

J. E. Price and other surfmen of the Cape Fear life-saving station, favoring bill to promote efficiency of Life-Saving Service—to the Committee on the Merchant Marine and Fisheries.

By Mr. BRUNDIDGE: Papers to accompany House bill for the relief of certain owners and occupants of lands in Monroe County, Ala.—to the Committee on Claims.

Also, papers to accompany House bill No. 11886, relating to the claim of Howard & Spivey—to the Committee on War Claims.

By Mr. CALDERHEAD: Petition of the National Association of Agricultural Implement and Vehicle Manufacturers, favoring legislation in regard to irrigation—to the Committee on Irrigation of Arid Lands.

Also, petition of Street & Smith, New York, relative to mailable matter of the second class—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of good-roads convention held in Chicago, Ill., asking for an appropriation of \$150,000 for the office of public road inquiry—to the Committee on Agriculture.

By Mr. COUSINS: Petitions of Mrs. Levi Howick and other citizens of Marion, Iowa, to ratify treaty between civilized nations relative to alcoholic trade in Africa—to the Committee on Alcoholic Liquor Traffic.

By Mr. ELLIOTT: Resolutions of the city council of Spartanburg, S. C., favoring the passage of the bill to aid the South Carolina Interstate and West Indian Exposition—to the Committee on Appropriations.

By Mr. ESCH: Resolutions of the Chamber of Commerce of New York, in favor of the passage of a bill relating to a session of the International Congress of Navigation, to be held at Washington, D. C.—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the Chamber of Commerce of New York, urging the passage of the Pacific cable bill—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the twenty-sixth annual meeting of the Wholesale Druggists' Association, protesting against the free distribution of blackleg vaccine—to the Committee on Agriculture.

By Mr. EMERSON: Papers to accompany House bill granting an increase of pension to Frederick Hart—to the Committee on Invalid Pensions.

By Mr. FLETCHER: Petition of citizens of Minneapolis, Minn., urging the passage of a certain bill for the construction of a dam on the Gila River, in Arizona—to the Committee on Rivers and Harbors.

Also, resolutions of the Minneapolis Chamber of Commerce, protesting against the passage of the so-called Cullom bill, entitled "An act to promote commerce"—to the Committee on Interstate and Foreign Commerce.

By Mr. GAINES: Petition of Clarksville (Tenn.) Tobacco Board of Trade for appropriation for soil survey—to the Committee on Agriculture.

Also, petition of Murray Dibrell & Co., of Nashville, Tenn., for the repeal of the tax of 15 per cent ad valorem on imported hides—to the Committee on Ways and Means.

By Mr. GRAHAM: Petition of Charles H. Cramp, of Philadelphia, Pa., favoring Senate bill No. 727, known as the ship-subsidy bill—to the Committee on the Merchant Marine and Fisheries.

Also, resolutions of the National Wholesale Druggists' Association, opposing the free distribution of medicinal remedies—to the Committee on Agriculture.

Also, petition of 200 citizens of Avalon, Pa., and the Eighth United Presbyterian Church of Allegheny, Pa., favoring the exclusion of the liquor traffic in Africa, etc.—to the Committee on Alcoholic Liquor Traffic.

By Mr. GRIFFITH: Papers to accompany House bill granting an increase of pension to John Tibbetts, of Dillsboro, Ind.—to the Committee on Invalid Pensions.

Also, petition of gaugers and storekeepers in the internal-revenue service of the Sixth district of Indiana for sufficient appropriation to provide for them vacations without loss of pay—to the Committee on Appropriations.

By Mr. HAY: Petition of heirs of Thomas Clevenger, deceased, late of Frederick County, Va., for reference of war claim to the Court of Claims—to the Committee on War Claims.

By Mr. McCALL: Petition of the internal-revenue gaugers, storekeepers, etc., of the collection district of Massachusetts, for sufficient appropriation to provide for their vacation without loss of pay—to the Committee on Appropriations.

By Mr. RICHARDSON of Alabama: Papers to accompany House bill for the relief of trustees of Harmony Methodist Church, Limestone County, Ala.—to the Committee on War Claims.

By Mr. STEWART of New York: Petition of Friends' Monthly Meeting, Otsego County, N. Y., in favor of an amendment to the Constitution against polygamy, and various other reform measures—to the Committee on the Judiciary.

By Mr. WRIGHT: Petition of 19 voters of the Fifteenth Congressional district of Pennsylvania, in favor of the anti-polygamy

amendment to the Constitution—to the Committee on the Judiciary.

