislation, locked themselves in a room in the basement of the Capitol of our country, and then prepared legislation that paralyzed the industries of the country and brought bankruptcy upon thousands of interests.

I remember when they brought in a bill from the Senate of the United States with 640 amendments, and without giving any one of those amendments any consideration whatever adopted them in gross and enacted them into law. The Republican party has ever given due and proper consideration to every act that it has placed on the statute book, and it is our purpose now not to engage in any hasty legislation, since the interests of the country have become adjusted to existing laws, and reduce that by 50 per cent horizontal reduction, or by removing taxes from some interests and putting them onto others; but our purpose is to give these interests a hearing, get the facts properly before the committee, so that we can determine whether taxation shall be removed from these interests, or whether a reduction of 5, 10, or 50 per cent, as the case may be, shall be made.

Now, every person understands that in order to engage in legislation of that kind it is utterly impossible for us to consider it at this session of Congress; and as I have already observed that the interests of the Treasury prohibit any hasty action, a proper consideration for all the interests of our country demands that the action proposed by the chairman of the committee should be indorsed by this House, and that we should postpone any consideration of this subject until the second session of this Congress.

Mr. PAYNE. I yield five minutes to the gentleman from Ohio [Mr. GROSVENOR].

Mr. GROSVENOR. Mr. Speaker, it is very interesting to anyone who has kept in mind the history of the country during the last thirty-five years to hear a newly-fledged Democrat talking about the interest and anxiety of the Democratic party to repeal taxation. If you will go back to the history of the taxation that followed the civil war, you will discover that while the Republican Congress repealed \$70,000,000 of taxation in a single year, every Democratic vote, or practically every Democratic vote, in both Houses of Congress was cast against that measure; that the representatives of that party voted against taking off the tax on coffee and tea. And from first to last they laid impediments and obstructions in the way of every effort of the Republican party to relieve the people of the country from taxation which they themselves had pointed out as onerous, oppressive, and destructive. The records of Congress are before the country, and it is a well-known fact that gentlemen who attempt to be wise in statesmanship

should understand a little something about what the record will disclose.

Mr. Speaker, if the present conditions were assuredly to remain, it might be that this proposition of the gentleman from Tennessee—wild as it is, so often repudiated in the history of the legislation of the country—might be adopted safely. If we were to have the conditions that have existed from 1897 down to the present time projected forward into the next five years, there would be no difficulty about removing this burden of taxation now. If I had an absolute assurance—something that I had no doubt about, something more than mere human judgment—that present conditions are to last for five years to come, I would not hesitate to vote for the repeal of the entire war-revenue taxation of about \$100,000,000 per annum.

But, Mr. Speaker, three Democratic efforts at carrying on the finances of this Government warn us that we had better be a little careful. Mr. Speaker, I have seen the bonds of this Government, indorsed by the State of Ohio and by the State of Indiana, sold in the markets of this country at 12 per cent discount by a Democratic Administration, when the principal and the interest at 6 per cent, perhaps, were payable in gold. I have lived to see that; and I have lived to see, away after the war—only three Congresses back from this—I have lived to see a Democratic Secretary of the Treasury come into Congress and ask authority to borrow \$262,000,000 upon a gold bond for the purpose of paying the current expenditures of the Government. And we have not yet paid that debt off. Again, I have lived to see a Democratic Administration go out of power in 1897 leaving the Treasury of the United States in a condition threatening bankruptcy. Therefore it is, Mr. Speaker, that it is dangerous, highly dangerous, to take away from the Treasury the assured support that it has at the present time.

If the gentleman could show me that the present Administration, or a successor following the lines of policy of the present Administration, is to be retained in power, I would vote for a reduction of taxation to the extent of \$100,000,000 a year. But if he can not do that—if it can not be done—then, Mr. Speaker, the danger comes that we may have a repetition of one or all or some of the Democratic Administrations since 1856; and if we do, we must have a great surplus in the Treasury, or borrow money at 6 per cent, or go to protest upon the national debt.

[Here the hammer fell.]

Mr. PAYNE. Mr. Speaker, only a word in reply to the gentleman from Tennessee. He says that the Secretary of the Treasury estimated a surplus of \$90,000,000 for this year. Now, in that statement the gentleman is away "off." The estimate was for this year \$70,000,000 (and up to date it is \$59,000,000), and \$82,000,000 for the next year. Fifty-nine million dollars up to date is all the surplus there is; and after we deduct \$28,000,000 paid for refunding, it amounts to about \$30,000,000 surplus for this year, which we are using in calling in these bonds. If we keep on with this refunding, if we can keep on with it and raise enough money to pay the difference on these bonds, and refund all this amount of eight hundred and fifty millions, then the annual charge upon the people of the United States for interest will be less than it was before the war bonds were issued or even the bonds of the Cleveland Administration were issued in times of peace. So, Mr. Speaker, if we could continue that sort of thing or should continue it, we would do no injury to the people of the United States.

The gentleman thinks it is a very simple thing to reduce taxation. He proposes a reduction of 50 per cent upon the revenue collected by the war-revenue act. Does he know that that would result in a present of \$200,000 per annum to the American Sugar Refining Company, and a present of a like amount to the Standard Oil Company for every year? Is the gentleman willing to indorse that proposition? If he will study this subject a little, instead of coming in with a proposition for reducing war taxes 50 per cent, he will find some incongruities along the line that he will repudiate when he gets on the stump in the campaign. When we reduce these taxes we must do it intelligently, we must do it after examination, we must do it for the interest of the taxpayers, and for the interest of the poor taxpayers as well as the oil company and the sugar trust which the gentlemen seems inclined to benefit.

Now, I move the previous question.

The previous question was ordered.

The resolution was agreed to.

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

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. THOMAS of North Carolina, for one week, on account of important business.

FUGITIVES FROM JUSTICE.

Mr. RAY of New York. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill which I send to the Clerk's desk, and ask to have it reported.

The SPEAKER. The gentleman from New York asks unanimous consent for the immediate consideration of a bill which the Clerk will report.

The bill (H. R. 11719) amending section 5270 of the Revised Statutes of the United States, reported from the Committee on the Judiciary with an amendment in the nature of a substitute, was read as proposed to be amended, as follows:

That section 5270 of the Revised Statutes of the United States is hereby amended by adding thereto the following proviso:

"Provided, That whenever any foreign country or territory, or any part thereof, is occupied by the United States, any person who shall violate, or who has violated, any of the criminal laws in force therein, and who shall depart or flee, or who has departed or fled, from justice therein to the United States, shall, when found therein, be liable to arrest and detention by the authorities of the United States, and on the written request or requisition of the authorities in control of such foreign country or territory shall be returned and surrendered as hereinafter provided to such authorities for trial under the laws in force in the place where such offense was committed. All the provisions of sections 5270 to 5277 of this title, so far as applicable, shall govern proceedings authorized by this proviso: *Provided further*, That such proceedings shall be had before a judge or a justice of the courts of the United States only, who shall hold such person on evidence establishing probable cause that he is guilty of the offense charged. If so held, such person shall be returned and surrendered to the authorities in control of such foreign country or territory on the order of the Secretary of State of the United States, and such authorities shall guarantee to such person a fair and impartial trial."

The SPEAKER. Is there objection?

Mr. RIDGELY. Reserving the right to object—

Mr. TERRY. The understanding which I think has already been arrived at with the gentleman from New York is that there shall be an hour for the discussion and consideration of this bill.

Mr. DE ARMOND. We wish an hour on our side.

Mr. SULZER. An hour on each side.

Mr. TERRY. It is suggested by my colleague on the committee [Mr. DE ARMOND] that it is desirable to ask for an hour on each side. This is an important matter, I suggest to the gentleman from New York, and a number of parties desire to say something. I think the importance of the question would demand a little more than thirty minutes.

Mr. RAY of New York. Mr. Speaker, I ask the gentleman if forty minutes on a side would not be satisfactory?

Mr. TERRY. It would to me; I think that is enough.

Mr. LANHAM. I think that would be sufficient time.

Mr. RAY of New York. Forty minutes for debate only.

Mr. TERRY. On each side?

Mr. RAY of New York. Yes.

The SPEAKER. The gentleman from New York amends his request by asking that forty minutes for debate only be given to each side. Is there objection? [After a pause.] The Chair hears none.

Mr. RIDGELY. Mr. Speaker, I rose to object to the consideration of this bill.

The SPEAKER. Does the gentleman object?

Mr. RIDGELY. I will reserve the objection, if the gentleman in charge of the bill [Mr. RAY of New York] will permit me to ask him a question or two about the bill limiting injunctions against labor organizations which has been before his committee for months.

The SPEAKER. The Chair thinks the time for objecting has passed. He gave reasonable time for objection.

Mr. RIDGELY. But I had risen when the gentleman from Arkansas took the floor.

The SPEAKER. The Chair does not desire to take any advantage of the gentleman.

Mr. RIDGELY. I should like to reserve the right to object for a few moments, in order to ask a question of the chairman of our Judiciary Committee.

Mr. LANHAM. Will the gentleman from Kansas allow me to suggest to him that this matter has been practically agreed upon by the members having it in charge?

Mr. RIDGELY. I still reserve the right to object, but I may yield in a moment. I wish to inquire of the chairman of this committee [Mr. RAY of New York] if there is any probability of reporting the bill (H. R. 8917) to define and limit "injunction" and "contempt proceedings" against labor organizations at this session of Congress?

Mr. RAY of New York. Oh, I do not know. I can not tell what the committee will do. We are considering all the bill as rapidly as we can. They are all referred to subcommittees and the committee will try and do its duty.

Mr. RIDGELY. The bill is to limit and define the meaning of the word "conspiracy" and also "restraining orders" by Federal courts against organized labor and members thereof.

Mr. STEELE. I submit that the gentleman has no right to interpose the discussion of another matter. If he wants to object, let him do so.

Mr. RAY of New York. I hope the gentleman from Kansas will not object. Let me say to my friend that the proposition embodied in the bill to which he refers is entirely disconnected from this. It is a matter of importance, as the gentleman under-

stands, as I understand, and as every member of the committee understands. We have had hearings on that bill; those hearings have been printed and circulated, and the subcommittee are discussing the proposition. I know that the subcommittee are disposed to report something to the full committee, and that the full committee are disposed to report to this House a bill if they can agree upon it.

Mr. RIDGELY. I want to say to the gentleman, the chairman of the Judiciary Committee, and to the House that the bill to which I refer is as important as any bill that has been referred to that committee during this Congress.

Mr. HOPKINS. This is entirely out of order.

Mr. RIDGELY. It is urged by every labor organization in the United States. Their members and representatives have been before the committee many times urging action. They are now urging action, and the only answer we get is "more time to consider," with the whispered assurance from some members of the committee that no report is intended, but that this bill is to be smothered until after this session of Congress.

Mr. RAY of New York. Oh, no.

Mr. RIDGELY. I urge upon the chairman of the committee—
The SPEAKER. Is there objection? The Chair hears none. The gentleman from New York.

Mr. RIDGELY. With the assurance by the chairman that he and his committee are disposed to report it at this session, I will not object to the consideration of this bill.

Mr. DE ARMOND. I wish to offer an amendment and let it be pending.

Mr. RAY of New York. I can not yield for any amendment.

Mr. DE ARMOND. I merely wanted to offer it before you begin to speak, so it would be pending. Are you unwilling to have the amendment read now? It does not come out of your time. I wish to have it pending.

Mr. RAY of New York. It is not in order, and I can not yield for amendment.

Mr. DE ARMOND. It is in order, as far as that is concerned. Of course if you do not yield, I can not offer it.

The SPEAKER. The gentleman from New York.

Mr. RAY of New York. Now, Mr. Speaker, conditions have arisen, which are well known to the members of this House and to the country, which make it necessary and desirable to place upon the statute books a law such as is proposed by this bill. It is the result of a consultation with the Attorney-General of the United States and the chairman of the Judiciary Committee in the Senate, although there is some divergence of views. The present extradition laws of the United States provide that—

Whenever there is a treaty or convention for extradition between the Government of the United States and any foreign government, then—

And so forth.

It so happens that the United States is now in possession of foreign territory and governing foreign territory, and there is no treaty in existence between such foreign country and the United States. Therefore when a crime is committed in that foreign territory and the offender flees to the United States, he can not lawfully be apprehended and returned to the country or territory where the crime was committed and delivered to the authorities for trial.

Mr. WHEELER of Kentucky. Will the gentleman allow me to ask him a question there in the line of what he is discussing?

Mr. RAY of New York. Certainly.

Mr. WHEELER of Kentucky. The occupation of Cuba by the United States is a military occupation. I believe that is conceded. Then, does the gentleman or his committee take the position that the civil law of the United States controls or has any force or bearing in Cuba whatever?

Mr. RAY of New York. Why, if the gentleman wants to talk about Cuba and wants to know whether the civil law of the United States is in force in Cuba, I will answer him. No; it is not.

Mr. WHEELER of Kentucky. That is the point I want to know.

Mr. RAY of New York. And anyone that should advocate such an idea would, in my judgment, expose either dense ignorance or great mental disturbance.

Mr. WHEELER of Kentucky. Well, I will say to my friend, I have no desire to plead guilty to either charge, nor have I any objection to the gentleman attributing either charge to me. I am in search of information, and I drink at the fount of wisdom.

Mr. RAY of New York. I trust the gentleman from Kentucky has no idea that the civil laws of the United States are in force in Cuba.

Mr. WHEELER of Kentucky. I think not, and it is for that purpose that I rise. If the civil law is not in force and the military law controls there, what is the use of amending the civil law when the military law of the United States can take this man without any extradition papers?

Mr. RAY of New York. Why, my dear sir, we are not legislating for Cuba or any other foreign country. We are legislating in this bill simply and purely for the United States of America.

Mr. WHEELER of Kentucky. I understand—

Mr. RAY of New York. Now, what do we find? We find today in the United States of America men accused of crime, and the charge is that those crimes were committed in a foreign country or a foreign territory, with which country or territory we have no treaty, while we are in possession of it and exercising governmental control over it. There being no treaty, and the proposition being to apprehend such criminals and send them to such foreign country or territory for trial according to and under the laws in force there, and such laws being the criminal laws of such country and not military laws, we find ourselves without a law covering such cases. The Republican party is opposed to arbitrary measures or the exercise of military power in such cases, even if applicable. There is no provision in the law of the United States under which those persons can be apprehended and sent back to that country for trial.

Mr. WHEELER of Kentucky. The gentleman will pardon me if I suggest an idea—that all the treaties in the world, if I be correct in my contention, would not affect the status of this man, because he is not amenable to the civil, but to the military, laws of the land.

Mr. RAY of New York. We are not legislating for this man or that man—

Mr. WHEELER of Kentucky. I was unfortunate in my statement.

Mr. RAY of New York (continuing). Or any other man. We are providing for the apprehension of every criminal found in the United States who shall have offended against the laws of a foreign country or territory with which we have no treaty when that country is in the occupation of the United States.

Mr. WHEELER of Kentucky. I will not interrupt the gentleman further, if it takes up his time, but I would like to ask him another question, if it is agreeable to him, and that is, if this man is responsible to the law, it must be the military law?

Mr. RAY of New York. What man are you talking about?

Mr. WHEELER of Kentucky. The man for whom this law is passed.

Mr. RAY of New York. This law is proposed for the benefit of all law-abiding people and not for application to any specific man. It is to meet a condition. It is to supply a defect in the law, so that it will reach any man who commits a crime under the circumstances described and in a territory in the possession of the United States, but not a part of it or belonging to it.

Mr. WHEELER of Kentucky. I am unfortunate in my use of expressions. I did not want to thrust the personality of this thief, Neely, in here.

Mr. RAY of New York. Get him out and take him out of mind in considering this legislation.

Mr. WHEELER of Kentucky. I do want to take him out, and get him out of the United States.

Mr. RAY of New York. Then help us to do so.

Mr. WHEELER of Kentucky. The idea I had was this: That if this man has offended against the military laws of the United States in a place where war existed, and has fled to some other jurisdiction in our own country, he should be apprehended and tried by military law; and if our occupation of Cuba is military, then this man can be apprehended and punished by the military law of the United States in Cuba.

Mr. RAY of New York. Oh, my friend is laboring under a great mistake. He has got Neely in his mind; he has got the military law of the United States in his mind. Well, Neely, if you refer to that man, has not offended against the military laws or other laws of the United States or the military laws of Cuba. The United States of America can not legislate for Cuba.

Mr. WHEELER of Kentucky. Then he has violated no law in this case.

Mr. RAY of New York. Why, certainly he has violated the law.

Mr. WHEELER of Kentucky. There is no civil law of the United States obtaining in Cuba.

Mr. RAY of New York. I understand that. Neither is there a civil law of the United States in force in Great Britain or France or Germany or Spain or any other foreign country or territory, but we can legislate for the United States. Cuba is not a part of the United States, and we can not legislate for Cuba.

Mr. WHEELER of Kentucky. That is the point I am making, exactly.

Mr. RAY of New York. It is foreign territory; but still it is in the occupation and control of the authorities of the United States.

Mr. WHEELER of Kentucky. Military occupation.

Mr. RAY of New York. Now, then, in Cuba, if you desire to know about that, the civil law in force there when Spain surrendered sovereignty over it, is in force; all of the local laws, the municipal laws, laws against the commission of crime are in force there. Any man living in Cuba, a citizen of Cuba or a person who goes from the United States to Cuba and offends against those

laws, should be subject to punishment, should be liable to arrest; and if any person who goes there or any person who lives there offends against those laws and flees from justice to the United States, this country should not be a harbor of refuge, but he should be apprehended, sent back there in charge of and under control of the authorities of the United States for trial, trial under those laws against which he has offended. He can not be tried in the United States by our courts. He has not violated the laws of the United States, but laws of Cuba, which we enforce there through Cuban courts.

Mr. WHEELER of Kentucky. Does the gentleman mean to say that this particular man, if he will pardon me for mentioning him again, will be punished by the Spanish law that obtains in Cuba?

Mr. FLEMING. Certainly.

Mr. RAY of New York. If there is a man by the name of Neely—

Mr. WHEELER of Kentucky. Let me enlighten the gentleman. There is a man by the name of Neely. [Laughter.]

Mr. RAY of New York (continuing). I do not know him; I am not acquainted with him.

Mr. WHEELER of Kentucky. He is not a personal friend of mine. [Laughter.]

Mr. RAY of New York (continuing). If there is such a man, and he has offended against the laws of Cuba or against any law in force in Cuba, and he has fled to the United States, then, when this law is enacted and goes into effect, he can be apprehended in the United States, he can be taken before a judge of the United States court or a justice of the Supreme Court of the United States, before these authorities only, and on the presentation of lawful evidence, satisfying the judge that he is guilty of an offense against any law in force in Cuba and that the offense was committed there, he may be held. The proceedings will be then certified to the Secretary of State of the United States, and he may make an order returning him to the authority in control of affairs in Cuba for trial. This proceeding accords with our extradition laws in many respects.

Mr. WHEELER of Kentucky. I hope the gentleman will not think I am antagonistic. I understand his statement, but I differ with him widely on the law. I disagree entirely with the idea that Congress has any right to extend the laws of the United States to any territory over which our flag does not fly.

Mr. RAY of New York. We are not attempting to extend any law of the United States to Cuba. We are not making any law for Cuba. We do not purpose to. We are legislating for the United States, and Cuba is not named in the bill.

Mr. WHEELER of Kentucky. You are making a law which proposes to operate extraterritorially.

Mr. RAY of New York. Not at all. This bill simply—

Mr. WHEELER of Kentucky. To get the man out of the United States; that is what you want to do.

Mr. RAY of New York (continuing). Provides for a course of legal proceedings in the United States against all persons found in the United States who have committed crimes in other countries in the possession of the United States and fled to this, and it provides a method by which they may be sent back for trial in the place where the crime was committed.

Mr. WHEELER of Kentucky. What law are you going to try him under when you get him there?

Mr. RAY of New York. I do not know.

Mr. LANHAM. "Sufficient unto the day is the evil thereof." Mr. WHEELER of Kentucky. Are we enforcing the law in Cuba?

Mr. RAY of New York. I do not know; that is not the question. There are authorities in control in Cuba. The law in force is being and should be enforced.