Also, petitions of the Ladies' Missionary and Foreign Society and Woman's Christian Temperance Union, of Montrose, Pa., for the protection of native races in our islands against intoxicants and opium—to the Committee on Insular Affairs.

By Mr. YOUNG: Petition of the Baldwin Locomotive Works, Philadelphia, Pa., favoring the passage of House bill No. 11350, to establish the national standardizing bureau—to the Committee on Coinage, Weights, and Measures.

Also, resolution of the Thirty-fourth National Encampment, Grand Army of the Republic, commanding the work accomplished by the Gettysburg National Park Commission, and asking for further appropriation to complete the work—to the Committee on Appropriations.

Also, resolutions of the Chamber of Commerce of New York, urging the passage of the Pacific cable bill—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the Chamber of Commerce of New York, favoring the passage of a bill relating to a session of the International Congress of Navigation to be held at Washington, D. C.—to the Committee on Interstate and Foreign Commerce.

SENATE.

WEDNESDAY, January 9, 1901.

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

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

ELECTORAL VOTES OF WISCONSIN.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of State, transmitting a certified copy of the final ascertainment of the electors for the President and Vice-President appointed in the State of Wisconsin at the election held therein on the 6th day of November, 1900; which, with the accompanying papers, was ordered to lie on the table.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 12740) making an apportionment of Representatives in Congress among the several States under the Twelfth Census; and

A bill (H. R. 13394) providing for the payment of electoral messengers.

ENROLLED BILLS SIGNED.

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

A bill (H. R. 2955) providing for the resurvey of township No. 8 of range No. 30 west of the sixth principal meridian, in Frontier County, State of Nebraska;

A bill (H. R. 4099) for the relief of the Marion Trust Company, administrator of the estate of Samuel Milliken, deceased;

A bill (H. R. 6344) to remove the charge of desertion from the records of the War Department against Frederick Mehring;

A bill (H. R. 11213) for the relief of occupants of lands included in the Algodones grant in Arizona;

A bill (H. R. 11588) permitting the building of a dam across the Osage River at the city of Warsaw, Benton County, Missouri; and

A bill (H. R. 12447) to amend an act approved June 1, 1900, entitled "An act to create the southern division of the southern district of Iowa for judicial purposes, and to fix the time and place for holding court therein."

PETITIONS AND MEMORIALS.

Mr. PLATT of New York presented a petition of the Waiters' Alliance, of Buffalo, N. Y., praying for the enactment of legislation to regulate the hours of daily work of laborers and mechanics, and also to protect free labor from prison competition; which was referred to the Committee on Education and Labor.

He also presented petitions of S. O. Rusly, of Barryville; of the congregations of the Methodist Episcopal Church of Branchport, of the Methodist Episcopal Church of Wellsville, and the Methodist Episcopal Church of Clifton Springs, all in the State of New York, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in Army canteens; which were ordered to lie on the table.

He also presented petitions of South Harmony Grange, No. 525, Patrons of Husbandry, of Watts Flats; of Empire Grange, No. 804, Patrons of Husbandry, of Oxford; of sundry citizens of Delaware County and Allegheny County; of Joseph Cooper, of Perry Center; M. B. Pratt, of Jamestown; A. B. Carter, of Jamestown,

and G. F. Sisson, of Collins; of Local Grange No. 576, Patrons of Husbandry, of East Schuyler; and of Local Grange No. 698, Patrons of Husbandry, of Amenia, all in the State of New York, praying for the enactment of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were referred to the Committee on Agriculture and Forestry.

He also presented the petition of Dudley & Co., of Fairport, N. Y., praying for the adoption of certain amendments to the pure-food bill relative to the manufacture of baking powder; which was referred to the Committee on Finance.

Mr. DOLLIVER presented a petition of sundry citizens of Lansing, Iowa, and the petition of E. L. Comts and sundry other citizens of Winthrop, Iowa, praying for the enactment of legislation to prohibit the sale of intoxicating liquors to native races in Africa; which were referred to the Committee on Foreign Relations.

Mr. LODGE. I present the petition of Laurns Loomis and 37 other manufacturers of cotton in the Southern States, expressing their approval of the action of the United States in the protection of American interests in China, known as the "open-door" policy. The petition is very brief, but important, and I move that it be printed as a document with the names and referred to the Committee on Foreign Relations.

The motion was agreed to.

Mr. HOAR presented a petition of the Boston Paper Trade Association, of Boston, Mass., praying for the enactment of legislation tending to promote trade with the Dominion of Canada; which was referred to the Committee on Foreign Relations.