Mr. WHEELER of Kentucky. Who are they?

Mr. RAY of New York. They are the authorities, I understand, of the United States.

Mr. WHEELER of Kentucky. Under what law are they operating?

Mr. RAY of New York. They are enforcing the law in force there, the Cuban laws, as I have explained. They ought to enforce the law there. Our Government sees to it that the law is enforced.

Mr. WHEELER of Kentucky. I agree with the gentleman.

Mr. RAY of New York. If a man commits a crime against those laws and flees to the United States, he ought to be returned there for trial and for punishment—

Mr. WHEELER of Kentucky. There is no difference of opinion between us on that subject.

Mr. RAY of New York (continuing). In the courts of that country, and according to the code of procedure in force there and recognized by the authorities in control there. Now, all we provide is for sending the man back on proof of probable cause to

believe him guilty, and he will go into the hands of the authorities of the United States and they will deal with him in accordance with the law in force, and by the express provisions of the bill be guaranteed him a fair and impartial trial.

Mr. GILBERT. Will the gentleman yield to me for a question?

Mr. RAY of New York. Yes.

Mr. GILBERT. I want to ask the gentleman whether, since the treaty of Paris, Cuba retains such independent sovereignty that she could enter treaty relations like extradition treaties with any other government?

Mr. RAY of New York. It is not necessary now to enter upon an academic discussion not pertinent to this bill. The gentleman need not tremble. The Republican Administration will carry out every pledge it has made, and in due time will see to it that the Cubans have their own government and their independence and be permitted to act for themselves, but none of those questions are involved in this bill. Until the proper time arrives we propose to guarantee to Cuba a good government and see that law is enforced and criminals punished.

Now, Mr. Speaker, I must decline giving any more time to answering inquiries. I desire to know how much of my time remains?

The SPEAKER pro tempore (Mr. GROSVENOR). The gentleman from New York has thirty-five minutes remaining.

Mr. RAY of New York. I will reserve the balance of my time, and I would like to hear from gentlemen on the other side.

Mr. TERRY. I yield to my colleague on the committee, Mr. DE ARMOND, ten minutes.

Mr. DE ARMOND. Mr. Speaker, I desire to offer an amendment to this bill.

Mr. HOPKINS. As I understood it, Mr. Speaker, when the time was granted, it was granted for debate, and not for any amendment.

Mr. TERRY. The question was not so stated by the Chair. The Reporter's notes will show what the statement was. The gentleman from New York [Mr. RAY] may have stated that some time during his remarks, but it was not stated by the Chair in that way.

The SPEAKER pro tempore. The present occupant of the chair can only say that when the Speaker resigned the chair to him, he said that the forty minutes must be used exclusively for debate.

Mr. TERRY. I call for the record of the Reporter's notes.

The SPEAKER pro tempore. If the record was the other way, the present occupant of the chair would not overrule the Speaker, but would send for him.

Mr. DE ARMOND. For the time being I will withhold the amendment, but will endeavor to offer it at a later stage. Meanwhile, in passing, I will say to the gentleman from New York and all others concerned that if by any small parliamentary trick the opportunity which it was well understood in the committee should be given to offer the amendment is cut off, we shall know how to regard such conduct, and, when the time comes, how to characterize it.

I address myself now—

The SPEAKER pro tempore. In the absence of the regular occupant of the chair, the temporary occupant can only say, in the first place, that he feels bound by the direction given to him when the chair was vacated; and, in the second place, the gentleman from Missouri is as well aware as is the Chair that the House can vote down a demand for the previous question, and the whole proposition will then be open to amendment.

Mr. DE ARMOND. My remark had reference to the understanding in the committee, and not to any little trick which may have been played in the House, if any has been played.

Mr. RAY of New York. I did not understand the gentleman's remark.

Mr. DE ARMOND. My remark is with reference to the understanding in the committee and at present not with regard to any small trick that may have been played in the House, if any has been played; I hope none has been.

I now address myself to the general proposition. Inasmuch as we have not a Speaker, but a temporary occupant, in the chair, the other matter will come up later.

Mr. RAY of New York. When the gentleman states, if he does state, that there was an agreement or an understanding in committee that an amendment might be offered to this bill on the floor, I say that the assertion is absolutely and unqualifiedly a mistake on the part of the gentleman from Missouri. The contrary is the truth, as all who were present know.

Mr. DE ARMOND. I do not care, Mr. Speaker, to be diverted from the general consideration of this question by a matter that is entirely aside.

When the gentleman was making his statement so deliberately, I did not know what particular word he might choose to follow it

up with. The word "mistake" has been used. I think that, according to my recollection, the statement that it was not understood that an opportunity should be given to offer an amendment might be characterized by a name stronger than "mistake." But I pass from that.

The amendment which we propose to offer, and which we have a right to offer, is one limiting this legislation to Cuba. It proposes to limit the remedy to the present complaint. It applies the cure to the present disease, so far as the disease has been diagnosed and developed. I do not mean to be understood that the disease has not extended far beyond Cuba and that remedy be not needed in other parts of the domain or territory or part of the territory under the jurisdiction and control of the United States; but the suggestion of this legislation arose out of speculation or wholesale robbery in Cuba.

It arose out of the rapid exploiting there of imperialistic principles and out of the speedy gathering into the coffers of certain persons who had the opportunity the fruits of imperialism in that island.

The amendment proposes also to declare anew, since the old declaration has been forgotten, that we are in Cuba temporarily, that the Cubans are now entitled to be free and independent, and that honor now requires the United States to observe its declaration of a few months ago.

This legislation as a general proposition is dangerous legislation. The case of Neely and a few alleged thieves down in Cuba, who a few months ago were exemplars of the virtue which thrives and bubbles under imperialism and which has used for its exploitation the transactions of these men, suggests this legislation. But how long this law, if passed, may be used, how far it may extend, who may suffer under it, or what good, if any, may be done by it, we know not.

If this were confined to Cuba, and if our stay in Cuba were confined to the limits and bounds that honor and our own solemn declarations would prescribe, probably there could not be much harm resulting from it. If it is to have a wide scope, however; if it is to reach anything and everything under the jurisdiction of the United States and yet, according to the views of gentlemen here in control, not part and parcel of the United States, not under the influence of the Constitution of the United States, not to be protected by the guaranties of the Constitution of the United States—if it is to extend that far, how bad the legislation may be in the end none of us can foresee, none of us can foretell.

According to the philosophy of some gentlemen, there are territories now under the dominion of the United States to which the Constitution of the United States does not extend and to which the Constitution of the United States, according to their philosophy, never may extend; where arbitrary power, where military rule, supplemented by carpetbagism, controls and dominates and plunders and disgraces. [Applause.] How long that is to exist, how far that is to extend, we are not permitted to know.

The SPEAKER pro tempore. The Chair will lay before the House the record about which there was a question as to what occurred a short time ago.

Mr. DE ARMOND. I hope it will not be taken out of my time.

The Clerk read as follows:

Mr. RAY of New York. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill which I send to the desk and ask to have reported.

The bill having been read,

The SPEAKER. Is there objection?

Mr. RIDGELY. Reserving the right to object—

Mr. TERRY. The understanding which I think has already been arrived at with the gentleman from New York is that there shall be an hour for the discussion and consideration of this bill.

Mr. DE ARMOND. We wish an hour on our side.

Mr. SULZER. An hour on each side.

Mr. TERRY. It is suggested by my colleague on the committee that it is desirable to ask for an hour on each side. This is an important matter, I suggest to the gentleman from New York, and a number of parties desire to say something. I think the importance of the question would demand a little more than thirty minutes.

Mr. RAY of New York. Mr. Speaker, I would ask the gentleman if forty minutes on a side would not be satisfactory?

Mr. TERRY. It would to me. I think that is enough.

Mr. LANHAM. I think that would be sufficient time.

Mr. RAY of New York. Forty minutes for debate only.

Mr. TERRY. On each side.

Mr. RAY of New York. Yes.

The SPEAKER. The gentleman from New York amends his request by asking that forty minutes for debate only be given to each side. Is there objection? The Chair hears none.

Mr. TERRY. The notes may state that, echoing the gentleman's language, but my understanding was that it was not so stated by the Chair. Forty minutes were allowed to each side, but there was no understanding on this side that it was to be limited to debate only. I stated, as the notes show, that I wished the time for debate and consideration.

Mr. STEELE. The gentleman from Arkansas recognizes the fact that this is the official report.

Mr. TERRY. I see what the notes are. My statement was that it was to be for "debate and consideration," as the notes of

the Official Reporter show, and "consideration" implies amendment.

Mr. WHEELER of Kentucky. I will state to the gentleman that I heard the gentleman from New York when he stated that it was to be for debate only.

Mr. TERRY. That may be, and I stated a while ago that I thought the gentleman from New York said something about debate only, but my point was that the Chair in submitting the matter to the House did not use that word "only." I did not hear that limitation; but my point was that it was not so stated by the Chair. My request was for debate and consideration, and the Chair submitted simply the question of time.

Mr. DE ARMOND. Mr. Speaker, if this diversion is at an end, I will resume my remarks, hoping that I have remaining all the time that I would have had if it had not occurred.

Mr. TERRY. I hope none of this diversion will be taken out of the gentleman's time.

The SPEAKER pro tempore. This has occupied four minutes, and the gentleman has not been charged with that time.

Mr. DE ARMOND. If I had been weary I would perhaps have very much appreciated this rest of four minutes occasioned by the Speaker's seeing proper to interlard this matter in the "midst" of my remarks, as gentlemen are in the habit of saying. As it was, however, not being at all weary or conscious of weariness, I should have been glad to get this information at the conclusion of my remarks instead of in the middle of them. However, we have the information. Whether we shall have the opportunity later on to offer an amendment and to test the sense of the House upon it is a matter that we shall perhaps discover hereafter.

It is right evident now, however, that gentlemen who are assuming to legislate in the interest of the country, gentlemen who are endeavoring to track down some of their own robbers, to make extraordinary law to clear their own skirts and protect their own party, are not particularly anxious to have considered upon their merits different propositions that may be offered tending to lead to that result. These, however, are mere passing incidents in this legislative life which we live here. They are merely new and fresh illustrations of an apparent desire to do something (apparent to those only who are strangers to the real purpose) and a settled intention, carried out by desperate means, to do nothing in fact, or nothing that ought to be done.

Mr. Speaker, I was about saying that this legislation ought not to be so broad and so complicated as to reach all over the universe, unless it be upon the theory that in every corner of the universe where the United States is holding arbitrary sway a considerable percentage of the men whom it has sent there to act lawlessly, to make laws themselves and execute the laws, are stealing, are guilty of crimes, on account of which they ought to be punished. That is a theory which I will neither combat nor advance.

I hope, for the credit of the American name; I hope, for the honor of the American people, that we are not to be overwhelmed at once with a deep and enduring sense of shame from every quarter of the globe, due to the exploitations of lawless methods, of lawless procedures, of arbitrary power. What is the law that prevails in the Philippine Islands? What is the law that prevails in Cuba? The will of the particular ruler that may be there for the time. What is the authority for the Cuban postal code, many sections and many pages, prepared for the guidance of Mr. Neely? That is a code made without a solitary atom of authority, a code as lawless as other proceedings of the party in power in Cuba and other islands; in this and other territory dominated by the United States.

This code, utterly lawless, naturally invited lawlessness under it. Who made it? Who had the power to make it? We have a reign down in Cuba under the sway of the American Government as arbitrary as the rule of Spain, having no more warrant of right; and as these revelations would seem to indicate, possessing some of the peculiar characteristics of Spanish rule. What we have elsewhere, how long we shall have it, when shall we know? No information given, no correctives applied; the Constitution banished. I presume the Constitution is not in Cuba, where we are said to be temporarily. It has no force outside of the United States, according to these gentlemen, unless Congress sends it hence.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. DE ARMOND. Let me have about two minutes more.

Mr. TERRY. I yield five minutes, if the gentleman desires it.

Mr. DE ARMOND. Let Congress act, and let all this machinery work, if it be necessary to be done, to send out the Constitution, the safeguard and guarantor of human rights, the protector of human liberty, the purifier of human corruption. If Congress must act in order to send out this Constitution, let Congress act. If it can not go out otherwise, let Congress wing it; let Congress send it abroad.

But here we are, lawless in Cuba, lawless in Porto Rico, lawless in the Philippines, muzzled at home. Here we are, terrorized;

here we are, governing not by the open methods of parliamentary principles, not by comparison of measures offered, not by the contrast of this with that, but here we are, governing by arbitrary power. I hope we shall not discover that it is supplemented by small trickery to prevent the House from considering what the House ought to have an opportunity to consider, what in its intelligent judgment it ought to dispose of as may seem best.

Arbitrary rule here, arbitrary rule in Porto Rico, arbitrary rule in Cuba, arbitrary rule in the Philippines, and then suppression, censorship, such news only as it is profitable to put out; and we were about to have a little of the arbitrary rule of the Committee on Ways and Means in the interim. We were about to have a committee sitting here to make political capital, to put out political stuff for the use of the party in the campaign. How easy it would be to give out the information that this tax and that tax would be removed.

How easily could clamor in this quarter and that quarter be stilled by a suggestion of the proposed action of these wise men, who for six months have done nothing toward lifting the burden of taxation, who for six months have been as idle and as motionless as a "painted ship upon a painted ocean" with reference to the relief of the people, and as busy and as swift as the lightning courier when it came to doing the work of those who had special work to be done. Six months for these people to sit and make material for the party, six months at the public expense to organize and carry forward a propaganda for more imperialism, more arbitrary power, and the longer continuance of a reign which never ought to have begun and which ought to be speedily terminated.

We desire to submit for this pending bill an amendment which now, I suppose, I can have the privilege at least of reading, an amendment as follows:

Amend by striking out all after the word "That," in line 3, page 1, and inserting the following in lieu thereof: "while Cuba is occupied by the United States any person who shall violate, or who has violated, any of the criminal laws in force therein, and who shall depart or flee, or who has departed or fled, from justice therein to the United States, shall, when found in the United States, be liable to arrest and detention by the authorities of the United States, and on the written request or requisition of the authorities in control in Cuba shall be returned and surrendered as hereinafter provided to such authorities for trial under the laws in force in the place where such offense was committed. All the provisions of sections 5270 to 5277 of this title, so far as applicable, shall govern proceedings authorized by this act: *Provided further*, That such proceedings shall be had before a judge or a justice of the courts of the United States only, who shall hold such person on evidence establishing probable cause that he is guilty of the offense charged; and if so held, such person shall be returned and surrendered to the authorities in control in Cuba on the order of the Secretary of State of the United States, and such authorities shall guarantee to such person a fair and impartial trial: *Provided further*, That nothing herein contained shall be held or construed to authorize, justify, or excuse a permanent or prolonged occupation of Cuba by the United States, the right of the Cubans to be free and independent being a present right which the United States are in honor bound to respect."

Now, it may or may not be good policy to adopt this amendment; that is a subject for argument and debate. We believe the amendment would improve the bill, but whether it is the proper thing, by a parliamentary trick, to endeavor to keep those who are in favor of it from voting for it, and testing the sense of the House upon it, I submit to the candid judgment of men who are fair-minded and decent. [Applause on the Democratic side.]

Mr. TERRY. Does the gentleman desire to use any of his time at this time?

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

Mr. CANNON. Mr. Speaker, I have listened as best I could to the reading of the measure now pending before the House. I have not given it that careful attention that I desire, so that I could discuss it intelligently and profitably in all its provisions. I think I understand in a general way what is sought by the proposed legislation, and I am quite in harmony with what is sought, as I understand it, namely, to deliver, under proper guards to the citizen, fugitives from justice from territory where the United States have control and there is no treaty.

Now, I am in harmony with such legislation. Mr. Speaker, we know that the majority in control of the House and the Senate, and the country, has to do things, and it is the province of the minority to criticize. Yet there are minorities and minorities. I have seen minorities in the House of Representatives that in their criticism sought to make legitimate criticisms with a view to bettering the proposed legislation. That is the real province of the minority. But so far as I can discover the minority as voiced by the gentleman from Missouri have but one function, and that is to "calamitize."

If you bring anything here of a practical nature and propose to consider it, enact it, with a view to the common good of the service, we have a jeremiad, which has well-nigh become periodical, from the gentleman from Missouri who has last addressed the House. Not content when the matter comes in with calamitizing—and I speak respectfully—he scolds, and, as we boys used to say at school, "makes mouths." I do not know whether it hurts

him—and perhaps it does not hurt anybody—but I do know he certainly does not help legislation.

Mr. DE ARMOND. Will the gentleman permit me to interrupt him?

Mr. CANNON. Certainly.

Mr. DE ARMOND. It is not so much criticising good legislation as denying the House the right to consider amendments on bills that are proposed.

Mr. CANNON. Well, that amendment, as I perceive and conceive from what little I have heard, I thought was not in good faith, to forward legislation, but when it is a proposition to perform and posture, then it becomes the duty of the majority, under the rules of the House, to move on. [Applause on the Republican side.]

Mr. DE ARMOND. I will ask the gentleman what right he has to assume that the amendment proposed is not proposed in good faith, and I would further ask him what right he has to assume that it is not good legislation?

Mr. CANNON. The right of exercising that little intelligence that the Almighty has given me to discriminate about a proposition when it is made, reinforced by the light I get from the uniform position of my friend from Missouri at all times. [Applause on the Republican side.]

Mr. DE ARMOND. If the gentleman will permit me but one word.

Mr. CANNON. Well; one word more.

Mr. DE ARMOND. If the gentleman will use that intelligence of which he has spoken so slightly—for he has a great deal of it—and will use that sense of fairness which I will not undertake to exaggerate where he is so well known, he will probably reach a different conclusion from that which he has now. [Applause on the Democratic side.]

Mr. CANNON. Now, Mr. Speaker, to proceed, I have no pride at any time, as a Republican, and I would not have if I were a Democrat, or even if I were a Populist [laughter]—I have no pride in the shortcomings of public servants anywhere, whether it be in the United States, Cuba, or the Philippines Islands; in Missouri, or in Illinois, or anywhere. I have no pride in it. I think it is always a matter of mortification and regret to me for a man to go wrong.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. CANNON. Will the gentleman give me two more minutes?

Mr. RAY of New York. I will give the gentleman two more minutes, or he can take three minutes.

Mr. CANNON. That there has been, as intimated and stated by the gentleman from Missouri, matters that have gone wrong in Cuba, I have no doubt; that have gone wrong in the Philippine Islands, I have no doubt; in Porto Rico, I have no doubt. That the Constitution is not in Cuba, I am quite satisfied; that there is a military government there, and that there is a military government in the Philippine Islands, I think we all understand.

No other government is possible under the treaty and under the conditions of Cuba than a military government. It stands for legislation; it stands for the court; it stands for the Administration. Now, they have not, however, a monopoly of going wrong in Cuba. Why, in my own State of Illinois, where for eighty years we have had a State constitution, and over which the mantle of the Federal Constitution extends, under the administration of the late Governor Altgeld, one State treasurer—it is an open secret—suicided after he defaulted, and I believe his bondsmen are not quite ready yet in paying up that, which was in default.

One official alone under that administration of four years, reaching from 1893 to 1897, defaulted in almost a million of dollars, and it has taken substantially three years of the time of his successor for that man to run the gauntlet of the courts and land in Joliet Penitentiary, where he is to-day. I do not plead in set-off, but with our civilization, with our Constitution, with our administration, in Missouri, in Nebraska, in Illinois, in New York, there are thieves. It is our glory that where thieves spring up and defalcations come, the certain and sure hand of justice comes upon the man who commits the crime, and as an example to all others.

I think that we are going along in this very legislation to try in an orderly way to bring punishment to the violator of the law, to vindicate the law, and vindicate the good name of the United States. That is the best we can do, and I would rather do that, performing my duty as best I can, than to have the ability to stand and carp day in and day out. [Applause on the Republican side.]

Mr. TERRY. I now yield to the gentleman from Alabama [Mr. CLAYTON].

Mr. CLAYTON of Alabama. Mr. Speaker, this kind of legislation is unprecedented in the history of the country. Why the necessity for this measure now before Congress? The uniform policy of this Government for over a hundred years has been to refuse to pass such a law as this. The policy has been to permit

the extradition of its citizens only in cases where treaty provisions make it our duty so to do.