He also presented the petition of Mary E. Taylor and 17 other members of the Daughters of the Revolution, of Haverhill, Mass., praying that an appropriation be made for the purchase of the Valley Forge camp ground to be used as a national park and military reservation; which was referred to the Committee on Military Affairs.

He also presented the petition of J. J. Eagan and 39 other citizens of Holyoke, Mass., praying for the repeal of the duty on tea; which was referred to the Committee of Finance.

He also presented a petition of the Woman's Christian Temperance Union of Taunton, Mass., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in Army canteens; which was ordered to lie on the table.

He also presented the petition of C. E. Mooday and 14 other citizens of Natick, Mass., and the petition of Martin Sears and 25 other citizens of Rockland, Mass., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

He also presented the petition of Joseph F. King and 14 other citizens of Massachusetts, and the petition of John A. Balam and 157 other citizens of Massachusetts, praying for the enactment of legislation to regulate the hours of daily labor of workmen and mechanics, and also to protect free labor from prison competition; which were referred to the Committee on Education and Labor.

He also presented petitions of M. R. Sampson, keeper, and 7 members of the crew of the life-saving station at Manomet Point; of Charles A. Bearse, keeper, and 7 other members of the crew of the life-saving station at Gap Cow; of Augustus B. Rogers, keeper, and 7 other members of the crew of the life-saving station at Gurnet; of Darius Wiekes, keeper, and 7 other members of the crew of the life-saving station at Cuttyhunk, and of Daniel Cole, keeper, and 7 other members of the crew of the life-saving station at Cahoons Hollow, all in the State of Massachusetts, praying for the enactment of legislation to promote the efficiency of the Life-Saving Service, and to encourage the saving of life from shipwreck; which were referred to the Committee on Commerce.

He also presented the petition of J. H. Burgess, of Wareham, and 25 other citizens of Massachusetts, praying that an appropriation be made for a survey of Onset Bay at that place; which was referred to the Committee on Commerce.

Mr. TOWNE presented the petition of the Spring Lake Cooperative Creamery Company, of Spring Lake, Minn., praying for the enactment of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was referred to the Committee on Agriculture and Forestry.

Mr. MASON presented a petition of Federal Labor Union No. 8321, of Marine; of Post-Office Clerks' Union No. 8703, of Chicago, and of Local Union No. 8163, American Federation of Labor, of O'Fallon, all in the State of Illinois, praying for the enactment of legislation to regulate the hours of daily work of laborers and mechanics, and also to protect free labor from prison competition; which were referred to the Committee on Education and Labor.

Mr. ELKINS presented a petition of sundry citizens of Parkersburg, W. Va., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

He also presented petitions of the Sunday school of the Presbyterian Church, the Sunday school of the Methodist Episcopal Church, and the Sunday school of the Methodist Episcopal Church and of the congregation of the Methodist Episcopal Church

South, all of Ravenswood, in the State of West Virginia, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in Army canteens; which were ordered to lie on the table.

Mr. GALLINGER presented a petition of the Wentworth Creamery Company, of Wentworth; of F. Parnell, of Manchester, and of Horace Marshall, of Manchester, all in the State of New Hampshire, praying for the enactment of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were referred to the Committee on Agriculture and Forestry.

Mr. SEWELL presented a petition of sundry citizens of Plainfield, N. J., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

He also presented petitions of the Woman's Christian Temperance Union of Broadway; of the congregation of the Methodist Episcopal Church of Farmingdale, and of the congregation of the Methodist Episcopal Church of Trenton, all in the State of New Jersey, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in Army canteens; which were ordered to lie on the table.

Mr. PENROSE presented petitions of Federal Labor Union, No. 8139, American Federation of Labor, of McSherrystown, of Rock Men's Union No. 8728, of Pittston, and of 138 citizens of Potter County, all in the State of Pennsylvania, praying for the enactment of legislation to limit the hours of daily labor of workmen and mechanics, and also to protect free labor from prison competition; which were referred to the Committee on Education and Labor.

He also presented petitions of the congregation of the United Presbyterian Church of New Alexandria, Pa.; of the Presbytery of Chartiers, Pa.; of the congregation of the United Presbyterian Church of North America; of the Westchester Friends' Temperance Association of Pennsylvania, and of 33 citizens of Philadelphia, Pa., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in any post exchange, canteen, or transport, or upon any premises used for military purposes by the United States; which were ordered to lie on the table.