Now, why is this settled policy of the Government to be changed? Gentlemen who are familiar with this subject will recollect the Morrill resolution offered some years ago on this subject, and they will recollect some other attempts. All of them failed. Why the necessity for this legislation? It is because this Government has not lived up to its ancient policies and traditions. It is because this Government is not observing the Constitution with that strict regard that the fathers did. It is because this Government has not lived up to its pledges made in the declaration of war with Spain, namely, that Cuba should be free.

Furthermore, Mr. Speaker, the particular fact that has brought about the necessity for this legislation is because one of the agents and employees of this Government in Cuba has embezzled the funds belonging to the Cuban people. I congratulate my friends on the other side of the Chamber upon their zeal to punish carpetbaggers for stealing; and when I recollect the history of thirty years ago, I wish that they had been animated by the same lofty purpose and punished the carpetbaggers that looted the South. [Applause on the Democratic side.]

Mr. Speaker, this legislation is necessary because Cuba does not stand in the attitude of being an independent nation with which we can make a treaty providing for the extradition of fugitives from justice. That, coupled with the fact that embezzlement has been committed there and the criminal has fled to this country, gives rise to the necessity for this legislation.

Mr. Speaker, the amendment as read by the gentleman from Missouri [Mr. DE ARMOND] as a part of his remarks, seems to me would be a more definite and a better measure than the measure here proposed. That limits it to the specific purpose of dealing with the Cuban situation. It negatives the idea that we are to go forward and seize other countries that we have no right to seize and keep them by military force, and then to have a general extradition law applicable to those countries. We ought not to legislate generally upon this subject. The policy of the Government for one hundred years has been against that, and it ought to be against it to-day. This measure ought to be confined in its operations to Cuba, which has given rise to the necessity for it.

There is no necessity for this legislation as regards Porto Rico, Hawaii, or the Philippine Islands. They stand entirely upon a different footing. This legislation is enacted to apply only to Cuba, and it is said that it is intended to apply only to Cuba, and can, unless we go forward and seize other countries, apply only to Cuba.

Then, Mr. Speaker, what is the objection to adopting the measure proposed by the gentleman from Missouri? There is not and there ought not to be any question of partisan politics in this matter. A Republican Administration sent a Republican official to Cuba, and that Republican official has stolen the money of the Cuban people, and the Democrats as well as the Republicans are anxious to have your Republican thief punished. That is the immediate purpose of this law, although it is framed in general terms. [Applause on the Democratic side.]

The SPEAKER pro tempore. The time of the gentleman from Alabama has expired.

Mr. TERRY. I yield five minutes to the gentleman from Texas [Mr. LANHAM].

Mr. LANHAM. Mr. Speaker, I do not know that I shall really occupy all the time yielded to me. I wish to say just a few words with reference to the bill itself; and I desire to state in the first place that it relates essentially to procedure, to the remedy that is desired to be applied. It has no ex post facto significance whatever. It is manifest to everyone who has given any consideration to the subject and is familiar with recent transactions that it has reference essentially to conditions which have developed in Cuba. While it is expressed in general terms relating to a "foreign country or territory occupied by the United States," we all know that it is intended to apply directly to affairs in Cuba. I should have no objection myself to the amendment proposed by the gentleman from Missouri [Mr. DE ARMOND]; in fact I am inclined to approve it; but I think the same effect would be accomplished by the passage of the bill without such amendment.

We occupy a very peculiar relation to the people of Cuba—a fiduciary relation. We are there supposed to be engaged in the effort "to pacify the island," to assist its people to establish a good and stable government, and to help and train them as far as we may be able to do to properly govern themselves. We are exercising authority over them; we are practically their trustee. Hence we owe to them not only good faith, but, in the language of the law books, "the richest faith." We ought to set before them a very high example of uprightness and propriety, and exhibit the best conduct possible in showing them how good government should be administered.

Now, if a theft or an embezzlement has been perpetrated in the island of Cuba by any citizen of the United States temporarily there—if he has offended against the law of Cuba, against the

laws of all civilization by a theft or an embezzlement—it is but right and just that he should be tried somewhere; and it would be the worst of faith, it seems to me, on the part of the United States Government, especially under the circumstances, if we were to harbor such an embezzler, such a thief, if there be such, who has sought refuge in the United States.

Now, it is candid to say that special and peculiar conditions in Cuba have demonstrated the necessity for the very law that we propose. Indeed I think that many of our laws grow out of necessities which are suggested by particular cases and extraordinary conditions; and this bill is really designed to meet the very situation which obtains in that island.

The bill may be regarded, furthermore, in that connection as an expression of condemnation upon the part of the United States of any rascality that may have been perpetrated by any of our citizens or agents there during our occupancy of Cuba. The United States can not afford to harbor any scoundrel, and more especially it can not afford to shelter one whose rascality has been perpetrated in a particular territory while the United States exercised control or authority over it.

Whether the proposed legislation is designed to apply to the very party himself who is alleged to have committed the offense charged against him—Neely—or for whatever specific object it may be intended, I for one wish to see placed upon the statute book such legislation as will enable the United States, after a hearing by a high judicial officer, to send him, or any other person charged with a crime under similar circumstances, back to Cuba and let him be tried there. As to how he shall be tried there—as to the forum in which he shall present his defense, or what his defense may be—that is a matter to be considered hereafter. The bill guarantees a fair and impartial trial.

[Here the hammer fell.]

Mr. TERRY. I yield five minutes to the gentleman from Mississippi [Mr. WILLIAMS].

Mr. WILLIAMS of Mississippi. Mr. Speaker, this is but another exemplification of the fact that wrong steps lead men to funny places, and that in funny places they are met with queer spectacles. The queer spectacle here to-day is the urging that a law be passed to enable a government to extradite one of its criminals from itself to itself. Extradition is a thing which takes place between governments for the purpose of surrendering criminals to the jurisdiction of a government for trial in that government's tribunal.

Mr. RAY of New York. Why, my friend, do you not know that we have now on the statute books laws providing for the extradition of persons within the United States, from one judicial district to another—by a department of the Government of the United States to a department of the Government of the United States? Let my friend read the Revised Statutes. Neither the principle nor the practice is new. But here we are to send a criminal out of the United States to a foreign country. That foreign country is occupied and governed by the United States; its laws ought to be enforced, and hence the necessity for the proposed law.

Mr. WILLIAMS of Mississippi. I am aware of the fact that we have laws upon the statute book to remove a criminal—to carry him, rather—from one jurisdiction into another. But the very word extradition, as used in the sense in which the gentleman from New York himself used it this morning when he referred to the fact that we had “no extradition treaty” with Cuba, and when he said that we could not “extradite” this man, “because we had no treaty with Cuba,” showed that he was speaking of the word “extradition” in its sense as used in international law. In other words, he was speaking of the necessity of the Government having a treaty with itself in order to extradite a man from one jurisdiction within itself to another jurisdiction under its own officers.

Now, who constitutes the government in Cuba to-day? Nobody under the sun except the authorities of the United States Government. What is the government in Cuba to-day? There is perhaps no government de jure there at all; but there is a government de facto; and that government de facto is constituted of officers appointed by the President of the United States. So that you have the queer spectacle of gentlemen coming up and complaining that we have no treaty with ourselves by means of which we can extradite ourselves to ourselves. That is the situation, and it is a queer spectacle.

But to continue, what branch of the United States Government controls Cuba? Why, sir, every man there, whether under the postal authorities or not—whether holding a quasi civil position or not—is there under the War Department—absolutely under the War Department and under military authority—as much so as the humblest private soldier. Now, I am not opposed to this bill, for a very simple reason. On the contrary, although it is unnecessary, I shall vote for it. I am not willing to furnish anybody anywhere with an excuse, or a pretext, not to carry this man, whose name has been mentioned here to-day, and other

thieves (for there are others—the natural outcropping of carpet-baggery everywhere) back to Cuba, by any means thought proper.

But I do submit that this legislation is absolutely unnecessary. I do submit that this man could be arrested for a crime committed against the United States in Cuba, against the de facto government there, which is the Government of the United States; that governments extradite and not countries, and that there could be no necessity for a law to enable the United States to surrender to herself a criminal. There might be some legislation necessary to provide the process by means of which the seizure of his person should take place.

But the entire argument of the gentleman was based upon the idea that Cuba is a foreign country. Cuba is a foreign country, but the government existing in Cuba to-day is not as to us a foreign government, nor could it be in the slightest degree. It is our military arm. If a private soldier were to desert from Cuba to-day and go to Georgia, that military arm could seize him bodily and carry him back. A sergeant and a file of soldiers would be all sufficient. This man Neely is just as much within the reach of that arm, our sole authority in Cuba, as the soldier would be.

Mr. TERRY. I ask the gentleman from New York [Mr. RAY] to use some of his time at this point.

Mr. RAY of New York. How much time have I remaining?

The SPEAKER pro tempore. The gentleman from New York has seventeen minutes.

Mr. RAY of New York. I do not find anybody on this side of the House who desires to speak. I do not care to discuss the question very much, only to say that I am very much grieved indeed to find so many of the Democrats in this House opposing the arrest of criminals found in the United States.

Mr. DE ARMOND. Will the gentleman yield for a question?

The SPEAKER pro tempore. Does the gentleman from New York yield?

Mr. RAY of New York. Certainly.

Mr. DE ARMOND. I should like you to indicate where you have found one.

Mr. RICHARDSON. Name one.

Mr. RAY of New York. Why, when I found the gentleman from Missouri opposing this bill with such energy and emphasis, I supposed he was against it.

Mr. DE ARMOND. If the gentleman will yield to me a moment more—

Mr. RAY of New York. If the gentleman is for the bill, I will be glad to have him say so. Are you for this bill?

Mr. DE ARMOND. I am for the amendment of this bill, and after that is disposed of—

Mr. RAY of New York. Are you for this bill?

Mr. DE ARMOND. I am for amending this bill.

Mr. RAY of New York. I did not ask you that. My question is, Is the gentleman from Missouri in favor of this bill or against it?

Mr. DE ARMOND. Mr. Speaker, if the gentleman will allow me to answer, the gentleman made the statement that he was surprised or grieved to find so many Democrats in the House opposed to a law for arresting criminals against Cuban law when found in the United States.

Mr. RAY of New York. I did not say anything about Cuban law.

Mr. DE ARMOND. The RECORD will show, unless the gentleman fixes it.

Mr. RAY of New York. I do not think I did.

Mr. DE ARMOND. The statement of the gentleman was that he was grieved or surprised—either would answer just as well—to find so many Democrats opposed to a law for arresting criminals and bringing them to justice. I say he has not found one and can not find one. The statement is totally gratuitous and entirely unfounded and wholly inexcusable.

Mr. RAY of New York. Well, then, I am glad to find that the gentleman from Missouri is in that most happy and uncertain frame of mind where he does not know where he is.

Mr. DE ARMOND. I can not join with the gentleman from New York in that frame of mind which is habitual to him. [Laughter on the Democratic side.]

Mr. RAY of New York. The gentleman will not state whether he is for this bill or against it. Now, I ask him again if, when this bill is voted on in its present form, the gentleman from Missouri will vote for it or will he vote against it?

Mr. DE ARMOND. Mr. Speaker, I will answer the gentleman. I think the bill can be made better by amendment. We shall try to amend it, and we will not concede that the bill is to be voted on in its present form, until the House shall so decide. If the House does decide that it does not desire to better it by an amendment, when we come to the present form, if nothing better can be had, the gentleman then will find out how we vote; and I will say to the gentleman frankly that so great is the need for something to correct rascality growing out of imperialism and sheltered by it that I will go a long way toward meeting an emergency which has arisen and which is growing. [Applause on the Democratic side.]

Mr. RAY of New York. Mr. Speaker, how much more time have I remaining?

The SPEAKER pro tempore. The gentleman has thirteen minutes remaining.

Mr. RAY of New York. I want to be notified at least three or four or five minutes before my time has expired, retaining the floor.

The gentleman from Missouri [Mr. DE ARMOND] is gradually being converted to a frame of mind where he indicates that possibly he may support this bill. I think that in course of time he could be brought to conclude that he would. I think by the time the bill is voted on he will vote for it. He will vote for it because he dare not vote against it.

Now, what is the proposition? I had hoped, Mr. Speaker, to avoid all this Cuban discussion. I had hoped that it would not be dragged in here. I had hoped that when we found the necessity for a statute to cover the conditions that have arisen we could frame and place upon the statute book an efficient law, a general law in general terms, that would cover all conditions and emergencies now existing or that may exist hereafter, and that we could place it upon the statute book in a fair way without injecting into the discussion any political talk or any denunciation of what this Administration has done or may do during our occupation of Cuba. But I find that has been impossible.

Now, what does the gentleman propose to do to this bill by his proposed amendment which he has read? Does he propose to change its legal effect? Not at all. Does he propose to change its phraseology so far as it would affect the arrest and surrender up of offenders? Not at all. But he proposes to substitute words that would make this legislation apply to Cuba in terms and not to be a general law upon the statute book, and he does this in order that some fancied partisan advantage may be gained by heralding in the newspapers and going to the country, perhaps, during the approaching campaign with the claim that the Republican party found itself, through the criminal acts of some of its employees, driven into a corner where it was compelled to legislate directly for Cuba.

This bill as we have reported it has nothing to do with Cuba, but it will cover conditions that exist and have arisen out of our occupation of that island. That is all. It is general in its terms. It would apply to all territory that we may occupy in the future. It has met the approval of every member of the Judiciary Committee, excepting two or three, so far as I know. There were only two votes cast against it in the committee, if my recollection serves me right.

Mr. DE ARMOND. Will the gentleman yield for a question?

Mr. RAY of New York. Yes.

Mr. DE ARMOND. Is it not a fact that the proposition to apply it only to Cuba met the approval of a majority of the Judiciary Committee and that finally the Judiciary Committee decided against it by one majority?

Mr. RAY of New York. Well, if it is proper to state what occurred in the committee—

Mr. DE ARMOND. What have you just stated? Have you not just stated how the committee stood?

Mr. RAY of New York. Now, now!

Mr. DE ARMOND. I did not go into that. You did.

Mr. RAY of New York. I say if it is proper to state what occurred in committee, and no one here objects, I am frank to say that that proposition of the gentleman, against my opposition, did prevail by one vote at one time, and then it was stricken out of the bill. Good common sense prevailed finally.

Mr. DE ARMOND. By one vote.

Mr. RAY of New York. And I hope it will prevail in this House. It was sought to be injected for partisan purposes. It is sought to be injected into this bill here for partisan and political purposes.

Mr. DE ARMOND. Oh, no; for the honor of the country.

Mr. CLAYTON of Alabama. May I interrupt the gentleman just for a minute?

The SPEAKER pro tempore. Does the gentleman yield?

Mr. RAY of New York. How much time have I remaining?

The SPEAKER pro tempore. The gentleman has seven minutes remaining.

Mr. RAY of New York. Seven minutes. Yes; I yield.

Mr. CLAYTON of Alabama. In reference to what happened in the committee, I think the gentleman is mistaken in saying that two members of the committee voted against his measure. Nobody voted against it in the committee.

Mr. RAY of New York. On the final roll call.

Mr. CLAYTON of Alabama. Two reserved the right to oppose it, if they saw proper in the House. That is my recollection of it.

Mr. RAY of New York. All right. Nothing should be said on the floor as to what has taken place in the committee, but I have offended as much as anyone in that regard.

Mr. CLAYTON of Alabama. You referred to it first.

Mr. RAY of New York. No, I did not.

Mr. CLAYTON of Alabama. I want to say that every Democrat in this committee favored this legislation as heartily as you did, but not in this particular form.

Mr. LITTLEFIELD. What do you mean by their manifesting their right to oppose?

Mr. CLAYTON of Alabama. I am in favor of this bill if we can get nothing better.

Mr. LITTLEFIELD. About their right; when a man says he reserves the right to oppose on the floor, how he manifests his desire to support the measure is not obvious.

Mr. CLAYTON of Alabama. We did not vote against the measure in the committee.

Mr. LITTLEFIELD. He reserves the right to oppose.

Mr. RAY of New York. Two members of the committee did vote against it on the final call.

Mr. CLAYTON of Alabama. I do not know who it was.

Mr. RAY of New York. I want to see if that is true and ascertain how many will vote against it, and how many members will vote—

Mr. CLAYTON of Alabama. None of them will.

Mr. RAY of New York. None of you on your side?

Mr. CLAYTON of Alabama. None.

Mr. RAY of New York. Well, then, I want to listen to the rest of the discussion, and then I will demand the previous question. Now, in this situation, when we bring in a bill that is fair and honest and not attackable from a legal standpoint, the Democratic side of the House insist upon forty minutes on a side for debate. What for? To attack the bill, the legality of it, the fairness of it, the propriety of it, and the necessity for it—no, not at all.

Mr. WILLIAMS of Mississippi. To try to get a better one.

Mr. RAY of New York. To raise a hue and cry on partisan grounds, and try to gain a partisan advantage. Now, then, consume the balance of your time, and I will move the previous question.

Mr. WILLIAMS of Mississippi. Our object was to get a better bill, and we think we have the right to do it.

Mr. RAY of New York. Finish up your stump speeches, and then I will ask the previous question.

Mr. TERRY. I yield five minutes to the gentleman from Georgia [Mr. FLEMING].

Mr. CLAYTON of Alabama. If there had not been any stealing down there, there would not have been any necessity for the bill.

Mr. FLEMING. Mr. Speaker, I regret very much that there has been so much partisan politics brought into the discussion of this matter here this morning. I have heard a great deal more of it in the last forty minutes than we had in the committee during the entire consideration of the bill. Now, I wish to say, Mr. Speaker, that I am one of those who from the first intended to vote for this bill whether it was amended or not; but I insist—and I do it without any possible reference to any partisan politics—that this bill ought to be amended. The chairman of the committee may have some grounds for saying that a portion of the amendment offered by the gentleman from Missouri, in reference to the time when American soldiers should be removed from Cuba, might have a partisan bearing.

Mr. LITTLEFIELD. Mr. Speaker—

Mr. FLEMING. But the gentleman will have no excuse for saying that the amendment which was accepted by a majority of the committee in the first instance has any partisan bearing at all.

Mr. LITTLEFIELD. Mr. Speaker—

Mr. FLEMING. Mr. Speaker, if I had time I would yield. I have only five minutes.

Mr. LITTLEFIELD. Well, now, if you will devote a part of that five minutes to explaining to this House what legal effect that stump speech that you insert there on the end of this bill will have upon its construction—

Mr. FLEMING. No man in this House has ever heard me make a stump speech here—

Mr. LITTLEFIELD. No, no; on this amendment.

Mr. FLEMING. No man has ever heard me make a stump speech in debate here, and I have said nothing that indicates that I desire to do so.

Mr. LITTLEFIELD. I do not refer to the remarks. I refer to the amendment proposed.

Mr. FLEMING. If the gentleman will kindly be seated and allow me to have my time, I will show him that I do not intend to make a stump speech. I will make that plain and clear.

Mr. LITTLEFIELD. The gentleman entirely misconceives me if he understands that I indicated that he intended to make a stump speech—

Mr. FLEMING. Will the gentleman [Mr. TERRY] give me some more time?

Mr. LITTLEFIELD. I characterized the amendment of my distinguished friend from Missouri as being in the nature of a stump speech and having no tendency whatever to affect the legal construction of the measure. It is that portion of the amendment of

the gentleman from Missouri that I would like the gentleman to explain.

Mr. FLEMING. Now, as I had only five minutes, I am going to call upon the chairman of the committee to yield me sufficient time to make up for all I have lost by allowing the gentleman from Maine to make his stump speech.

Mr. TERRY. I gave the gentleman five minutes.

Mr. RAY of New York. How much time have you remaining?

Mr. TERRY. Only three minutes, and that is all there is.

Mr. FLEMING. I think you have eight minutes more.

Mr. RAY of New York. I yield two minutes of my time to the gentleman from Georgia, my colleague on the committee.

Mr. FLEMING. If the gentleman will allow me, I will state to him that there are men on that side of the House, Republican members of the committee, who voted yesterday for what I presented.

Now, Mr. Speaker, the question is simply this: This bill has the following language: "That whenever any foreign country or territory or any part thereof is occupied by the United States." There is not a foot of earth in the world to-day that that language can apply to except the island of Cuba. Now, I submit we ought to strike out that language and insert in it the words, "the island of Cuba," in order to confine it to that island, and let the world see that this extraordinary legislation is passed by us to meet an emergency and is not intended to stand as a part of the permanent statute law of the United States. My reason is this: Leave it on the books as you have it here, and what does it imply? It implies that the American Congress has begun to work and lay the foundation for extending the operation of their laws and courts over other territory, which we may or perhaps intend in the future to conquer and hold under military power. Why should we wish to put the world upon any such notice, when I hope to God we have got no such intention?

Mr. Speaker, if France, or Germany, or Russia, or England were to put upon their statute books such a law as this, proclaiming a policy that it was going to pursue in those countries which it should hereafter conquer and hold under military rule, it would stir every diplomatic circle in Europe. I say that the Congress of the United States is placing us in a false attitude when you put in general terms a law on the statute book which can apply only to Cuba, but which is subject to the inference that this country intends to send its armies to other countries and hold them in military occupation.

Do we intend to notify Canada that the American Army is to invade that country, and when a man commits a crime there we will send him back. Do we intend to notify Mexico and the republics of South America that we are laying a basis for military occupation of their country?

I submit, Mr. Speaker, that this law is worse than a blunder; it is almost a crime to express it in the language in which it stands, when it is so easy to correct it and when it was corrected in committee, until some question of partisan politics was injected into it. I sincerely hope that the chairman of the Judiciary Committee will have the fairness and magnanimity to accept the amendment which was carried by a majority of his colleagues in the committee, and let the House vote upon it, and let it stand on its merits, and not give notice to the world that we are laying the foundation to put other countries under military subjection and expose us to the injustice arising from the suspicion that we have designs upon other countries on the Western Hemisphere. [Applause on the Democratic side.]

Now, Mr. Speaker, I wish to offer the amendments. I propose to strike out the words—

Mr. RAY of New York. The gentleman has no right to offer an amendment.

Mr. FLEMING. My time has not expired, and I have a right to read them in my time. My first amendment is to strike out the words "that whenever any foreign country or territory, or any part thereof" and insert the words "while the island of Cuba." Second, I propose to amend by striking out, in lines 9 and 10 and in lines 21 and 23, the words "such foreign country or territory" and insert the words "the island of Cuba." The legal effect of this amendment and the object and intention of the amendment is not politics at all, but to get the bill in a proper shape as it should be.

Mr. TERRY. I now yield the remainder of my time to my colleague on the committee, Mr. DE ARMOND.

Mr. DE ARMOND. Mr. Speaker, I offer the following amendment, which I send to the Clerk's desk.

Mr. RAY of New York. The gentleman has no right to offer an amendment. If he does not desire to occupy the time, I will take the floor.

The SPEAKER pro tempore. The Chair holds that the amendment is not in order.

Mr. DE ARMOND. I wish to be heard on the question whether the amendment is in order.

The SPEAKER pro tempore. The Chair holds that the gentle-

man ought not to make a question of order upon a question which has already been decided by the Chair.

Mr. DE ARMOND. But I want to be heard upon the question. The SPEAKER pro tempore. The Chair has decided the question.

Mr. DE ARMOND. But the Chair has not heard any discussion. The SPEAKER pro tempore. The Chair has decided that no amendment is in order until the end of the forty minutes' debate.

Mr. DE ARMOND. I appeal from the decision of the Chair.

Mr. PAYNE. I move that the appeal lie on the table.

Mr. DE ARMOND. But, Mr. Speaker, I have the floor.

The SPEAKER pro tempore. The gentleman has the floor, and he offered the amendment. The Chair held that the amendment was not in order. The gentleman appealed from the decision of the Chair, and the gentleman from New York moved to lay that appeal on the table.

The question is, Shall the decision of the Chair stand as the judgment of the House?

Mr. TERRY. Does the Chair hold that the gentleman from Missouri can not debate the question of the appeal?

The SPEAKER pro tempore. The Chair has made the ruling usual under these circumstances—that having once decided the question he will not hear an argument upon it.

Mr. TERRY. I know the Chair will not hear, but the House might be given a chance. [Laughter.]

The SPEAKER pro tempore. The Chair had hoped the gentleman from Arkansas [Mr. TERRY] knew, and regrets to find that he does not, that a motion to lay on the table is not debatable.

Mr. TERRY. I do not know how the gentleman from New York got the floor while the gentleman from Missouri was on it.

Mr. WILLIAMS of Mississippi. Mr. Speaker, did not the gentleman from Missouri have the floor?

The SPEAKER pro tempore. He did not. The ruling is absolutely clear through the whole line of decisions. The gentleman appeals from the decision of the Chair.

Mr. WILLIAMS of Mississippi. Has he not the right to be heard on the appeal?

The SPEAKER pro tempore. Not at all. Following an appeal, the motion to lay on the table is always in order.

Mr. WILLIAMS of Mississippi. But will the Chair excuse me a moment? The exact language of the gentleman from Missouri was this:

I appeal from the decision, and ask to be heard on the appeal.

Mr. RAY of New York. I call for the regular order.

Mr. WILLIAMS of Mississippi. Then, while the gentleman from Missouri was occupying the floor in that way, the gentleman from New York rose and moved to lay the appeal on the table.

The SPEAKER pro tempore. The gentleman from Mississippi has stated the exact facts; and the Chair rules that, notwithstanding all that, the gentleman from New York had a right to make his motion; and nobody knows it better than the gentleman from Mississippi.

Mr. TERRY. If you smother up investigation in Cuba as you do discussion in the House, there will be no use of extraditing. [Laughter and applause on the Democratic side.]

The SPEAKER pro tempore. The question is on the motion of the gentleman from New York to lay the appeal on the table.

Mr. DE ARMOND. I rise to a parliamentary inquiry.

The SPEAKER pro tempore. As many as are in favor of the motion of the gentleman from New York will say "aye" [the affirmative vote was given]; contrary opinion "no," [the negative vote was given]; the ayes appear to have it.

Mr. DE ARMOND. I call for a division.

The question being again taken, there were—ayes 107, noes 96.

Mr. DE ARMOND. I think we had better have tellers.

The SPEAKER pro tempore. Does the gentleman ask for tellers?

Mr. DE ARMOND. Yes, sir.

Tellers were ordered.

Mr. RAY of New York. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. The Clerk will call the roll.

Mr. DE ARMOND. I wish to make a parliamentary inquiry. Would it be in order to have read the amendment on which the Speaker has ruled?

The SPEAKER pro tempore. The Chair thinks not.

Mr. DE ARMOND. The reason I thought it might be in order was because the Chair prefaced his ruling by saying that he knew nothing about it.

The SPEAKER pro tempore. Debate is not in order. The Clerk will call the roll.

The Clerk proceeded to call the roll, but was interrupted by

Mr. FLEMING, who said: Mr. Speaker, I rise to a parliamentary inquiry. I wish to know the precise question on which we are voting.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. FLEMING. Let me ask the question in such a form as will make it intelligible.

The SPEAKER pro tempore. The Chair will state to the gentleman that the roll is being called.

Mr. FLEMING. I am asking information in regard to the question to be voted on.

The SPEAKER pro tempore. The Chair will of course state the question. The gentleman from Missouri offered an amendment to the pending measure. The Chair ruled that during the forty minutes allowed for debate it was not in order to offer an amendment.

Mr. FLEMING. I simply wanted to know—

The SPEAKER pro tempore. Thereupon the gentleman from Missouri appealed from the decision of the Chair. The gentleman from New York moved to lay that appeal on the table; and the question is on agreeing to the motion of the gentleman from New York.

Mr. FLEMING. I simply wanted to know whether the appeal was from the ruling that the gentleman from New York could take the gentleman from Missouri off the floor. I think the ruling of the Chair on the parliamentary point as stated by him is correct—

The SPEAKER pro tempore. So does the Chair. [Laughter.]

Mr. FLEMING. But that the action of the Chair in taking the gentleman from Missouri off the floor was wrong.

The question was taken; and there were—yeas 129, nays 101, answered "present" 17, not voting 105; as follows:

YEAS—129.

Acheson,	Esch,	Landis,	Reeves,
Adams,	Faris,	Lane,	Rodenberg,
Aldrich,	Fleming,	Lawrence,	Shattuc,
Alexander,	Fletcher,	Littauer,	Shelden,
Allen, Me.	Fowler,	Littlefield,	Sherman,
Babcock,	Freer,	Long,	Showalter,
Bailey, Kans.	Gardner, N. J.	Loud,	Sibley,
Earney,	Gibson,	Loudenslager,	Smith, H. C.
Bartholdt,	Gill,	Lovering,	Smith, Samuel W.
Bishop,	Gillet, N. J.	Lybrand,	Southard,
Boutell, Ill.	Gillett, Mass.	McCleary,	Spalding,
Bowersock,	Graff,	Mann,	Sperry,
Brick,	Greene, Mass.	Marsh,	Steele,
Brosius,	Grosvenor,	Mercer,	Stevens, Minn.
Brown,	Grow,	Miller,	Stewart, N. J.
Burkett,	Hamilton,	Minor,	Stewart, N. Y.
Burleigh,	Haugen,	Mondell,	Sulloway,
Burton,	Hawley,	Moody, Mass.	Tawney,
Cannon,	Heatwole,	Moody, Oreg.	Thomas, Iowa
Clarke, N. H.	Hedge,	Morgan,	Tompkins,
Cooper, Wis.	Henry, Conn.	Needham,	Vreeland,
Corliss,	Hepburn,	O'Grady,	Wachter,
Cromer,	Hill,	Olmsted,	Wadsworth,
Crumpacker,	Hitt,	Overstreet,	Warner,
Cushman,	Hoffecker,	Packer, Pa.	Waters,
Dahle, Wis.	Hopkins,	Parker, N. J.	Weeks,
Dalzell,	Howell,	Payne,	White,
Davenport, S. A.	Jack,	Pearson,	Wise,
Davidson,	Jones, Wash.	Pearre,	Wright,
Dick,	Joy,	Phillips,	Young.
Driscoll,	Kahn,	Ray,	
Eddy,	Kerr,	Reeder,	
Emerson,	Lacey,		

NAYS—101.

Allen, Ky.	Elliott,	Little,	Sheppard,
Atwater,	Finley,	Livingston,	Sims,
Bailey, Tex.	Fitzgerald, Mass.	Lloyd,	Slayden,
Ball,	Fitzgerald, N. Y.	McLain,	Spight,
Bartlett,	Foster,	McRae,	Stallings,
Bell,	Gaston,	Maddox,	Stark,
Bellamy,	Gilbert,	Meekison,	Stephens, Tex.
Benton,	Glynn,	Moon,	Stokes,
Berry,	Gordon,	Neville,	Sulzer,
Bradley,	Green, Pa.	Newlands,	Sutherland,
Breazeale,	Griffith,	Pierce, Tenn.	Talbert,
Brenner,	Griggs,	Quarles,	Tate,
Brundidge,	Hall,	Ransdell,	Terry,
Burleson,	Henry, Miss.	Rhea, Ky.	Thomas, N. C.
Caldwell,	Howard,	Richardson,	Underwood,
Chanler,	Jett,	Ridgely,	Vandiver,
Clayton, Ala.	Johnston,	Rixey,	Williams, J. R.
Cochran, Mo.	King,	Robb,	Williams, W. E.
Cowherd,	Kitchin,	Robinson, Ind.	Williams, Miss.
Cox,	Kleberg,	Robinson, Nebr.	Wilson, Idaho
De Armond,	Kluttz,	Rucker,	Wilson, N. Y.
De Graffenreid,	Lamb,	Ruppert,	Zenor,
De Vries,	Latimer,	Ryan, N. Y.	Ziegler.
Dinsmore,	Lentz,	Ryan, Pa.	
Dougherty,	Lester,	Salmon,	
Driggs,	Lewis,	Shackelford,	

ANSWERED "PRESENT"—17.

Boreing,	Gaines,	McClellan,	Wheeler, Ky.
Butler,	Hull,	Mahon,	Wilson, S. C.
Clark, Mo.	Jenkins,	Meyer, La.	
Cousins,	Knox,	Naphen,	
Dovener,	Lanham,	Taylor, Ala.	

NOT VOTING—105.

Adamson,	Boutelle, Me.	Burke, S. Dak.	Catchings,
Allen, Miss.	Brantley,	Burke, Tex.	Clayton, N. Y.
Baker,	Brewer,	Burnett,	Cochrane, N. Y.
Bankhead,	Bromwell,	Calderhead,	CConnell,
Barber,	Broussard,	Campbell,	Cooney,
Barham,	Brownlow,	Capron,	Cooper, Tex.
Bingham,	Bull,	Carmack,	Crowley,

Crump,	Hay,	Muller,	Smith, Wm. Alden
Cummings,	Hemenway,	Noonan,	Snodgrass,
Curtis,	Henry, Tex.	Norton, Ohio	Sparkman,
Cusack,	Jones, Va.	Norton, S. C.	Sprague,
Daly, N. J.	Ketcham,	Otey,	Stewart, Wis.
Davenport, S. W.	Lassiter,	Pearce, Mo.	Swanson,
Davey,	Levy,	Polk,	Taylor, Ohio
Davis,	Linney,	Powers,	Thayer,
Dayton,	Lorimer,	Prince,	Thropp,
Denny,	McAleer,	Pugh,	Tongue,
Dolliver,	McCall,	Rhea, Va.	Turner,
Fitzpatrick,	McCulloch,	Riordan,	Underhill,
Fordney,	McDowell,	Roberts,	Van Voorhis,
Foss,	McPherson,	Robertson, La.	Wanger,
Fox,	May,	Russell,	Watson,
Gamble,	Mesick,	Scudder,	Weaver,
Gardner, Mich.	Metcalf,	Shafroth,	Weymouth.
Gayle,	Miers, Ind.	Small,	
Graham,	Morris,	Smith, Ill.	
Grout,	Mudd,	Smith, Ky.	

So the appeal was laid on the table.

Mr. LANHAM. Mr. Speaker, I desire to withdraw my vote. I voted inadvertently. I am paired with the gentleman from Iowa, Mr. MCPHERSON. I desire to be marked "present."

Mr. CLARK of Missouri. I am paired with the gentleman from Iowa, Mr. DOLLIVER; but I forgot it, and voted "no." I want to withdraw my vote and be marked "present."

Mr. WHEELER of Kentucky. I am paired with the gentleman from California, Mr. METCALF. I desire to withdraw my vote and to answer "present."

Mr. HULL. I am paired with the gentleman from Virginia, Mr. HAY. I am informed that he did not vote. I therefore desire to withdraw my vote and to answer "present."

Mr. MEYER of Louisiana. I am paired with the gentleman from West Virginia, Mr. DAYTON. I voted "no." I desire to withdraw my vote and to answer "present."

Mr. McCLELLAN. I am paired with the gentleman from Connecticut, Mr. RUSSELL. Therefore I desire to withdraw my vote and to be recorded "present."

Mr. MAHON. I am paired with the gentleman from Virginia, Mr. OTEY. I desire to withdraw my vote and to answer "present."

The Clerk announced the following pairs:

For the session:

Mr. GARDNER of Michigan with Mr. ATWATER.

Mr. HULL with Mr. HAY.

Mr. RUSSELL with Mr. McCLELLAN.

Mr. WANGER with Mr. ADAMSON.

Mr. WM. ALDEN SMITH with Mr. WILSON of South Carolina.

Mr. METCALF with Mr. WHEELER of Kentucky.

Until further notice:

Mr. CONNELL with Mr. STANLEY W. DAVENPORT.

Mr. COUSINS with Mr. ALLEN of Mississippi.

Mr. MORRIS with Mr. McCULLOCH.

Mr. BROMWELL with Mr. McDOWELL.

Mr. TAYLER of Ohio with Mr. FOX.

Mr. SOUTHARD with Mr. NORTON of Ohio.

Mr. BOUTELLE of Maine with Mr. ROBERTSON of Louisiana.

Mr. POWERS with Mr. BANKHEAD.

Mr. BROWNLOW with Mr. CARMACK.

Mr. KNOX with Mr. HENRY of Texas.

Mr. JENKINS with Mr. SMITH of Kentucky.

Mr. WEYMOUTH with Mr. BROUSSARD.

Mr. BOREING with Mr. FITZPATRICK.

Mr. DOVENER with Mr. CATCHINGS.

Mr. KETCHAM with Mr. MULLER.

Mr. DOLLIVER with Mr. CLARK of Missouri.

Mr. McCALL with Mr. GAINES.

Mr. BURKE of South Dakota with Mr. COOPER of Texas.

Mr. GILLET of New York with Mr. NORTON of South Carolina.

Mr. PACKER of Pennsylvania with Mr. POLK.

Mr. BUTLER with Mr. BARBER.

Mr. GAMBLE with Mr. BURNETT.

Mr. HEMENWAY with Mr. MIERS of Indiana.

Mr. MAHON with Mr. OTEY.

Mr. REEVES with Mr. SPARKMAN.

Mr. LORIMER with Mr. CUSACK.

Mr. MUDD with Mr. SWANSON.

Mr. BARHAM with Mr. TURNER.

Mr. COCHRANE of New York with Mr. DAVIS.

Mr. BISHOP with Mr. CAMPBELL.

Mr. ROBERTS with Mr. NAPHEN.

Mr. PUGH with Mr. TAYLOR of Alabama.

Mr. BULL with Mr. BRANTLEY.

Mr. CRUMP with Mr. CROWLEY.

Mr. MESICK with Mr. BURKE of Texas.

Mr. DAYTON with Mr. MEYER of Louisiana.

For this day:

Mr. CURTIS with Mr. DAVEY.

Mr. FORDNEY with Mr. DENNY.

Mr. BAKER with Mr. BREWER.

Mr. CAPRON with Mr. RIORDAN.

Mr. CALDERHEAD with Mr. CLAYTON of New York.
 Mr. BINGHAM with Mr. MCALEER.
 Mr. MCPHERSON with Mr. LANHAM.
 Mr. SMITH of Illinois with Mr. DALY of New Jersey.
 Mr. FOSS with Mr. CUMMINGS.
 Mr. GRAHAM with Mr. GAYLE.
 Mr. PEARCE of Missouri with Mr. NOONAN.
 Mr. WEAVER with Mr. SNODGRASS.
 Mr. WATSON with Mr. MAY.
 Mr. VAN VOORHIS with Mr. SCUDDER.
 Mr. PRINCE with Mr. JONES of Virginia.
 Mr. TONGUE with Mr. SMALL.
 Mr. SPRAGUE with Mr. UNDERHILL.
 Mr. STEWART of Wisconsin with Mr. SHAFROTH.
 Mr. THROPP with Mr. LEVY.
 Mr. LINNEY with Mr. LASSITER.
 Mr. KNOX. Mr. Speaker, I find that I am paired, on the reading of the pairs. I desire to withdraw my vote and to answer "present."

Mr. COUSINS. I find that my pair with the gentleman from Mississippi, Mr. ALLEN, has been extended. I therefore wish to withdraw my vote.

Mr. BOREING. Mr. Speaker—
 The SPEAKER pro tempore. For what purpose does the gentleman rise?

Mr. BOREING. A pair was announced between the gentleman from Kentucky, Mr. FITZPATRICK, and myself. I understood our pair was at an end, as we are both present in the city. I will ask if the gentleman voted?

The SPEAKER pro tempore. The gentleman from Kentucky, Mr. FITZPATRICK, did not vote.

Mr. BOREING. I will then withdraw my vote. I only voted because I understood that our pair was at an end.

The SPEAKER pro tempore. Without objection, the vote will be withdrawn.

Mr. BUTLER. I understand that I am paired with my colleague, Mr. BARBER. If so, I desire to withdraw my vote and to be marked "present."

The SPEAKER pro tempore. The gentleman knows whether he is paired or not.

Mr. BUTLER. I understand that I am paired. I thought the gentleman [Mr. BARBER] had returned. I will withdraw my vote, and answer "present."