He also presented a petition of the keeper and crew of the life-saving station at Turtle Gut, Pa., praying for the enactment of legislation providing for the retirement and pensioning of those filling positions in the Life-Saving Service; which was referred to the Committee on Commerce.

He also presented sundry petitions of citizens of Canton, Carlisle, Lavonia, Fannettsburg, Newcastle, Pittsburg, Carnegie, Stevens Point, Crafton, Rushville, Allegheny, Brandt, and Canonsburg; of the Home Missionary Society of Hermon Church of Frankford, Philadelphia, the congregations of the Presbyterian and Methodist Episcopal churches, the Woman's Home and Foreign Missionary Society and the Woman's Christian Temperance Union of Honeybrook, and the Home Missionary Society of the Allegheny and Pittsburg Presbyteries, all in the State of Pennsylvania, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

He also presented sundry petitions of citizens of Tioga, Erie, Butler, Crawford, Clarion, Cumberland, Susquehanna, Bradford, Lackawanna, Columbia, and Warren counties; of Grange No. 1070, Patrons of Husbandry, of Mahanoy City; of the Farmers' Union of Geigers Mills; of Ackley Grange, No. 870, Patrons of Husbandry, and of Edinboro Grange, No. 947, Patrons of Husbandry, all in the State of Pennsylvania, praying for the enactment of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were referred to the Committee on Agriculture and Forestry.

He also presented a memorial of the T-Square Club, of Philadelphia, Pa., remonstrating against certain improvements being made in the White House, unless recommended by a commission of architects to be appointed by the President, and praying that no appropriation be made for such improvements unless recommended by a commission so appointed; which was referred to the Committee on Public Buildings and Grounds.

Mr. THURSTON presented sundry petitions of citizens and business firms of Nebraska, praying for the repeal of the revenue tax on grain; which were referred to the Committee on Finance.

He also presented a memorial of the National Wholesale Druggists' Association, of Chicago, Ill., remonstrating against the free distribution of blackleg vaccine by the Department of Agriculture; which was referred to the Committee on Agriculture and Forestry.

He also presented petitions of the Sioux City Seed and Nursery Company and the Griswold Seed Company, both in the State of Nebraska, praying for the enactment of legislation to discontinue the free distribution of common seeds by the Government; which were referred to the Committee on Agriculture and Forestry.

Mr. MORGAN presented sundry papers to accompany the bill (S. 5149) for the relief of H. C. Armistead; which were referred to the Committee on Claims.

REPORTS OF COMMITTEES.

Mr. DEBOE, from the Committee on Pensions, to whom was referred the bill (H. R. 4080) granting a pension to James E. Arvin, Teresa Arvin, and Anna Arvin, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 10570) granting an increase of pension to John Kinsey, reported it without amendment, and submitted a report thereon.

Mr. VEST, from the Committee on Commerce, to whom was referred the bill (S. 5174) authorizing the construction of a bridge across Rock River, in the State of Illinois, reported it with amendments.

Mr. GALLINGER, from the Committee on Pensions, to whom was referred the bill (H. R. 10725) granting a pension to Mae Pearman, reported it without amendment, and submitted a report thereon.

Mr. LODGE, from the Committee on Foreign Relations, reported an amendment, accompanied by a report, proposing to appropriate \$2,000 to pay, out of humane consideration and without reference to the question of liability therefor, to the Mexican Government as full indemnity to the heirs of its citizen, Florentino Suaste, who was taken from jail and lynched in LaSalle County, Tex., on October 5, 1895, intended to be proposed to the general deficiency appropriation bill, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

REPORTS ON FOREIGN RELATIONS.

Mr. PLATT of New York. I am directed by the Committee on Printing, to whom was referred the resolution submitted by the Senator from Massachusetts [Mr. LODGE], to report it favorably without amendment, and I ask for its present consideration.

The Senate, by unanimous consent, proceeded to consider the resolution, which was read, as follows:

Resolved. That there be printed of the Compilation of Reports of the Committee on Foreign Relations of the United States Senate from 1789 to 1900, prepared under the direction of the Committee on Foreign Relations, as authorized by the act approved June 6, 1900, entitled "An act making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1900, and for prior years, and for other purposes," 500 copies, of which number 35 copies shall be for the use of the committee.

Mr. COCKRELL. What is to be done with the other number? Ought not the resolution to specify how they are to be divided? There is no law fixing any given distribution. It is a valuable document, and a sufficient number ought to be printed for the use of Congress.

Mr. LODGE. I call the attention of the Senator from Missouri to the fact that this is a Senate resolution. All the copies will go to the Senate.