The result of the vote was announced as above recorded.
 The SPEAKER pro tempore. The Chair recognizes the gentleman from Missouri [Mr. DE ARMOND] for three minutes.

Mr. DE ARMOND. Mr. Speaker, I do not know of any useful purpose to which the three minutes can be devoted. Perhaps I may employ that time to some extent in giving expression to my surprise at the ruling of the Speaker pro tempore. I understood the Speaker pro tempore, when I first proposed to offer the amendment, to announce to the House that he was acting under instructions, and that really he did not know anything about the question involved. I think both statements were true. I accepted both of them as absolutely and unqualifiedly correct. Now, in that condition of things, I hoped that the instructions might be removed temporarily, and I hoped that the Speaker pro tempore might inform himself upon the subject or that he might apply to some one who had the information.

In this condition of things I was not prepared for the rude surprise which came when he ruled out of order the amendment which I offered. It was in the nature of a shock, because when the Speaker pro tempore had so plaintively announced that he was acting under instructions, and that really he knew nothing about it, and when the House had accepted so placidly and with such implicit confidence the statement of the Speaker pro tempore, I thought that at a later stage of the proceedings we would find ourselves in a condition where this amendment might be entertained. This is only one of many disappointments that occur in this House.

The hope I have now is that if the gentleman from New York persists in his apparent purpose to force the previous question upon the House before the House has an opportunity to consider what is really good for Neely and some other people, the House will not sustain him, but will vote down this demand for the previous question and will use its enlightened judgment in determining what is best in the matter of the amendment in good time, after the previous question is voted down. It seems to me that the gentlemen of the committee ought not to shrink from that test. It would seem to me that with twenty or thirty majority, a majority increased by very close elections here since we met here, the gentleman ought not to shrink from that test.

If the bill proposed is better than the amendment which I have offered, it would seem that this House, the majority of this House, on a direct vote would sustain the gentleman who proposes the bill. However, they must entertain some doubt upon the subject,

and the proponents of the bill are presumed to have good reason for the doubt. I believe the amendment that I have offered would improve the bill, and if the gentlemen will not permit the amendment to be considered, it is because they do not desire to have the bill improved, but desire to have it go as far as it is, go even in advance of the Constitution, according to their theory. I see the gavel is in the air, and I yield to it. [Applause on the Democratic side.]

Mr. RAY of New York. Mr. Speaker, the House is never instructed, but always entertained, when it listens to its common scold. I now move the previous question on the bill and amendments thereto to its final passage.

Mr. LANHAM. Mr. Speaker, will the gentleman yield to me for one moment?

Mr. DE ARMOND. He did not hear you. [Cries of "Regular order!"]

Mr. LANHAM. I want to make a suggestion about a typographical error in the bill, which I think ought to be corrected.

Mr. RAY of New York. The gentleman calls my attention to a typographical error.

Mr. DE ARMOND. Oh, let that go.

Mr. LANHAM. It is a typographical error on page 3, line 10. It should be "surrendered." There is an "a" there instead of "d."

The SPEAKER pro tempore. The Chair will inform the gentleman from Texas that the Clerk informs the Chair that the correction has been made already.

Mr. DE ARMOND. Pending the motion for the previous question, I offer a motion to recommit.

The SPEAKER pro tempore. It is not in order at this time.

Mr. LANHAM. And then I want to suggest to the gentleman from New York further, whether it would be in order to perfect the bill on page 3, line 7, where the word "therein" is used, to use the words "United States?" We have used the word "therein" three different times.

Mr. RAY of New York. It plainly refers to the United States. We went over it carefully.

Mr. LANHAM. Possibly it does, but I think it would be clearer.

Mr. RAY of New York. I demand the regular order.

The SPEAKER pro tempore. The gentleman from New York demands the previous question upon the bill and amendments to its final passage.

Mr. DE ARMOND. Pending that, I make a motion to recommit.

The SPEAKER pro tempore. That motion is not in order.

Mr. DE ARMOND. Will the Speaker kindly read Rule XVII?

The SPEAKER pro tempore. Oh, certainly.

Mr. DE ARMOND. Not read it to the House, but for his own information.

The SPEAKER pro tempore. No; the Chair will read it to the House. The Clerk will report the rule.

The Clerk read as follows:

1. There shall be a motion for the previous question, which, being ordered by a majority of members voting, if a quorum be present, shall have the effect to cut off all debate and bring the House to a direct vote upon the immediate question or questions on which it has been asked and ordered. The previous question may be asked and ordered upon a single motion, a series of motions allowable under the rules, or an amendment or amendments, or may be made to embrace all authorized motions or amendments and include the bill to its passage or rejection. It shall be in order, pending the motion for, or after the previous question shall have been ordered on its passage, for the Speaker to entertain and submit a motion to commit, with or without instructions, to a standing or select committee.

Mr. DE ARMOND. That is what I had in mind.

The SPEAKER pro tempore. The Chair will call the attention of the gentleman from Missouri to the ruling of the Speakers of the House, which seem to have been uniform. Section 1015, page 538 of Hinds's Parliamentary Precedents, says:

The motion to commit under section 1 of Rule XVII is not in order before the engrossment and third reading, although the previous question may be ordered on the engrossment and third reading to the passage at one vote. On May 26, 1890, the House had under consideration the bill (H. R. 3282) relating to the use of alcohol in the arts, and the previous question, on motion of Mr. Walter Evans, of Kentucky, had been ordered on the bill and amendments to the passage, when Mr. William E. Barrett, of Massachusetts, proposed a motion to recommit with instructions.

The Speaker held that the motion would not be in order until the bill had passed to be engrossed and had been read a third time, saying:

"The Chair supposes that the practical principle involved is this: After the House has proceeded to amendment of the bill, and the bill has reached its final position, ready to be engrossed, or ordered to be engrossed, then, if the House is dissatisfied with it, it may move to commit, or recommit, as the phraseology ordinarily is. That is to enable the House to correct its action in case the bill when finished is not satisfactory."

So that, following the uniform ruling of the Speakers of the House, the Chair holds that the motion of the gentleman is not in order.

Mr. DE ARMOND. If the Speaker will indulge me. My only object is to call attention to the apparent conflict between the ruling of the Speakers and the rule, providing the rule at that

time was the same. The rule seems to be reasonably clear, and reads as follows:

It shall be in order, pending the motion for, or after the previous question shall have been ordered on its passage, for the Speaker to entertain and submit a motion to commit, with or without instructions, to a standing or select committee.

The SPEAKER pro tempore. There is perhaps a discrepancy, but the practice of the House, since the ruling of Speaker Reed, has been uniform.

Mr. DE ARMOND. Of course the rules will have to yield to the rulings, I suppose. [Laughter on the Democratic side.]

The SPEAKER pro tempore. The question is on ordering the previous question upon the bill and amendments to its passage.

The question was taken; and on a division (demanded by Mr. DE ARMOND) there were—ayes 92, noes 82.

Mr. DE ARMOND. Tellers, Mr. Speaker. Tellers were ordered; and the Chair appointed as tellers Mr. RAY of New York and Mr. DE ARMOND of Missouri.

The House again divided; and the tellers reported—ayes 109, noes 94.

So the previous question was ordered. The SPEAKER pro tempore. The question is on the amendment proposed by the committee.

The amendment was considered and agreed to. Mr. DE ARMOND. Now, Mr. Speaker, I offer the motion—

The SPEAKER pro tempore. The Chair will recognize the gentleman from Missouri at the proper time to make his motion. The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The gentleman from Missouri moves to recommit the bill with the following instructions:

The Clerk read as follows: I move to recommit the pending bill to the Committee on the Judiciary with instructions to report the same back to the House as soon as possible, so amended as to make it apply to Cuba only, and only during the occupancy thereof by the United States, and limit such occupancy so as to secure to the Cubans their present right to be free and independent, as the observance of the solemn pledge of the United States in honor imperatively demands.

Mr. RAY of New York. Mr. Speaker, I make the point of order against that, that it is not germane to this bill.

Mr. DE ARMOND. I would like to be heard on the point of order.

Mr. RAY of New York. This bill has no reference to any such subject; does not refer to Cuba or its occupancy.

The SPEAKER pro tempore. Without objection the gentleman from Missouri can be heard on the point of order. Is there objection?

Mr. RAY of New York. I object. Mr. DE ARMOND. A parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state it. Mr. DE ARMOND. The parliamentary inquiry is, Whether upon a point of order any member has a right to be heard unless the Presiding Officer be sufficiently well satisfied or indisposed and refuses to hear him? And a further inquiry is, Has any member upon the floor a right to object to any member being heard upon a point of order?

The SPEAKER pro tempore. The Chair will call the attention of the gentleman from Missouri to Rule XVII, paragraph 3, of the rules of this House, which says: All incidental questions of order arising after a motion is made for the previous question, and pending such motion, shall be decided, whether on appeal or otherwise, without debate.

Mr. DE ARMOND. This is the pending question, whether we shall recommit. The point of order is made against that motion; and upon that point of order I would like to be heard. That is the question before the House.

The SPEAKER pro tempore. The Chair is of the opinion— Mr. TALBERT. I rise to a point of order.

The SPEAKER pro tempore. One point of order is now pending. Mr. TALBERT. The point of order I make is that a point of order can not be raised against a motion to recommit.

The SPEAKER pro tempore. The Chair is following the uniform practice of the House.

The Chair is of opinion that this is a troublesome question. The proposition of the gentleman from Missouri to recommit this bill with certain instructions appears to the Chair to be a limitation upon the operation of the bill itself; and while there is in the proposition certain language which the Chair would hold obnoxious to the point of order, if it were not explanatory of the text of the motion, the Chair is inclined to overrule the point of order. The question therefore is upon the motion to recommit with instructions.

Mr. RAY of New York. On that I demand the previous question. The previous question was ordered.

Mr. DE ARMOND. I ask that the instructions be again read. The Clerk again read the proposed instructions of Mr. DE ARMOND.

The SPEAKER pro tempore (having put the question on the

motion to recommit with instructions). The ayes appear to have it.

Mr. DE ARMOND. I call for a division. The question being again taken, there were—ayes 89, noes 97.

Mr. DE ARMOND. I call for the yeas and nays. The yeas and nays were ordered.

The question was taken; and there were—yeas 106, nays 127, answered "present" 15, not voting 104; as follows:

YEAS—106.			
Allen, Ky.	Elliott,	Little,	Shafroth,
Bailey, Tex.	Finley,	Livingston,	Sheppard,
Ball,	Fitzgerald, Mass.	Lloyd,	Sims,
Bartlett,	Fitzgerald, N. Y.	McLain,	Slayden,
Bell,	Fleming,	McRae,	Spight,
Bellamy,	Foster,	Maddox,	Stallings,
Benton,	Gaston,	Meekison,	Stark,
Berry,	Gilbert,	Moon,	Stephens, Tex.
Bradley,	Glynn,	Neville,	Stokes,
Breazeale,	Gordon,	Newlands,	Sulzer,
Brundidge,	Green, Pa.	Pierce, Tenn.	Sutherland,
Burleson,	Griffith,	Polk,	Talbert,
Caldwell,	Griggs,	Quarles,	Tate,
Chanler,	Hall,	Ransdell,	Terry,
Clayton, Ala.	Henry, Miss.	Rhea, Ky.	Underwood,
Cochran, Mo.	Howard,	Rhea, Va.	Vandiver,
Cooney,	Jett,	Richardson,	Wheeler, Ky.
Cowherd,	Johnston,	Ridgely,	Williams, J. R.
Cox,	King,	Rixey,	Williams, W. E.
Crowley,	Kitchin,	Robb,	Williams, Miss.
Cummings,	Kleberg,	Robinson, Ind.	Wilson, Idaho
De Armond,	Kluttz,	Robinson, Nebr.	Wilson, N. Y.
De Graffenreid,	Lamb,	Rucker,	Wilson, S. C.
De Vries,	Latimer,	Ruppert,	Zenor,
Dinsmore,	Lentz,	Ryan, N. Y.	Ziegler,
Dougherty,	Lester,	Ryan, Pa.	
Driggs,	Lewis,	Salmon,	

NAYS—127.			
Adams,	Driscoll,	Kerr,	Pearre,
Aldrich,	Eddy,	Lacey,	Phillips,
Alexander,	Emerson,	Landis,	Ray,
Allen, Me.	Esch,	Lane,	Reeder,
Babcock,	Faris,	Lawrence,	Rodenberg,
Bailey, Kans.	Fletcher,	Littauer,	Shattuc,
Baker,	Foss,	Littlefield,	Shelden,
Barney,	Fowler,	Long,	Sherman,
Bartholdt,	Freer,	Loud,	Showalter,
Bishop,	Gardner, N. J.	Loudenslager,	Sibley,
Boutell, Ill.	Gibson,	Lovering,	Smith, H. C.
Bowersock,	Gillett, Mass.	Lybrand,	Smith, Samuel W.
Brick,	Greene, Mass.	McCleary,	Spalding,
Brosius,	Grosvenor,	Mann,	Sperry,
Brown,	Groat,	Marsh,	Sprague,
Burkett,	Grow,	Mercer,	Steele,
Burleigh,	Hamilton,	Metcalf,	Stevens, Minn.
Burton,	Haugen,	Miller,	Stewart, N. J.
Cannon,	Hawley,	Minor,	Stewart, N. Y.
Capron,	Heatwole,	Mondell,	Stewart, Wis.
Clarke, N. H.	Hedge,	Moody, Mass.	Tawney,
Cooper, Wis.	Henry, Conn.	Morgan,	Thomas, Iowa
Corliss,	Hepburn,	Needham,	Tompkins,
Cromer,	Hill,	O'Grady,	Warner,
Crumpacker,	Hitt,	Olmsted,	Waters,
Curtis,	Hoffecker,	Otjen,	Weaver,
Cushman,	Hopkins,	Overtstreet,	Weeks,
Dalzell,	Howell,	Packer, Pa.	White,
Davenport, S. A.	Jack,	Parker, N. J.	Wise,
Davidson,	Jones, Wash.	Payne,	Wright,
Dayton,	Joy,	Pearce, Mo.	Young,
Dick,	Kahn,	Pearson,	

ANSWERED "PRESENT"—15.			
Boreing,	Gaines,	Langham,	Meyer, La.
Brenner,	Gardner, Mich.	McClellan,	Morris,
Clark, Mo.	Jenkins,	McDowell,	Taylor, Ala.
Cousins,	Knox,	Mahon,	

NOT VOTING—104.			
Acheson,	Cooper, Tex.	Lassiter,	Russell,
Adams,	Crump,	Levy,	Scudder,
Allen, Miss.	Cusack,	Linney,	Shackleford,
Atwater,	Dahle, Wis.	Lorimer,	Small,
Bankhead,	Daly, N. J.	McAleer,	Smith, Ill.
Barber,	Davenport, S. W.	McCall,	Smith, Ky.
Barham,	Davey,	McCulloch,	Smith, Wm. Alden,
Bingham,	Davis,	McPherson,	Snodgrass,
Boutelle, Me.	Denny,	May,	Southard,
Brantley,	Dolliver,	Mesick,	Sparkman,
Brewer,	Dovener,	Miers, Ind.	Sulloway,
Bromwell,	Fitzpatrick,	Moody, Oreg.	Swanson,
Broussard,	Fordney,	Mudd,	Taylor, Ohio
Brownlow,	Fox,	Muller,	Thayer,
Bull,	Gamble,	Naphen,	Thomas, N. C.
Burke, S. Dak.	Gayle,	Noonan,	Thropp,
Burke, Tex.	Gill,	Norton, Ohio	Tongue,
Burnett,	Gillet, N. Y.	Norton, S. C.	Turner,
Butler,	Graff,	Otey,	Underhill,
Calderhead,	Graham,	Powers,	Van Voorhis,
Campbell,	Hay,	Prince,	Vreeland,
Carmack,	Hemenway,	Pugh,	Wachter,
Catchings,	Henry, Tex.	Reeves,	Wadsworth,
Clayton, N. Y.	Hull,	Riordan,	Wanger,
Cochrane, N. Y.	Jones, Va.	Roberts,	Watson,
Connell,	Ketcham,	Robertson, La.	Weymouth,

So the motion of Mr. DE ARMOND to recommit the bill with instructions was rejected.

The following additional pairs were announced: For this day:

Mr. WACHTER with Mr. BRENNER.
Mr. DAHLE of Wisconsin with Mr. SHACKLEFORD.

Mr. BRENNER. Mr. Speaker, I have voted "aye;" but as I am paired with the gentleman from Maryland, Mr. WACHTER, I desire to withdraw my vote.

Mr. WHEELER of Kentucky. Mr. Speaker, when my name was called I answered "present," because I have been paired with the gentleman from California, Mr. METCALF. But it seems the gentleman was in the hall and voted. If permissible, I would like to change my vote from "present" to "aye."

The name of Mr. WHEELER of Kentucky was again called, and he voted "aye."

The result of the vote was announced as above stated.

The question being then taken on the passage of the bill, it was passed.

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

POST-OFFICE APPROPRIATION BILL.

On motion of Mr. LOUD, by unanimous consent, the House took up for consideration the amendments of the Senate to the Post-Office appropriation bill.

Mr. LOUD. I ask unanimous consent that the House nonconcur in the amendments of the Senate and ask a conference.

There being no objection, it was ordered accordingly.

The SPEAKER announced the appointment of Mr. LOUD, Mr. GARDNER of New Jersey, and Mr. SWANSON as conferees on the part of the House.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. BENNETT, its Secretary, announced that the Senate had passed bills of the following titles; in which the concurrence of the House was requested:

S. 1423. An act for the purchase of a site and the erection of a public building thereon in the city of Elizabeth, N. J.;

S. 2868. An act to provide for the purchase of a site and the erection of a public building thereon at Grand Junction, in the State of Colorado; and

S. 3115. An act granting an increase of pension to Robert Moran.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8582) making appropriations for the support of the Regular and Volunteer Army for the fiscal year ending June 30, 1901.

ENROLLED BILLS SIGNED.

Mr. BAKER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled a bill and a joint resolution of the following titles; when the Speaker signed the same:

H. R. 6876. An act providing for the transfer to Post 39, Grand Army of the Republic, at Lawrence, Mass., of certain guns now in possession of Battery C, Massachusetts Volunteer Militia; and

H. J. Res. 255. Joint resolution to print the annual reports of the American Historical Association.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 124. An act regulating permits for private conduits in the District of Columbia; and

S. 4048. An act to amend an act regulating the inspection of flour in the District of Columbia, approved December 21, 1898.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 1423. An act for the purchase of a site and the erection of a public building thereon in the city of Elizabeth, N. J.—to the Committee on Public Buildings and Grounds.

S. 2868. An act to provide for the purchase of a site and the erection of a public building thereon at Grand Junction, in the State of Colorado—to the Committee on Public Buildings and Grounds.

S. 3115. An act granting an increase of pension to Robert Moran—to the Committee on Invalid Pensions.

AMERICAN NATIONAL INSTITUTE AT PARIS.

The SPEAKER laid before the House the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Appropriations, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith a report from the Secretary of State in regard to the proposed American National Institute at Paris, to be erected on ground to be donated by the Government of France and to be free from taxation.

WILLIAM MCKINLEY.

EXECUTIVE MANSION, May 23, 1900.

PROPOSED EVENING SESSION FOR ALASKA BILL.

Mr. WARNER. I ask unanimous consent that at 5 o'clock to-day the House take a recess until 8 o'clock, and that there be an evening session from 8 o'clock till half past 10 for the further consideration of the Alaska bill.

Mr. UNDERWOOD. Reserving the right to object, I wish to say to the gentleman that a bill so important as this should, I think, receive the consideration of the House, and it will not receive due consideration if taken up at a time when members generally are not present, as would be the case at an evening session. For that reason I intend to object now. If later it should be demonstrated that the bill can not be passed at this session of Congress without an evening session, then I will withdraw the objection; but I think that in the first instance we ought to undertake to consider the bill at times when it will receive the attention of members of the House.

Mr. WARNER. There are over a thousand sections to the bill; and we have considered only 26. It is very important that the bill be passed by the House in time to go back to the Senate and be sent to the President.

The SPEAKER. The gentleman from Alabama [Mr. UNDERWOOD] objects.