Mr. COCKRELL. They will all go to the Senate if it is a Senate resolution.

Mr. LODGE. It is a Senate resolution. They are the reports of the Senate Committee on Foreign Relations.

Mr. COCKRELL. I understand exactly what they are, and I want to have them printed, but I thought if it was a concurrent resolution there ought to be a division.

Mr. LODGE. No; it is a Senate resolution, and that is the reason why no division is made.

Mr. COCKRELL. The cost will not reach over the prescribed amount. I think it ought to be printed. It is a valuable document.

Mr. LODGE. I ask the Senator from New Hampshire [Mr. GALLINGER] if a reference is necessary to the Committee on Contingent Expenses in a case like this?

Mr. GALLINGER. I think not.

Mr. COCKRELL. I do not think it is.

Mr. GALLINGER. I think the law provides that the Committee on Printing shall consider it.

Mr. LODGE. The Committee on Printing has considered it, and considered it favorably. I will state to the Senate that this is an extremely valuable publication, and I trust the resolution will be adopted. I do not think there is any action necessary further than what is proposed to be taken.

The resolution was agreed to.

BILLS INTRODUCED.

Mr. GALLINGER introduced a bill (S. 5488) for the relief of Sophie Kosack; which was read twice by its title, and referred to the Committee on Claims.

Mr. SEWELL introduced a bill (S. 5489) granting an increase of pension to James R. Husted; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CARTER introduced a bill (S. 5490) granting an increase of pension to Eva H. McColley; which was read twice by its title, and referred to the Committee on Pensions.

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

A bill (S. 5491) granting an increase of pension to Thomas H. Ballard (with an accompanying paper);

A bill (S. 5492) granting an increase of pension to Mary Morely (with accompanying papers); and

A bill (S. 5493) granting a pension to Merit C. Welsh (with an accompanying paper).

Mr. CULBERSON introduced a bill (S. 5494) granting an increase of pension to John S. Mitchell; which was read twice by its title, and referred to the Committee on Pensions.

Mr. COCKRELL introduced a bill (S. 5495) to authorize and regulate the transaction of business in the Indian Territory by trust companies organized under the laws of the State of Missouri; which was read twice by its title, and referred to the Committee on Indian Affairs.

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

A bill (S. 5496) for the relief of the heirs of Henry Ware;

A bill (S. 5497) for the relief of Leonora Carnahan; and

A bill (S. 5498) for the relief of George H. Green and Mrs. Alice M. Barker, administrators of George W. Green, deceased.

Mr. LODGE introduced a bill (S. 5499) providing for the adjustment of accounts of laborers, workmen, and mechanics arising under the eight-hour law; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. ELKINS introduced a bill (S. 5500) granting a pension to Andrew C. Smith; which was read twice by its title, and referred to the Committee on Pensions.

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

A bill (S. 5501) for the relief of the heirs of Henry A. Shadel, deceased; and

A bill (S. 5502) for the relief of the estate of George W. Chapman.

Mr. FRYE introduced a bill (S. 5503) granting an increase of pension to William M. Hall; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

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

A bill (S. 5504) granting an increase of pension to William H. Hotham (with accompanying papers);

A bill (S. 5505) granting a pension to Kate M. Scott;

A bill (S. 5506) granting a pension to Mary Fryer, now Gardner;

A bill (S. 5507) granting a pension to Mary Priscilla Allen, now Barry;

A bill (S. 5508) granting an increase of pension to Benjamin K. Spangler; and

A bill (S. 5509) granting a pension to Sallie J. Cochran.

Mr. PENROSE introduced a bill (S. 5510) to correct the military record of Franklin Heckler; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. CAFFERY (by request) introduced a bill (S. 5511) for the relief of the heirs of Mrs. Gabriel Le Breton Deschapelles; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. MCCOMAS introduced a bill (S. 5512) for the relief of the legal representatives of J. J. Abrahams, deceased; which was read twice by its title, and referred to the Committee on Claims.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. NELSON submitted an amendment proposing to appropriate \$45,000 for improving Warroad Harbor and Warroad River, in the State of Minnesota, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. ELKINS submitted an amendment proposing to increase the salary of the microscopist in the office of the Surgeon-General of the Army from \$1,800 to \$2,400, intended to be proposed by him to the legislative, executive, and judicial appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. TALIAFERRO (for Mr. KENNEY) submitted an amendment proposing to appropriate \$20,000 for improving St. Jones River, Delaware, intended to be proposed by Mr. KENNEY to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

He also (for Mr. KENNEY) submitted an amendment providing for the improvement of Little Creek River, Delaware, and for the improvement of Leipsic River, Delaware, intended to be proposed by Mr. KENNEY to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

He also (for Mr. KENNEY) submitted an amendment proposing

to increase the appropriation for improving the Misquillion River, Delaware, from \$2,000 to \$25,000, intended to be proposed by Mr. KENNEY to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. CARTER submitted an amendment proposing to appropriate \$4,350 to pay to the board of county commissioners of Custer County, Mont., in full settlement of all demands of that county against the United States for the construction of a steel bridge across the Tongue River, in part for the accommodation of the Fort Keogh Military Reservation, etc., intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Military Affairs, and ordered to be printed.

FLAGSHIP NIAGARA.

Mr. PENROSE submitted an amendment intended to be proposed by him to the bill (S. 5148) to provide for raising and preserving the hull of the *Niagara*, the flagship of Commodore Perry in the battle of Lake Erie; which was referred to the Committee on Naval Affairs, and ordered to be printed.

THE MILITARY ESTABLISHMENT.

Mr. MONEY submitted an amendment intended to be proposed by him to the bill (S. 4300) to increase the efficiency of the military establishment of the United States; which was ordered to lie on the table, and be printed.

PROSPECTIVE ALLOTMENTS.

On motion of Mr. THURSTON, it was

Ordered, That the bill (S. 5161) to authorize the Secretary of the Interior to make rules and regulations governing the selection and renting of prospective allotments, under the act of Congress approved June 23, 1898, be re-committed to the Committee on Indian Affairs.

WASHINGTON TELEPHONE COMPANY.

On motion of Mr. GALLINGER, it was

Ordered, That the amendments submitted on March 23, 1900, intended to be proposed by him to the bill (H. R. 9047) to incorporate the Washington Telephone Company and to permit it to install, maintain, and operate a telephone plant and exchanges in the District of Columbia be reprinted.

REPORT ON PLANTS POISONOUS TO STOCK.

Mr. CARTER submitted the following concurrent resolution; which was referred to the Committee on Printing:

Resolved by the Senate (the House of Representatives concurring), That there be printed 10,000 copies additional to the usual number of the report of Dr. V. K. Chestnut and Dr. E. V. Wilcox of their investigation of plants poisonous to stock in Montana, of which 1,000 copies shall be for the use of the Senate, 3,000 copies for the use of the House of Representatives, and 6,000 copies for the use of the Department of Agriculture.

HYDROGRAPHIC BRANCH OF GEOLOGICAL SURVEY.

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

Resolved, That the Secretary of the Interior be, and hereby is, directed to transmit to the Senate an abstract of the petitions, memorials, requests, and estimates relating to the operations of the hydrographic branch of the United States Geological Survey.

B. R. HENRY AND OTHERS.

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

Resolved, That the President be, and he is hereby requested, if not incompatible with the public interest, to furnish for the use of the Senate copies of all papers and correspondence filed or received in the Department of State subsequent to July 1, 1897, relating to the action taken by that Department to obtain an adjustment of the claims of B. R. Henry and other American citizens against the Government of Great Britain, in regard to certain lands in the Fiji Islands.

Resolved, That the President is hereby requested, if not incompatible with the public interest, to inform the Senate if any action has been taken, and to what extent, in pursuance of the report and resolution from the Committee on Foreign Relations adopted by the Senate June 4, 1896.

SOLDIERS' ROLL OF THE SENATE.

Mr. DEBOE submitted the following resolution as an amendment to Senate resolution No. 386; which was referred to the Committee on Rules, and ordered to be printed:

Resolved, That the Sergeant-at-Arms of the Senate is hereby directed to place on a special messenger roll the names of all messengers now employed, or who were so employed habitually about the Senate Chamber on April 1, 1900, during the session of the Senate, whose Army record, wounds and disabilities, and service in the Senate justly entitle them to favorable consideration, to be known and designated as "The soldiers' roll of the Senate," and to continue such persons in such positions and employment until cause for their removal shall have been reported to and approved by the Senate and their removal directed.

MOBILE BAY IMPROVEMENT.

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

Resolved, That the Secretary of War is directed to send to the Senate the report of Major Rossell, of the United States Engineers, of the survey and estimate for opening the outer bar at Mobile Bay, together with his recommendation thereon.

HOUSE BILL REFERRED.

The bill (H. R. 12740) making an apportionment of Representatives in Congress among the several States under the Twelfth Census was read twice by its title, and referred to the Committee on the Census.