REVISION AND REDUCTION OF WAR-REVENUE TAXES.

Mr. PAYNE. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I offered this morning.

The SPEAKER. The gentleman from New York asks unanimous consent for the present consideration of a resolution which the Clerk will report.

The Clerk read as follows:

Resolved, That the Committee on Ways and Means have leave to sit during the recess to consider the subject of the revision and reduction of the war-revenue taxes.

The SPEAKER. Is there objection? The Chair hears none, and it is so ordered.

Mr. PAYNE. I do not suppose any gentleman desires any debate on this resolution, as the matter has been pretty thoroughly debated this morning.

The SPEAKER. The resolution is adopted.

Mr. PAYNE. I simply asked for its consideration.

The SPEAKER. The Chair, for the first time in his life, must confess that he has committed an error. [Laughter.] The resolution has not been passed.

The question is on agreeing to the resolution.

Mr. ROBINSON of Indiana. I should like to ask—

Mr. UNDERWOOD. I should like to ask the gentleman from New York—

Mr. PAYNE. I ask unanimous consent that the gentleman from Indiana [Mr. ROBINSON] and the gentleman from Alabama [Mr. UNDERWOOD] may extend in the RECORD their remarks made this morning, the leave to extend to be for the period of five days.

The SPEAKER. The gentleman from New York [Mr. PAYNE] asks unanimous consent that the gentleman from Indiana [Mr. ROBINSON] and the gentleman from Alabama [Mr. UNDERWOOD] be allowed to extend their remarks for five days. Is there objection?

Mr. FITZGERALD of Massachusetts. Mr. Speaker, I should like to be included in that privilege.

The SPEAKER. The Chair hears no objection to the request of the gentleman from New York. The gentleman from Massachusetts [Mr. FITZGERALD] asks unanimous consent that he be permitted to extend his remarks. Is there objection?

There was no objection.

Mr. TERRY. Mr. Speaker, I ask a like privilege for those who made remarks on the bill that just passed the House a little while ago—the Neely extradition bill.

The SPEAKER. The gentleman from Arkansas asks unanimous consent that those who spoke upon the bill with respect to extradition, passed this afternoon, have leave to extend their remarks.

Mr. TERRY. For five days.

The SPEAKER. For five days. Is there objection?

Mr. SHERMAN. On the understanding that their remarks shall pertain to the subject.

The SPEAKER. Does the gentleman from Arkansas accept the modification proposed?

Mr. SHERMAN. I do not object to that at all, but I do object to a general leave to print.

Mr. TERRY. I think it ought to be like the other.

Mr. STEELE. I object.

Mr. TERRY. Well, I will let it go that way then, that they be permitted to extend their remarks on that subject.

The SPEAKER. The gentleman from Arkansas amends his request to the effect that the extended remarks shall apply to the bill discussed. Is there now objection?

There was no objection.

The SPEAKER. The question is on agreeing to the resolution offered by the gentleman from New York [Mr. PAYNE].

The resolution was agreed to.

VIEWS OF MINORITY ON H. R. 11000.

Mr. KLEBERG. I ask unanimous consent to print the views of the minority on House bill 11000.

The SPEAKER. The gentleman from Texas asks unanimous

consent of the House to file the views of the minority on House bill 11000. Is there objection?

There was no objection.

CUSTOMS OFFICERS FOR HAWAII.

Mr. PAYNE. Mr. Speaker, I present a report from the Committee on Ways and Means.

The SPEAKER. The gentleman from New York calls up a privileged bill, which the Clerk will report.

The bill (S. 4560) to provide for officers in the customs district of Hawaii was read, as follows:

Be it enacted, etc., That there shall be in the customs district of Hawaii one collector, who shall reside at Honolulu, and who shall receive a salary of \$4,000 per annum, and such deputy collectors and other customs officers as the Secretary of the Treasury shall deem necessary.

Mr. PAYNE. Mr. Speaker, I want to say that a bill like this passed the last House unanimously, and this bill is unanimously reported by the Committee on Ways and Means. I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from New York asks unanimous consent that this bill be considered in the House as in Committee of the Whole. Is there objection?

Mr. McRAE. With the opportunity to move an amendment to limit the number of officers, I am ready to consent to it.

Mr. PAYNE. I do not understand the gentleman.

Mr. McRAE. With an opportunity to move an amendment to limit the number of officers.

Mr. PAYNE. Why, if the gentleman desires to offer an amendment, I will yield to him for that purpose.

The SPEAKER. Is there objection, with that understanding?

There was no objection.

Mr. PAYNE. Mr. Speaker, this bill has been read. It simply provides for a collector of customs at Honolulu, at a salary of \$4,000 a year. While the bill that passed the House regulated the matter of customs duties for the Hawaiian Islands and created customs districts, it did not provide for any collector of customs at Honolulu. That was an omission. I want to say that in the last Congress a bill was introduced in the House providing for the collection of customs in the Hawaiian Islands, providing collection districts, and also providing for this very officer, a collector of customs at Honolulu, at a salary of \$4,000. It was the unanimous voice of the committee at that time, and of the House as well, but the bill was not acted upon by the Senate. I understand at the Treasury Department that they are anxious that this legislation be had now, because they want to send officials there to provide for the collection of the customs, to reach there by the 15th of June. If I mistake not, the Hawaiian bill goes into operation on the 1st of July.

Mr. KNOX. Forty-five days from the date of its passage.

Mr. PAYNE. It will be necessary for the officials to reach there by the 15th of June in order to get the machinery in order to collect the customs.

Mr. KNOX. It goes into effect earlier than the gentleman stated.

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

Mr. PAYNE. Certainly.

Mr. RIDGELY. Is it proposed to put a tax upon commerce between the Hawaiian Islands and the United States, the same as we imposed a short time ago in the case of Porto Rico?

Mr. PAYNE. Not by this bill. I will say, however, that the House and Senate did impose in the Hawaiian bill a tax upon articles coming from the Hawaiian Islands, which articles were imported into the Hawaiian Islands from foreign countries prior to the passage of the bill. While the gentleman from Kansas [Mr. RIDGELY] may regard this as a violation of the Constitution, yet both sides of the House fractured the Constitution with respect to the Hawaiian bill, if that is a fracture of it.

Mr. RIDGELY. Can the gentleman inform us as to whether his committee would favor a tax upon the commerce between this country and the Hawaiian Islands?

Mr. PAYNE. I can not speak for the committee. So far as I am concerned, I am in favor of the provision that was put in the Hawaiian bill, to put the full tariff duties of the United States upon all articles the products of foreign countries which were imported into Hawaii previous to the passage of the bill and afterwards imported into the United States.

Mr. RIDGELY. How about goods that are produced there and goods that are produced here being exchanged?

Mr. PAYNE. Oh, sufficient to say that I voted for the Hawaiian bill, which does not impose a duty upon those articles, the Hawaiian people not having had any hurricane or any other destructive calamity, and having sufficient resources within themselves to provide for the government of the islands otherwise than by imposing duties upon articles of traffic between this country and the Hawaiian Islands. There is no necessity for it, and of

course I did not suggest any, but I voted for the bill which provides for duties upon the articles which I have stated.

Mr. McRAE. Mr. Speaker—

The SPEAKER. The question is—

Mr. PAYNE. Mr. Speaker, the gentleman from Arkansas desires to make a statement.

Mr. McRAE. I hope the gentleman will modify the bill and limit the number of officers to be employed. I do not think that he should give to an executive officer the right to appoint as many as he may deem necessary, without any maximum limitation.

Mr. PAYNE. I think that is the provision of the general law.

Mr. McRAE. I think not.

Mr. PAYNE. It is the same provision that was in the bill two years ago.

Mr. McRAE. Then the bill was wrong two years ago. There ought not to be any law allowing to an Executive Department the right to fix the number of officers without some limit. I do not know in this case how many they ought to have; but the Department ought to have some idea of the number of people that will be necessary to perform the work, and the committee should have obtained such information and made a limit.

Mr. HOPKINS. Does not the gentleman think his own statement refutes his position?

Mr. McRAE. It does; but if I had charge of the bill, I would know more about it than it appears is known by the gentleman in charge of it.

Mr. HOPKINS. You say you do not know the number required. Now, do you not believe that the Secretary of the Treasury is better capable of determining that than a member of the House?

Mr. McRAE. He ought to be able to tell the committee what the public service requires.

Mr. HOPKINS. It might require five men at one time and ten men at another. It all depends upon the amount of commerce.

Mr. PAYNE. I want to say to the gentleman from Arkansas that it is within the discretion of the Secretary of the Treasury as to how many officials he will appoint at nearly every subport in the United States—where there are subports of entry. I know it is so in my district, and under one Administration there were more officials than under another, without any change of law, and it was found to be lawful in each case. It depends entirely upon the Administration; and it is a matter that you can not fix a hard and fast rule about, especially in regard to this country, as we have to go there and try and find out what is necessary.

Mr. McRAE. Does the gentleman mean to tell me that at all the ports of the United States the Secretary of the Treasury has power to employ, without limit, such officials as he may see fit?

Mr. PAYNE. Well, I did not say quite that much. A part of the ports of the United States he has the power to appoint deputies and inspectors, and without limit, so far as practical observations have been concerned. In some ports in my own district, subports, one Secretary of the Treasury would sometimes allow more than another.

Mr. McRAE. I do not want any statute passed that has not the number fixed. Of course I am not familiar with the requirements of this case, but I would not give this unlimited power to an executive officer in any permanent statute like this. We should not at this time, when Congress is just about to adjourn, a resolution having already been passed to adjourn, in a Presidential year, give an Executive Department the right to fix the number of officers. The temptation is too great. I think it is without precedent, so far as I know, and unless the gentleman will suggest some number, I will move to insert "not exceeding five in number."

Mr. PAYNE. Mr. Speaker, I will simply say this, before moving the previous question on the amendment and the bill, that it is impossible to fix the number in a matter of this kind; otherwise I will have no objection. We do not know how many men are needed. This bill was carefully considered two years ago by the Committee on Ways and Means of the House and adopted. A similar provision was adopted in the Senate on the Porto Rican bill, if my recollection is right, when it came from the Senate. Therefore I move the previous question on the bill and amendment.

The SPEAKER. The gentleman from Arkansas offers the amendment which the Clerk will read.

The Clerk read as follows:

Insert after the word "collectors," in line 6, the words "not exceeding five in number."

Mr. PAYNE. The gentleman does not mean that.

Mr. McRAE. I have not a copy of the bill, and have not been able to get one, so as to see the proper place to insert the amendment. I want to limit the officers not named.

The Clerk read as follows:

So that it will read, "and such deputy collectors, not exceeding five in number."

The SPEAKER. Upon the bill and amendment the gentleman from New York asks the previous question.

Mr. WILLIAMS of Mississippi. Before that question is put, Mr. Speaker, of course the House wants to understand the amendment. The gentleman from Arkansas has not a copy of the bill. As it is, with his amendment, it reads "deputy collectors not to exceed five in number and such other customs officers as the Secretary of the Treasury deems necessary."

Mr. McRAE. It is to come in after the indefinite number of officers. If you will give me a copy of the bill, I will show where I want it to go in; and if it reads as the gentleman from Mississippi suggests, it is not where it should come in.

The SPEAKER. The Chair has no power in a matter of that kind.

Mr. WILLIAMS of Mississippi. I ask that the gentleman be permitted to insert the amendment at the proper place. It was done by the Clerk in mistake.

Mr. McRAE. It should come in after the last word.

The SPEAKER. Let the Clerk report it to the House, so that it will be understood.

The Clerk read as follows:

After the word "necessary" insert at the end of the bill "not exceeding five in number;" so that it will read, "and such deputies and other customs officers as the Secretary of the Treasury shall deem necessary, not exceeding five in number."

The SPEAKER. The question is on ordering the previous question.

Mr. PAYNE. I withdraw that for the moment. I do not see how that amendment can be put in there without destroying the bill. To insert the words "not exceeding five in number" will apply to the collector, clerks, and everything else.

Mr. McRAE. I did not intend it to do that.

Mr. PAYNE. To put this on the bill destroys the service down there. I now demand the previous question.

Mr. McRAE. Then let me modify the amendment. I do not want any misunderstanding about it. I will ask that it be inserted after the word "officer," but I really believe that it makes no difference whether there or at the end.

Mr. WILLIAMS of Mississippi. Mr. Speaker—

The SPEAKER. This is all out of order.

Mr. PAYNE. I demand the previous question.

Mr. WILLIAMS of Mississippi. May I ask the gentleman to withdraw the call for the previous question?

The previous question was ordered.

The SPEAKER. The question now is on the amendment offered by the gentleman from Arkansas [Mr. McRAE].

The question was taken; and on a division (demanded by Mr. McRAE) there were—ayes 55, noes 87.

So the amendment was rejected.

The bill was ordered to be read a third time; and being read the third time, it was passed.

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

ORDER OF BUSINESS.

Mr. WARNER. Mr. Speaker, I move that at 5 o'clock to-night the House take a recess until 8 o'clock, and that from 8 o'clock until half past 10 the House be in session for the consideration of the Alaska bill.

Mr. LOUD. I hope the gentleman will not press that motion. Later, after we get through with the contested matters, if it becomes necessary, that can be done.

Mr. WARNER. Mr. Speaker, I serve notice that unless this is done I shall object to all requests for unanimous consent from now on. I have been very clever and accommodating, and have not interposed a single objection to a request for unanimous consent; but unless this is agreed to I shall insist on my rights hereafter.

Mr. GROSVENOR. Let me suggest to the gentleman from Illinois that if matters of serious importance come up at the evening session, they can be postponed and passed over until the bill is completed and then heard before the whole House.

Mr. WARNER. If anything very serious comes up, I would have it postponed myself.

Mr. PAYNE. Why not go into Committee of the Whole now and sit until half past 5? We should get an hour.

Mr. WARNER. I am perfectly willing; but I want an evening session besides. I want to go on with this bill now and to-morrow and keep at it until it is disposed of.

Mr. RICHARDSON. The objection to an evening session is not frivolous. We know it is a mere formal meeting at night. I would suggest to the gentleman that we meet at 11 o'clock in the daytime, when we can all come here and get an hour more in the day, and in that way I think we shall be able to pass his bill, but if it becomes necessary to have an evening session further on, I do not think there will be objection. We can meet at 11 o'clock from now until the bill is passed. I recognize the fact that the bill ought to be considered with a larger attendance than we get at an evening session.

Mr. WARNER. Well, Mr. Speaker, I ask unanimous consent that when we adjourn we adjourn to meet at 11 o'clock to-morrow.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the House take a recess until to-morrow at 11 o'clock.

Mr. PAYNE. That the House now take a recess?

The SPEAKER. That is what the Chair understood the gentleman.

Mr. WARNER. I asked that we meet to-morrow at 11 o'clock.

The SPEAKER. The gentleman from Illinois asks that when the House adjourns to-night it adjourn to meet at 11 o'clock to-morrow instead of 12. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

NANCY E. NEELY.

Mr. LOUDENSLAGER. Mr. Speaker, I rise to present a privileged report on the bill (S. 517) granting a pension to Nancy E. Neely.

The conference report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House of Representatives to the bill S. 517, "An act granting a pension to Nancy E. Neely," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House, and agree to the same.

H. C. LOUDENSLAGER,
J. H. BROMWELL,
S. W. DAVENPORT,
Managers on the part of the House.

LUCIEN BAKER,
GEORGE TURNER,
Managers on the part of the Senate.

Mr. LOUDENSLAGER. Mr. Speaker, I ask that the reading of the report be omitted and the statement be read.

There was no objection.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the bill of the Senate No. 517, granting a pension to Nancy E. Neely, having met for a full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House, and agree to the same.

H. C. LOUDENSLAGER,
J. H. BROMWELL,
S. W. DAVENPORT,
Managers on the part of the House.

MARGARET E. VAN HORN.

Mr. LOUDENSLAGER. Mr. Speaker, I present the following conference report on the bill (S. 207) granting an increase of pension to Margaret E. Van Horn.

The conference report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill S. 207, "An act granting an increase of pension to Margaret E. Van Horn," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to amendments as follows:

In lieu of the sum proposed by the House insert "forty."

In line 9, after the word "receiving," insert "and \$2 per month additional on account of each of the two minor children of said James J. Van Horn until such children arrive at the age of 16 years."

And the House agree to the same.

H. C. LOUDENSLAGER,
J. H. BROMWELL,
S. W. DAVENPORT,
Managers on the part of the House.

GEO. L. SHOUP,
JAMES H. KYLE,
GEORGE TURNER,
Managers on the part of the Senate.

The Clerk read the statement, as follows:

The committee of conference on the disagreeing votes of the two Houses on the bill of the Senate No. 207, granting an increase of pension to Margaret E. Van Horn, having met for a full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to amendments, as follows:

In lieu of the sum proposed by the House insert "forty."

In line 9, after the word "receiving," insert "and \$2 per month additional on account of each of the two minor children of said James J. Van Horn until such children shall arrive at the age of 16 years."

And the House agree to the same.

H. C. LOUDENSLAGER,
J. H. BROMWELL,
S. W. DAVENPORT,
Managers on the part of the House.

ELLA COTTON CONRAD.

Mr. LOUDENSLAGER. I send to the desk another conference report with the statement of the House conferees. I ask that only the statement be read.

The Clerk read as follows:

MAY 19, 1900.

The committee of conference on the disagreeing votes of the two Houses on the bill of the Senate No. 1619, granting an increase of pension to Ella Cotton Conrad, having met for a full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to an amendment as follows:

In lieu of the sum proposed by the House insert "forty;" and the House agree to the same.

H. C. LOUDENSLAGER,
J. H. BROMWELL,
S. W. DAVENPORT,
Managers on the part of the House.

Mr. LOUDENSLAGER. I move the adoption of this report.
Mr. RICHARDSON. Is there no statement of the House conferees in this case?

Mr. LOUDENSLAGER. The statement has just been read.
Mr. RICHARDSON. I thought it was the conference report which was read.

Mr. LOUDENSLAGER. No; it was the statement.

Mr. RICHARDSON. The rules require that a statement of the House conferees be made in writing, showing what has been done. This statement does not give any information that can be understood.

Mr. LOUDENSLAGER. The paper just read was the statement of what was done by the conferees.

The SPEAKER. The report and the statement seem to be, practically, duplicates.

Mr. RICHARDSON. I could not tell from the reading what was the effect of the House receding from its amendment. Will the gentleman make a statement on that point?

Mr. LOUDENSLAGER. The Senate passed the bill at \$50 a month and the House at \$30 a month. We now report in favor of \$35 a month. This is the agreement between the House and the Senate. The Senate recedes from \$50 and the House agrees to \$35.

Mr. RICHARDSON. They compromised on \$35?

Mr. LOUDENSLAGER. Yes, sir.

The question being taken, the report of the committee of conference was adopted.

JULIA MACN. HENRY.

Mr. LOUDENSLAGER. I have another conference report. I ask that the reading of the report be waived and only the statement of the House conferees be read.

The Clerk read as follows:

MAY 19, 1900.

The committee of conference on the disagreeing votes of the two Houses on the bill of the Senate, No. 1781, granting an increase of pension to Julia MacN. Henry, having met for a full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House numbered 1, and agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered 2, and agree to an amendment as follows:

In lieu of the sum proposed by the House insert "seventy-five;" and the House agreed to the same.

H. C. LOUDENSLAGER,
J. H. BROMWELL,
S. W. DAVENPORT.

Managers on the part of the House.

The question being taken, the conference report was agreed to.

RECOMMITMENT OF A BILL.

Mr. LOUDENSLAGER. I ask unanimous consent that Senate bill No. 340, reported from our committee, be recommitted for the purpose of correcting an error in the bill as reported, which is not the action of the full committee.

The SPEAKER. In the absence of objection, that order will be made.

There was no objection.

CAPE COD LIGHT, MASSACHUSETTS.

Mr. LOVERING. I ask unanimous consent for the present consideration of Senate bill No. 2883 to change the characteristic of Cape Cod light, Massachusetts.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to change the characteristic of Cape Cod light, situated at North Truro, Mass., from a fixed white to a flashing white light, at a cost not exceeding \$15,000.

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

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

CORPORATIONS IN THE INDIAN TERRITORY.