PAYMENT OF ELECTORAL MESSENGERS.

The PRESIDENT pro tempore laid before the Senate the bill (H. R. 13394) providing for the payment of electoral messengers, which was read the first time by its title.

Mr. ALLISON. The bill provides for the payment of compensation to messengers who carry here the electoral vote. It is the usual bill.

Mr. COCKRELL. Let it be read in full.

Mr. ALLISON. I ask unanimous consent that after it shall have been read it may be given present consideration.

Mr. COCKRELL. Let it be read in full.

The bill was read the second time at length, as follows:

Be it enacted, etc., That for the payment of the messengers of the respective States for conveying to the seat of government the votes of the electors of said States for President and Vice-President of the United States, at the rate of 25 cents for every mile of the estimated distance by the most usual roads traveled from the place of meeting of the electors to the seat of government of the United States, computed for one distance only, the sum of \$12,700 be, and the same is hereby, appropriated out of any money in the Treasury not otherwise appropriated.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

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

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

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the joint resolution (S. R. 144) to fill a vacancy in the Board of Regents of the Smithsonian Institution.

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

A bill (H. R. 1734) granting a pension to Mary A. Whitmore;

A bill (H. R. 2752) granting an increase of pension to Edmund P. Tierney;

A bill (H. R. 5117) granting a pension to Roland Burnett;

A bill (H. R. 5655) granting a pension to Lurinda Laughlin;

A bill (H. R. 9108) granting a pension to Maria H. Hixon; and

A bill (H. R. 10062) granting an increase of pension to Harriet Crotsenberg.

The message further announced that the House had passed a bill (H. R. 13274) to authorize the Postmaster-General to lease suitable premises for use of the Post-Office Department; in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED.

The bill (H. R. 13274) to authorize the Postmaster-General to lease suitable premises for use of the Post-Office Department was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

REGULAR OFFICERS AS OFFICERS OF VOLUNTEERS.

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution coming over from a previous day, which will be read.

The Secretary read the resolution submitted yesterday by Mr. PETTIGREW, as follows:

Resolved, That the Secretary of War be, and he is hereby, directed to furnish the Senate with the names of all officers of the Regular Army who were appointed to be officers of volunteers since May 1, 1898, the rank said officers held in the Regular Army when so appointed, the rank to which appointed in the volunteers, and the rank now held in the volunteers; whether any regular officers so appointed to volunteer regiments have been assigned to duty other than that of duty in the field with their regiments, the names of officers so detailed, with the date of the detail, the special duty to which assigned, and where such special duty has been and is now being performed.

Mr. CARTER. I move that the resolution be referred to the Committee on Military Affairs.

Mr. HAWLEY. Personally I have no objection to it—

The PRESIDENT pro tempore. The Senator from Montana moves the reference of the resolution to the Committee on Military Affairs.

The motion was agreed to.

Mr. PETTIGREW. I think the Senator from Connecticut rose to speak to the question. I should like to hear what he has to say before the resolution is disposed of.

Mr. HAWLEY. No; I did not rise to speak to the resolution, which calls for a lot of appointments and details. I was about to say that I have no objection to its being adopted now. I have been looking at it and thinking about it. Is the resolution before the Senate?

The PRESIDENT pro tempore. It has been referred to the Committee on Military Affairs.

THE MILITARY ESTABLISHMENT.

Mr. HAWLEY. Then I ask unanimous consent that the Senate proceed to the consideration of the Army bill.

Mr. PETTIGREW. Do I understand that it is necessary, before 1 o'clock, to ask unanimous consent? Is not a motion proper to take up the bill?

The PRESIDENT pro tempore. A motion is in order. Is there objection to the request of the Senator from Connecticut?

There being no objection, the Senate resumed the consideration of the bill (S. 4300) to increase the efficiency of the military establishment of the United States, the pending question being on the amendment of the Committee on Military Affairs, in line 4, page 43, section 34, before the word "wine," to strike out "beer;" and in line 5, after the words "or any," to strike out "intoxicating liquors" and insert "distilled spirits;" so as to make the section read:

The sale of or dealing in wine or any distilled spirits by any person in any post exchange or canteen or Army transport or upon any premises used for military purposes by the United States is hereby prohibited. The Secretary of War is hereby directed to carry the provisions of this section into full force and effect.

Mr. McCUMBER. Mr. President, it is probably true that long ere this stage of the discussion Senators have individually formed definite opinions, and hence any further argument can have little effect in either fixing or unsettling their respective views.