Mr. McRAE. I ask unanimous consent for the consideration of the bill (H. R. 3369) to put in force in the Indian Territory certain provisions of the laws of Arkansas relating to corporations, and to make said provisions applicable to said Territory.

The bill was read, as follows:

Be it enacted, etc., That section 900, and the succeeding sections down to and including section 1035, of the laws of Arkansas, as published in 1884 in the volume known as Mansfield's Digest of the Statutes of Arkansas be, and the same are hereby, extended over and put in force in the Indian Territory, so far as they may be applicable and not in conflict with any law of Congress applicable to said Territory heretofore passed.

SEC. 2. That wherever in said sections the word "county" occurs there shall be substituted therefor the words "judicial district;" wherever the words "State" or "State of Arkansas" occur there shall be substituted therefor the words "Indian Territory;" wherever the words "secretary of state" occur there shall be substituted therefor the words "clerk of the United States court of appeals for the Indian Territory," and said clerk shall be entitled to the same fees and compensation for his services rendered under this act that the secretary of state in Arkansas is entitled to receive for like services, and shall retain the same as compensation for his services under this act; wherever the words "clerk of the county" occur there shall be substituted therefor the words "clerk of the judicial district," and said clerk shall be entitled to the same fees and compensation for his services

rendered under this act that county clerks are entitled to receive for like services, and shall retain the same as compensation for his services under this act; wherever the words "general assembly" occur there shall be substituted therefor the words "Congress of the United States;" and where the words "vest in the State" occur in section 1035 there shall be substituted therefor the words "vest in the United States."

SEC. 3. That the United States courts in the Indian Territory shall have and exercise, in reference to all corporations created under this act, the same powers and jurisdiction as may be exercised in the State of Arkansas by the courts of that State over corporations created therein under the provisions of any law in force in that State relating to corporations.

The amendments reported by the Committee on Indian Affairs were read, as follows:

On page 2, line 7, after the word "shall," strike out all words to and including the word "act," in line 8, and insert in lieu thereof the words "account for the same to the Government."

On page 2, after line 19, insert the following:

"SEC. 3. That foreign incorporations may be authorized to do business in the Indian Territory, under such limitations and restrictions as may be prescribed by law; and as to contracts made and business done in the Indian Territory, they shall be subject to the same regulations, limitations, and liabilities, and shall exercise no other or greater powers, privileges, or franchises than may be exercised by like corporations organized under the provisions of sections 1 and 2 of this act."

"SEC. 4. That before any foreign corporation shall begin to carry on business in the Indian Territory it shall, by its certificate, under the hand of the president and seal of such company, filed in the office of the clerk of the United States court of appeals for the Indian Territory, designate an agent, who shall reside where the United States court of appeals for the Indian Territory is held, upon whom service, summons, and other process may be made. Such certificate shall also state the principal place of business of such corporation in the Indian Territory. Service upon such agent shall be sufficient to give jurisdiction over such corporation to any of the United States courts for the Indian Territory."

"SEC. 5. That if any foreign corporation shall fail to comply with the provisions of the foregoing sections all its contracts with citizens and residents of the Indian Territory shall be void as to the corporation, and no United States court in the Indian Territory shall enforce the same in favor of the corporation."

"SEC. 6. That corporations doing business in the Indian Territory at the time of the passage of this act are given ninety days in which to comply with section 4 in order to avoid the penalty of section 5."

"SEC. 7. That the clerk of the United States court of appeals for the Indian Territory shall charge and receive for services imposed upon him by the provisions of this act the same fees allowed officers of the State of Arkansas for like services under the laws of that State."

"SEC. 8. That any bank now or hereafter organized and doing business in the Indian Territory may loan money and contract for the payment of the same at a rate of interest not to exceed the sum of 10 per cent per annum, and a like rate for a period less than a year. Any bank that contracts for more than the rate of 10 per cent per annum shall forfeit the interest only, upon usury being pleaded: *Provided*, That the lawful interest in said Territory shall be 6 per cent when no rate of interest is agreed upon, but in no case shall the interest exceed 10 per cent per annum."

In line 20, after the word "section," strike out the figure "3" and insert in lieu thereof the figure "9."

The SPEAKER. Is there objection?

Mr. GROSVENOR. I object.

Mr. McRAE. Will the gentleman from Ohio withhold his objection until I can make a statement?

Mr. GROSVENOR. I have no objection to that, but I do not believe in legislating by taking a lot of statutes that we do not read, that we have never seen, and lifting them bodily and applying them to a Territory.

Mr. McRAE. I want to say to the gentleman that many chapters of Mansfield's Digest of the Laws of Arkansas have already been extended to that Territory. It is the only code laws applicable there. This bill, if passed, will make the private corporation applicable.

This bill was introduced by the gentleman from Kansas [Mr. CURTIS], reported by the Committee on Indian Affairs, and is necessary for the business of the Territory which must be done by corporations. In other words, no corporation of any kind can be organized there until this or some similar law is passed.

Mr. GROSVENOR. What is to hinder our legislating directly for that Territory?

Mr. McRAE. I did not quite catch the gentleman's remark.

Mr. GROSVENOR. What is to hinder our legislating directly for the Indian Territory ourselves?

Mr. McRAE. Why, that is exactly what we are doing by this bill.

Mr. GROSVENOR. I know; but why not enact the law that you want directly?

Mr. McRAE. Because it takes too much time to do it, and we have already extended much of this Mansfield's Digest; and that digest of the Arkansas laws is something that every lawyer there is familiar with, and it is better to continue until we make a code for that Territory.

Mr. GROSVENOR. Where did this bill come from?

Mr. McRAE. It came from the Committee on Indian Affairs. It is a matter upon which many public enterprises depend, and it is too late to think of making a code for those people now.

Mr. LACEY. I wish to suggest to the gentleman from Ohio that in the Alaska code we extended the laws of Oregon to the district of Alaska.

Mr. GROSVENOR. Yes; and we got into a beautiful lot of confusion about it. I said then that never while I was in Congress would I permit such a thing to be done again, if I could help it.

Mr. LACEY. The same thing has been done in the Indian Territory with the Arkansas code, and every lawyer in the Indian Territory is familiar with that code.

Mr. DALZELL. Let me say to the gentleman from Ohio that I took this bill and this digest and read every section that is proposed to be enacted into law for the Indian Territory. This is simply a provision carrying into the Indian Territory the portion of the Arkansas law which relates to the incorporation of certain companies. That law is an exceedingly good one, a careful one. In its provisions as to capital stock, as to payment of installments of assessments, as to reports, and all that sort of thing, it is one of the most carefully drawn laws that I have ever seen.

Mr. LACEY. And the Arkansas code, of which this is a part, is familiar to every lawyer in the Indian Territory.

Mr. DALZELL. I will say that I read this for the purpose of ascertaining whether it was a wise law to be enacted.

Mr. HOPKINS. That does not meet the objection that members of Congress know absolutely nothing of what they are passing upon.

Mr. DALZELL. I think generally that it is a good objection.

Mr. GROSVENOR. My objection goes to this: I have been taught, and I believe correctly taught, never to repeal or amend a section of a statute by merely saying that the following shall be added, or the following shall be stricken out. The State constitutions of this country very largely demand that before a statute shall be amended the amended section shall be the subject-matter of the legislation.

Mr. BROWN. Our constitution contains that provision.

Mr. GROSVENOR. It is in the Ohio constitution, and the constitutions of many other States.

Mr. DALZELL. That is a provision of the constitution of Pennsylvania.

Mr. McRAE. It is also the constitution of Arkansas.

Mr. GROSVENOR. This is far worse than that. It not only amends some of these statutes by adding this and taking that out, but it does not present to the Congressman what it is that he is voting for at all.

Mr. McRAE. The only amendment to the Arkansas corporation law, except the new sections which relate to foreign corporations, is that which provides that instead of filing these charters with the secretary of state, they shall be filed with the clerk of the court of appeals for the Territory.

Mr. GROSVENOR. Where does this bill come from.

Mr. McRAE. From the Committee on Indian Affairs, of which I am not a member. I called it up with the consent of the gentleman from Kansas [Mr. CURTIS], at the request of some friends in the Territory who want to use it to incorporate.

Mr. LACEY. It is unanimously reported.

Mr. McRAE. There are private concerns that want to organize for business there, and they can not organize without some legislation. Now, no longer than a few weeks ago we passed an act permitting a Missouri corporation to build and operate a telephone line there.

Mr. GROSVENOR. I do not like to put my own judgment at this stage in the progress of legislation against the action of a great committee of the House; but this must not be a precedent for my action upon any other question than this.

Mr. McRAE. I agree fully with the gentleman about that, and would much prefer the method he suggests.

The SPEAKER. Objection is withdrawn. The question is on agreeing to the amendments.

Mr. McRAE. There is one amendment to section 2, not reported by the committee, which I move.

The SPEAKER. Has the gentleman sent up his amendment?

Mr. McRAE. Yes.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Add the following to section 2:

"Provided, That companies may be incorporated under the provisions of this act to construct, own, and operate electric railroads, telephone and telegraph lines in the Indian Territory."

The SPEAKER. The question is on the amendment of the gentleman from Arkansas.

Mr. FITZGERALD of New York. I wish to ask the gentleman if that is a committee amendment?

Mr. McRAE. It was formulated after the meeting of the committee; but it was submitted to the gentleman from Kansas [Mr. CURTIS], and he agrees that it is a proper amendment and should be adopted. Under the Arkansas law it is not absolutely certain whether corporations for such purposes can be organized, and this amendment is to remove all doubt upon that point. In fact, so far as I know, the demand for electric railroad, telephone, and telegraph companies is at this time more urgent than for any other purpose.

Mr. FITZGERALD of New York. I recollect very distinctly the consideration of this bill in committee. One of the things in connection with it was that railroads could not be incorporated

under the act that is to be extended to the Indian Territory. The amendment which the gentleman proposes would permit the incorporation of these companies. The committee did not intend that that should be permitted. I wish to call the attention of the House to this fact.

Mr. McRAE. The gentleman is entirely mistaken, because we already have a general railroad right of way act. This is for electric railroads, telephone and telegraph companies, about which there is some question, and yet the necessity for those companies is greater, perhaps, than for any other. I will say that the amendment has been submitted to the gentleman from Kansas [Mr. CURTIS], who introduced this bill.

The SPEAKER. The question is upon agreeing to the amendment offered by the gentleman from Arkansas.

Mr. FITZGERALD of New York. Mr. Speaker, I should like to speak to that amendment.

The SPEAKER. The gentleman from New York.

Mr. FITZGERALD of New York. I wish to say that this committee, in extending the laws of Arkansas to the Indian Territory, have followed what seems to be a custom of this House and of Congress. Most of the men who practice law in the Indian Territory are familiar with the laws of Arkansas.

Mr. LACEY. They all have to be, because the laws of Arkansas are practically the laws of that Territory.

Mr. FITZGERALD of New York. It was never intended that under this act railway companies should be permitted to be incorporated. It was distinctly in the minds of members of the committee that this act should not pass for the purpose of permitting the incorporation of such companies as are proposed in the amendment of the gentleman from Arkansas. The amendment may be a good amendment, but it should be properly considered in committee, and somebody should know something about it. There is even more objection to the adoption of such an amendment at this time than there is to the permitting of legislation of this kind. The gentleman from Ohio [Mr. GROSVENOR] was very solicitous that this House should know what was being done. I wish to call his attention to this fact, that this amendment was never considered by the committee.

Mr. GROSVENOR. Does not the gentleman from New York himself think that it would be a very good idea for men voting upon a great code of laws—and this almost amounts to that—to know what they are voting for or against?

Mr. FITZGERALD of New York. Yes, I do; but I will say to the gentleman that I do not believe that 10 per cent of the members of this House would have read this act if it had been printed and submitted to them for their consideration.

Mr. HOPKINS. But they would have heard it read. It would have had to be read in their presence, for their consideration.

Mr. GROSVENOR. It would apply to all other acts of legislation just as well as this.

Mr. FITZGERALD of New York. I am simply speaking from my very limited experience in this House. Perhaps the gentleman, who has had very superior experience, is better qualified to judge upon this. I am simply expressing my opinion.

Mr. GROSVENOR. I think the gentleman is absolutely right, and that is what I am trying to say; and therefore, at least, members ought to have an opportunity to read what they are voting on.

Mr. FITZGERALD of New York. I am afraid that the gentleman's statement that I am absolutely right may arouse suspicion concerning me. [Laughter.] I wish to call attention to this one amendment. It may be proper that an amendment should be offered to this section, to permit the incorporation of such companies; but the act as it now exists in Arkansas will not permit that.

Mr. McRAE. There is a question about it, but I think it is proper. We want those people to have these telephone and telegraph lines, and they would rather have it clear.

Mr. FITZGERALD of New York. I believe the question of incorporating telephone and telegraph companies to be a matter that should be scrutinized very closely. In the Indian Territory there are about 250,000 Indians, and there should be some protection of the rights of those people. Somebody ought to know what is being done there. I say it is not proper that an amendment of such importance should be put on in this hurried manner and be permitted to slip through this House without anybody knowing anything about it.

Mr. McRAE. I ask for the previous question on the bill and amendments.

Mr. GROSVENOR. I should like to know from the gentleman from Arkansas—

Mr. McRAE. I withdraw the demand for the previous question if the gentleman desires to be heard.

Mr. GROSVENOR. I would like to know from the gentleman from Arkansas whether it is true he has extended more than the original bill, and given power to locate a corporate company for railroad purposes, telephone purposes, in the Indian Territory, in these new sections put on by the committee.

Mr. McRAE. We have not. The chapter on corporations in Mansfield's Digest was passed before there was any electric railroad or telephone, and for that reason the people who want to engage in that business asked us to make it clear by specifically authorizing the incorporation of such companies. That is all and the only reason.

Mr. CANNON. Why not legislate by enactment?

Mr. McRAE. These people want short-line electric roads connecting the little towns, and also telephones wherever needed. We should legislate so as to give them the right to build such conveniences.

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

Mr. McRAE. Mr. Speaker, I promised the gentleman from Kansas that when this bill was called up that I would ask the House to disagree to the first amendment of the committee, which, I am informed, was adopted under a misapprehension as to the salary of the clerk.

The SPEAKER. The question will now be taken on the amendment offered by the gentleman from Arkansas.

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

Mr. FITZGERALD of New York. Division.

The House divided; and there were—ayes 57, noes 7.

So the amendment was agreed to.

Mr. McRAE. I was informed by the gentleman who reported this bill, and who introduced it, that when the committee required these fees to be "covered into the Treasury" that it was under the impression that it was a clerk of the United States court, who gets five or six times as much money as this clerk.

Mr. LOUD. But the gentleman has had the previous question ordered.

The SPEAKER. The point of order is well made by the gentleman from California.

Mr. McRAE. The Chair is right; but I ask the House to vote down the first committee amendment, so as to leave the section as it was originally and give the clerk the fees.

The Clerk read as follows:

On page 2, lines 10 and 11, strike out the words "retain the same as compensation for his services under this act" and insert in lieu thereof the words "account for the same to the Government."

The SPEAKER. The Chair will ask the gentleman from Arkansas if he desires a separate vote on this amendment?

Mr. McRAE. Certainly; and I ask unanimous consent to make a statement. I think it is due to the gentleman from Kansas [Mr. CURTIS] that I should do this.

Mr. LOUD. I have no objection, but the House can see what this would lead to, if you can come in here and ask action on an amendment which the gentleman seeks, or some other gentleman asks be not agreed to, and without a word of debate get the previous question.

The SPEAKER. Objection is made.

Mr. LOUD. I have no objection, Mr. Speaker.

Mr. McRAE. I will say to the gentleman that I am informed that this clerk of the court of appeals only gets a very small salary, perhaps about \$1,000 or \$1,200 a year, and if that is true, he ought to have this additional pay, and it ought not to be covered into the Treasury.

Mr. HOPKINS. How much more will this give him?

Mr. McRAE. One or two hundred dollars, probably. It depends upon the number of charters filed with him.

Mr. HOPKINS. There has been a good deal said about the salaries that have been paid to clerks in the Territories. Now, some of the salaries of these clerks, I have heard claimed, run up to ten, fifteen, and twenty thousand dollars. I think we ought to know something about this before we permit such an amendment to be made here.

Mr. McRAE. I know that at least one of the clerks in the United States courts gets enormous fees, and they should be reduced, but this is not the one.

Mr. HOPKINS. If this clerk is not getting enough, why not increase his salary, and turn these fees into the Treasury of the United States?

Mr. McRAE. I think he receives fees only. This is to do justice to an officer whose salary was sought to be reduced under a misapprehension, or, rather, additional work is to be imposed upon him without pay. There are some clerks in the Indian Territory whose salaries ought to be reduced, and I will help do it. This man is only the clerk of the court of appeals, and is not paid by the Government, as I understand the matter.

Mr. HOPKINS. I am willing, if the House will agree to it, to ask unanimous consent that the salary of this gentleman be fixed at \$1,800, and that this amendment be adopted requiring this money to be turned into the Treasury.

Mr. McRAE. He gets fees and no salary, as I understand the matter, and that had better remain as it is for the present.

The SPEAKER. The question is on agreeing to the amendment just reported.

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

Mr. LACEY. Division.

Mr. HOPKINS. I would like to have a division on that.

The SPEAKER. The Chair does not recognize gentlemen as demanding a division unless they rise in their place.

Mr. HOPKINS (rising). I demand a division.

The House divided; and there were—ayes 28, noes 44.

So the amendment was disagreed to.

The SPEAKER. The question is on the remaining committee amendments.

The remaining committee amendments were considered, and agreed to.

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

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

SIoux INDIANS, REDWOOD COUNTY, MINN.

Mr. HEATWOLE. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 10869) for the relief of the Medawakanton band of Sioux Indians, residing in Redwood County, Minn.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and hereby is, authorized to sell, dispose of, and convey the north fractional half of the northeast quarter and the southeast quarter of the northeast quarter of section 1, township 112, range 35, in Redwood County, Minn., purchased in 1889 for the use of the Medawakanton band of Sioux Indians, residing in Redwood County, for cash at a price not less than \$13 per acre, and that he is hereby authorized and empowered to purchase other lands in said county for said Indians with the proceeds arising from such sale: *Provided*, That the written consent of such Indians residing in Redwood County, Minn., as he may deem necessary, shall first be given.

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

Mr. HEATWOLE. Mr. Speaker, I desire to offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

In line 10 strike out the word "a" and insert the words "the best obtainable;" so that it will read: "for cash at the best obtainable price."

The amendment was agreed to.

Mr. CANNON. What amount of land is there here? it a reservation or section or merely a small parcel?

Mr. HEATWOLE. It is a small tract; it is not arable land.

Mr. WHEELER of Kentucky. Is it mineral land?

Mr. HEATWOLE. No; not mineral land.

Mr. CANNON. How many acres?

Mr. HEATWOLE. I do not know how many acres. It is the north fractional half of the northeast quarter and the southeast quarter of the northeast quarter of section 1, township 112, etc.

Mr. CANNON. Then it is less than 100 acres.

Mr. HEATWOLE. I should judge so.

Mr. CANNON. Is it very valuable land?

Mr. HEATWOLE. No; it could not be used for cultivation by the Indians.

Mr. CANNON. Is it not the site of a town?

Mr. HEATWOLE. No; it is across the river from a town called Morton. It is only valuable for pasturage and for clay.

Mr. CANNON. What is its probable value?

Mr. HEATWOLE. I do not know.

Mr. CANNON. It is very valuable for clay—is it worth \$20, or \$100, or \$2,000, or is it something of little importance?

Mr. HEATWOLE. One hundred and fifty-six acres of it was bought by the Government for a little over \$2,000. There is a brickyard adjoining this land, and many of the Indians belonging to the band are employed in the brickyard. They have joined in a petition asking to have this sold to the proprietors of the brickyard so that they can continue in the employment.

Mr. CANNON. It has no extraordinary value?

Mr. HEATWOLE. I think not.

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

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

THOMAS ROSBRUGH.

Mr. DE ARMOND. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 557) for the relief of Thomas Rosbrugh.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Commissioner of the General Land Office be, and he is hereby authorized and required to permit Thomas Rosbrugh, of

St. Clair County, Mo., to enter 160 acres of public land, subject to entry under the homestead or settlement laws, not mineral nor in the actual occupation of any settler, in lieu of the southeast quarter of section 24, in township 38, of range 27 west, in St. Clair County, Mo., which land was entered by said Thomas Rosbrugh on December 21, 1869, under the homestead laws, said entry being reported to be without conflict by instruction of the Commissioner of the General Land Office of the date of January 22, 1870, the title to half of which land failed because of a prior disposition of the same, which did not then appear upon the records of the Land Office, and the entry of said Rosbrugh was canceled: *Provided, however,* That the said Thomas Rosbrugh shall not have made any other entry of land of the United States under the homestead laws: *And provided further,* That a final certificate and patent shall issue to the said Thomas Rosbrugh or his legal heirs or representatives upon such entry as he may make hereunder without proof of residence or cultivation.

Mr. LACEY. Mr. Speaker, I would like to inquire of the gentleman something about this bill. It was called up the other day and unanimous consent asked for its passage, but it did not appear that it had passed the Senate.

Mr. DE ARMOND. I can not hear what the gentleman says. The SPEAKER. It was suspended because the Senate bill was not here. It is now in the House.

Mr. LACEY. To what committee was the bill referred?

The SPEAKER. To the Committee on Private Land Claims.

Mr. LACEY. This bill has been considered in previous Congresses in the Committee on Public Lands, and has been considered there, but I do not remember the result. It involves the taking of public land. It is not merely a private land claim, involving the title to a specific piece of land. I would be glad to know what consideration it had.

Mr. DE ARMOND. How it came to go to the Private Lands Committee I do not know. The bill came from the Senate and was referred to the Committee on Private Land Claims, and has been reported from that committee with a favorable recommendation. As the gentleman from Iowa states, this bill has been before the Committee on Public Lands and was reported favorably. Once or twice it passed the House and once or twice it passed the Senate, but it never passed both Houses and reached the President. I believe in one Congress it passed both Houses, but did not reach the President in time to be acted upon by him. How it came to go to the Committee on Private Land Claims I do not know any more than the gentleman from Iowa does.

Mr. LACEY. I do not know that it involves the same question that we had before the other committee.

Mr. DE ARMOND. The title to 80 acres failed because the patent had been issued; and the entire entry of 160 acres was canceled.

Mr. SHAFROTH. Is that the same bill that we reported?

Mr. DE ARMOND. A similar bill was referred to the Committee on Public Lands in the last Congress.

Mr. LACEY. Is the same relief granted by this bill?

Mr. DE ARMOND. Yes; a grant is made of another 160 acres, not mineral land and not in the occupation of anybody else; and the title to these 160 acres is to be obtained without complying with the requirement of the homestead law in regard to residence.

Mr. SHAFROTH. My impression is that we have reported this bill.

Mr. DE ARMOND. I know that you did.

Mr. LACEY. This bill has not been before the Public Lands Committee at this session.

The SPEAKER. Is there objection?

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

Mr. DE ARMOND moved to reconsider the last vote and to lay the motion on the table.

Mr. LACEY. I object to that motion being acted on now. Let it be entered and lie over. I should like an opportunity to look at this matter further before it is finally disposed of.

Mr. DE ARMOND. Very well.

LEAVE TO PRINT.

Mr. LEWIS, by unanimous consent, obtained leave to extend in the RECORD his remarks on the resolution for final adjournment.

Mr. PAYNE. I move that the House now adjourn.

The motion was agreed to; and accordingly (at 5 o'clock and 10 minutes p. m.) the House adjourned until to-morrow at 11 o'clock a. m.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, 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. BURKE of South Dakota, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 8814)

to provide for the entry of lands formerly in the Lower Brule Indian Reservation, S. Dak., and to give preference rights to settlers, reported the same with amendment, accompanied by a report (No. 1692); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SHERMAN, from the Committee on Indian Affairs, to which was referred the bill of the House (H. R. 11818) to provide for the payment of the judgment of the Court of Claims in favor of the New York Indians, parties to the treaty of Buffalo Creek of January 15, 1838, and the distribution thereof, reported the same in lieu of H. R. 2562, H. R. 9776, and H. R. 10280, accompanied by a report (No. 1693); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. COOPER of Wisconsin, from the Committee on Insular Affairs, reported the resolution of the House (H. Res. 270) directing the Secretary of the Treasury to report to the House all payments from the revenues of Porto Rico and Cuba to officers of the United States Army in lieu of H. Res. 266, accompanied by a report (No. 1695); which said resolution and report were referred to the House Calendar.

Mr. GRAFF, from the Committee on Claims, to which was referred the bill of the House (H. R. 11161) to refund excessive postage paid on certain newspapers, reported the same without amendment, accompanied by a report (No. 1698); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11603) granting an increase of pension to Sarah A. Dinny, reported the same with amendment, accompanied by a report (No. 1654); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 4716) granting an increase of pension to Robert G. Dyhrenfurth, reported the same without amendment, accompanied by a report (No. 1655); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House granting a pension to Cornelius W. Roberts, reported the same with amendment, accompanied by a report (No. 1656); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4143) granting a pension to Laura V. Swearer, reported the same with amendment, accompanied by a report (No. 1657); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2217) granting a pension to Louise O'Leary, reported the same without amendment, accompanied by a report (No. 1658); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 10089) granting an increase of pension to Charles Forbes, reported the same without amendment, accompanied by a report (No. 1659); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 4688) granting an increase of pension to James U. Childs, reported the same without amendment, accompanied by a report (No. 1660); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8191) granting an increase of pension to Adam Bieger, reported the same without amendment, accompanied by a report (No. 1661); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 262) granting an increase of pension to Charles H. Irvin, reported the same without amendment, accompanied by a report (No. 1662); which said bill and report were referred to the Private Calendar.

Mr. GRAFF, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8418) for additional pension to William H. Gibbs, of Hinds County, Miss., reported the same with amendment, accompanied by a report (No. 1663); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 3636) granting an

increase of pension to George A. Libby, reported the same with amendment, accompanied by a report (No. 1664); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 3056) granting an increase of pension to Giles W. Taylor, reported the same without amendment, accompanied by a report (No. 1665); which said bill and report were referred to the Private Calendar.

Mr. HEDGE, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2692) granting a pension to Abbie L. Godfrey, reported the same with amendment, accompanied by a report (No. 1666); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9840) to increase the pension of William Snider, reported the same with amendment, accompanied by a report (No. 1667); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 92) granting a pension to William M. Ferry, reported the same with amendment, accompanied by a report (No. 1668); which said bill and report were referred to the Private Calendar.

Mr. GASTON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2656) for the relief of John H. Gardner, reported the same with amendment, accompanied by a report (No. 1669); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 4516) granting a pension to Burwell Hinchman, reported the same with amendment, accompanied by a report (No. 1670); which said bill and report were referred to the Private Calendar.

Mr. HEDGE, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 173) granting an increase of pension to John H. Morrison, reported the same without amendment, accompanied by a report (No. 1671); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10639) granting an increase of pension to Mrs. Julia A. Gilpin, reported the same with amendment, accompanied by a report (No. 1672); which said bill and report were referred to the Private Calendar.

Mr. HEDGE, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1984) granting a pension to Rebecca Harvey, reported the same without amendment, accompanied by a report (No. 1673); which said bill and report were referred to the Private Calendar.

Mr. GASTON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8161) granting a pension to Annis Bean, mother of William H. Wood, late of Company F, Thirty-first Ohio Volunteer Infantry, reported the same with amendment, accompanied by a report (No. 1674); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8647) to place on the pension roll the name of Joseph Connell, reported the same with amendment, accompanied by a report (No. 1675); which said bill and report were referred to the Private Calendar.

Mr. GASTON, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3134) granting a pension to Martha Agnew, reported the same without amendment, accompanied by a report (No. 1676); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6623) granting a pension to Sarah E. Wall, reported the same with amendment, accompanied by a report (No. 1677); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 476) granting a pension to Franklin Cooley, reported the same without amendment, accompanied by a report (No. 1678); which said bill and report were referred to the Private Calendar.

Mr. GASTON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5441) granting a pension to Hugh Thompson, Company H, Fifteenth Ohio Volunteer Infantry, reported the same with amendment, accompanied by a report (No. 1679); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 1924) granting a pension to Emma R. Rusling, reported the same without amendment, accompanied by a report (No. 1680); which said bill and report were referred to the Private Calendar.

Mr. HEDGE, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 3956) granting

an increase of pension to George W. Plants, of Geneva, Nebr., reported the same with amendment, accompanied by a report (No. 1681); which said bill and report were referred to the Private Calendar.

Mr. GASTON, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3356) granting a pension to Mary J. Quinn, reported the same without amendment, accompanied by a report (No. 1682); which said bill and report were referred to the Private Calendar.

Mr. GRAFF, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4068) granting an increase of pension to Maria N. Flint, reported the same with amendment, accompanied by a report (No. 1683); which said bill and report were referred to the Private Calendar.

Mr. HEDGE, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3099) granting an increase of pension to Melancthon McCoy, reported the same without amendment, accompanied by a report (No. 1684); which said bill and report were referred to the Private Calendar.

Mr. GRAFF, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9785) granting a pension to Catherine A. McClenathan, reported the same with amendment, accompanied by a report (No. 1685); which said bill and report were referred to the Private Calendar.

Mr. HEDGE, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 712) granting a pension to Nellie L. Groshon, reported the same without amendment, accompanied by a report (No. 1686); which said bill and report were referred to the Private Calendar.

Mr. GRAFF, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11187) granting a pension to James W. Russell, reported the same with amendment, accompanied by a report (No. 1687); which said bill and report were referred to the Private Calendar.

Mr. HEDGE, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3436) granting a pension to Catharine Weinheimer, reported the same with amendment, accompanied by a report (No. 1688); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11096) granting an increase of pension to Delia E. Stillman, reported the same with amendment, accompanied by a report (No. 1689); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10785) granting a pension to Thomas White, reported the same with amendment, accompanied by a report (No. 1690); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9570) granting an increase of pension to Henry F. Rice, reported the same with amendment, accompanied by a report (No. 1691); which said bill and report were referred to the Private Calendar.

Mr. JETT, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 4204) to correct the military record of George A. Winslow, reported the same without amendment, accompanied by a report (No. 1696); which said bill and report were referred to the Private Calendar.

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. HOPKINS: A bill (H. R. 11816) requiring the disbursing clerk of the Census Office to file an additional bond, and for other purposes—to the Select Committee on the Census.

By Mr. LESTER: A bill (H. R. 11817) to revive the right of action under the captured and abandoned property acts, and for other purposes—to the Committee on War Claims.

By Mr. SHERMAN, from the Committee on Indian Affairs: A bill (H. R. 11818) to provide for the payment of the judgment of the Court of Claims in favor of the New York Indians, parties to the treaty of Buffalo Creek of January 15, 1838, and the distribution thereof—to the Union Calendar.

By Mr. RIDGELY: A bill (H. R. 11819) to provide homes and employment for the homeless poor and make them self-sustaining home owners—to the Committee on the Public Lands.

By Mr. CURTIS: A bill (H. R. 11820) to ratify and confirm an agreement with the Cherokee tribe of Indians, and for other purposes—to the Committee on Indian Affairs.

Also, a bill (H. R. 11821) to ratify and confirm an agreement with the Muscogee or Creek tribe of Indians, and for other purposes—to the Committee on Indian Affairs.

By Mr. DALZELL: A bill (H. R. 11822) authorizing and directing the Secretary of the Treasury to adjust and pay certain claims of the State of Pennsylvania—to the Committee on War Claims.

By Mr. LIVINGSTON: A bill (H. R. 11823) for the appointment of certain graduates of the Naval Academy to be additional officers on the Navy list, not above the rank of junior lieutenant—to the Committee on Naval Affairs.

By Mr. JAMES R. WILLIAMS: A resolution (H. Res. 271) directing the Secretary of War to report to the House of Representatives certain information relative to officers of the United States Army having any quarters in the Philippine Islands other than that furnished by this Government—to the Committee on Insular 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. BAILEY of Texas (by request): A bill (H. R. 11824) for the relief of Edmond Sacra—to the Committee on War Claims.

By Mr. BROWN: A bill (H. R. 11825) to remove the charge of desertion from the military record of William Thomas—to the Committee on Military Affairs.

Also, a bill (H. R. 11826) granting a pension to Minerva E. Sweny—to the Committee on Invalid Pensions.

By Mr. CUSHMAN: A bill (H. R. 11827) authorizing and directing the Secretary of the Treasury to pay Eben Pierce, of Tacoma, Wash., the sum of \$412.50—to the Committee on Claims.

By Mr. ESCH: A bill (H. R. 11828) to remove charge of desertion from military record of Charles F. Kramer—to the Committee on Military Affairs.

By Mr. HEMENWAY: A bill (H. R. 11829) to pension Lawrence James—to the Committee on Invalid Pensions.

By Mr. JENKINS: A bill (H. R. 11830) for the relief of the devisees of Casper Barber and their assigns from the operation of the act restricting the ownership of real estate in the Territories and the District of Columbia to American citizens—to the Committee on the District of Columbia.

By Mr. LONG: A bill (H. R. 11831) granting a pension to Richard Pool—to the Committee on Invalid Pensions.

By Mr. RIDGELY: A bill (H. R. 11832) granting a pension to Henry Williams—to the Committee on Invalid Pensions.

By Mr. RIXEY: A bill (H. R. 11833) for relief of estate of J. C. Gunnell—to the Committee on Claims.

Also, a bill (H. R. 11834) for the relief of estate of Madison Grimes—to the Committee on Claims.

By Mr. SIMS: A bill (H. R. 11835) for the relief of Francis King—to the Committee on War Claims.

By Mr. SULLOWAY: A bill (H. R. 11836) granting an increase of pension to Bela Sawyer—to the Committee on Invalid Pensions.

By Mr. SUTHERLAND: A bill (H. R. 11837) granting an increase of pension to Lewis H. Young—to the Committee on Invalid Pensions.

By Mr. DICK: A bill (H. R. 11838) to correct the military record of Jacob Eckert—to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BARNEY: Petition of farmers of Waukesha County, Wis., favoring the passage of House bill No. 3717, amending the oleomargarine law—to the Committee on Agriculture.

By Mr. BOWERSOCK: Petition of citizens of Prescott, Kans., in favor of a court of appeals to consider pension cases—to the Committee on Invalid Pensions.

By Mr. BREWER: Petition of L. B. Coley and other druggists of Alexander City, Ala., for the repeal of the tax on medicines, perfumery, and cosmetics—to the Committee on Ways and Means.

By Mr. BUTLER: Petition of the Epworth League of Chester, Pa., urging the enactment of the anti-canteen bill—to the Committee on Military Affairs.

By Mr. CLAYTON of Alabama: Petitions of retail druggists and citizens of Phenix City, Opelika, and Dothan, Ala., for the repeal of the tax on medicines, perfumery, and cosmetics—to the Committee on Ways and Means.

By Mr. FITZGERALD of Massachusetts: Petition of Sister Louise, in charge of Providence Hospital, for an appropriation to build an addition to the hospital for persons unable to pay—to the Committee on the District of Columbia.

By Mr. FOSS: Petition of Washington Post, No. 573, Grand Army of the Republic, Department of Illinois, indorsing the bill to establish a Branch Home for disabled soldiers at or near Johnson City, Tenn.—to the Committee on Military Affairs.

By Mr. GARDNER of New Jersey: Petitions of the Presbyte-

rian Church, Baptist Church, and Methodist Episcopal Church of Burlington, N. J., to prohibit the selling of liquors in any post exchange, transport, or premises used for military purposes—to the Committee on Military Affairs.

By Mr. GREEN of Pennsylvania: Petition of Robert Holmes, Reading, Pa., asking that no action be taken to secure readmission for the Mutual Life Insurance Company of New York to transact business in the Kingdom of Prussia—to the Committee on Interstate and Foreign Commerce.

By Mr. JONES of Washington: Resolutions adopted at a conference of the governors of arid-land States, held in Salt Lake City, Utah, in relation to the public arid lands of the United States—to the Committee on Irrigation of Arid Lands.

Also, resolutions of J. B. Wyman Post, No. 41, and J. L. Reno Post, No. 47, Grand Army of the Republic, Department of Washington and Alaska, in favor of the establishment of a Branch Soldiers' Home near Johnson City, Tenn.—to the Committee on Military Affairs.

By Mr. KLEBERG: Petition of Bruno Rios and other retail druggists of San Diego, Tex.; also druggists of Cuero and Runge, Tex., for the repeal of the stamp tax on proprietary medicines—to the Committee on Ways and Means.

By Mr. LANHAM: Petitions of Brashear & Hill and Retail Druggists' Association, of Fort Worth, Tex., relating to the stamp tax on medicines, perfumery, and cosmetics—to the Committee on Ways and Means.

By Mr. MCRAE: Petition of Ex-Slave Association No. 624, of Lakeport, Chicot County, Ark., asking for the passage of bill to pension ex-slaves—to the Committee on Pensions.

By Mr. MADDOX: Petition of druggists of Cartersville, Ga., for the repeal of the tax on medicines, perfumery, and cosmetics—to the Committee on Ways and Means.

By Mr. MAHON: Petition of citizens of East Waterford and Reeds Gap, Pa., in favor of the Bowersock anti-canteen bill—to the Committee on Military Affairs.

By Mr. POLK: Petitions of the Presbyterian, Congregational, and Primitive Methodist churches of Mount Carmel, Pa., and churches and societies of Berwick, Pa., for the passage of a bill to forbid liquor selling in canteens and in the Army, Navy, post exchanges, etc.—to the Committee on Military Affairs.

By Mr. RIXEY: Paper to accompany House bill for the relief of the estate of J. C. Gunnell, of Fairfax, Va.—to the Committee on Claims.

By Mr. SHATTUC: Petition of the Cincinnati Chamber of Commerce, against the amendment of the river and harbor emergency bill so as to provide for the completion of the survey of the Ohio River south of Marietta, Ohio—to the Committee on Rivers and Harbors.

Also, petition of retail druggists of Cincinnati, Ohio, for the repeal of the stamp tax on proprietary medicines—to the Committee on Ways and Means.

Also, petition of members of the Cincinnati reserve militia, for the granting to said members honorable discharges and one month's pay—to the Committee on Military Affairs.

By Mr. SHEPPARD: Petition of druggists of Paris, Tex., for the repeal of the tax on medicines, perfumery, and cosmetics—to the Committee on Ways and Means.

By Mr. SUTHERLAND: Petition of Gould Post, No. 216, Grand Army of the Republic, of Republican City, Nebr., in favor of the establishment of a Branch Soldiers' Home near Johnson City, Tenn.—to the Committee on Military Affairs.

Also, paper to accompany House bill No. 10730, granting a pension to Jesse Clark—to the Committee on Invalid Pensions.

By Mr. TAWNEY: Memorial of citizens of Minnesota, asking that certain lands embraced in Indian reservations in that State be withheld from sale until January 1, 1902—to the Committee on Indian Affairs.

By Mr. THOMAS of North Carolina: Petition of R. J. Cook & Co. and others, of Fayetteville, N. C., for the repeal of the stamp tax on medicines, perfumery, and cosmetics—to the Committee on Ways and Means.

By Mr. WEYMOUTH: Petition of James P. Derby, of Fitchburg, Mass., for the repeal of the stamp tax on proprietary medicines—to the Committee on Ways and Means.

Also, petitions of the Baptist Church, Congregational Church, and the Methodist Episcopal Church, of Natick, Mass., and citizens of Marlboro, Mass., for the passage of a bill to forbid liquor selling in canteens and in the Army, Navy, post exchanges, etc.—to the Committee on Military Affairs.

By Mr. WHITE: Petition of eight citizens of Macon, Ga., asking for the repeal of the stamp tax—to the Committee on Ways and Means.

Also, petition of 789 citizens of Virginia and Florida, protesting against the crime of lynching—to the Committee on the Judiciary.

By Mr. WRIGHT: Petition of the Baptist Church of Towanda, Pa., to prohibit the selling of liquors in any post exchange, transport, or premises used for military purposes—to the Committee on Military Affairs.