On a question so important as this it is due not only to the individual, but probably to the body itself, that the reasons for supporting or antagonizing the amendment offered by the committee should be given.

He who, in the face of all the testimony of the officers of the Army favorable to the sale of beer in the post exchanges, can see nothing to support their contention must be either blinded by prejudice or blindly self-opinionated. There is no evil that does not produce some good results, and no good that does not bring forth some evil effects. The only proper course, therefore, is to adopt that which will give the greatest benefits with the least injuries.

It has been assumed that because the Army officers are almost a unit in favor of the committee's amendment their conclusions should have governing force with us who have but slight personal acquaintance with the subject.

But, Mr. President, I look to the expert not so much for his conclusions as for the facts, and when he has put me in possession of the facts upon which he bases his opinions he has placed me upon an equal footing, and I may draw my own conclusions, which must be paramount with me.

Now, I do not presume there is a single Senator or an Army officer but will admit not only that the use of beer is detrimental, even to the extent consumed in the post exchange, but that total abstinence would be a godsend to the Army. But their contention, in a nutshell, is this, and we will see whether it will bear close analysis: They say, and everyone knows it to be a fact, that in the cities and surrounding the Army posts are saloons, or dives, more properly called, where the vilest of all liquors are sold, and where every alluring vice, from the gambling room to the threec-dangerous brothel, abounds; that the unvarying monotony of the life of a private soldier, without some attraction in the post, impels him first to the saloon, where in almost reckless abandonment he imbibes not a glass of beer, but the worst drug concoction imaginable, which at once unchecks the rein of judgment and lets loose his unbridled passions, carrying moral and physical wreck in their train.

And I might add, what is an equally known fact, that a large percentage, if not a large majority, of the privates in the Regular Army have strong convictions that there is no moral wrong in taking a glass of liquor, but that in depriving them of that right you are depriving them of their just liberty—the right as intelligent beings to determine for themselves their drink as their diet; and, so feeling, they are restive under this restraint, and that spirit intensifies their desire to assert what they consider their personal privilege, and excess in drink when outside is the result.

And they tell us that the post exchange, with its beer and light wines, its luxuries in food, its gymnasium, its games, and reading matter—in fact, the private soldiers' club—creates a counter attraction which keeps the soldier away from these surrounding physical and moral death traps.

It is probably equally true that if the young men of the country understand that a soldier's life is equivalent to a term in the penitentiary—is a reform school, where he surrenders both liberty and individuality—you would find it extremely difficult to recruit a standing army of intelligent, patriotic privates. And when I have said this I have placed their contention in its strongest bearing. Now, I believe, and I think the record will bear out the assertions of the officers of the Army and the supporters of the amendment, that since we have inaugurated the post exchange as it now exists crime, desertions, and the thousand evils that flow from the excessive use of intoxicating liquors have vastly decreased.

But here comes the question, What feature of the post exchange should be credited with all these good results? What is it that contributes to these great benefits?

Is it the beer and light wines, or is it the club, the reading, the gymnasium, the games, the social opportunities? The Senator from Mississippi [Mr. MONEY] says he will vote for the committee's amendment because it promotes sobriety. What is it that

promotes the sobriety? Is it the drinking of an intoxicant that promotes sobriety, or is it the other pleasures and diversions that satisfies and prevents the desire for an unnatural and artificial stimulant?

Suppose you retain all the good features of the post exchange—that you sell everything you sell now except two articles, beer and light wine—would that destroy its utility and beneficial effects?

If a soldier wishes a glass of beer, he desires it for its effect, and that effect is its intoxication. To what extent does beer add to the enjoyment? Just to the extent that it intoxicates, and no more.

If it is taken simply for its refreshment, then there are hundreds of soft drinks equally refreshing, equally inviting to the taste, and without deleterious effect.

Your position is that in allowing a half drunk you satisfy the individual desire and at the same time prevent a full drunk. I do not believe that is good logic. On the contrary, it is a physiological as well as a psychological fact that the partially satisfied desire for intoxicating stimulus only intensifies the desire for greater intoxication. Shut off from all the diverting and self-satisfying social and business relations of civil life, this insidious tantalizer, slight intoxication, necessarily brings most disastrous results. It creates a desire for greater intoxication. It creates it under circumstances that would not surround the individual except in Army life.

Mr. President, it was suggested here yesterday that only about 450 soldiers and sailors were lost by wounds or by being killed directly in battle during the war with Spain. During that time about 5,000 died of disease. It is safe to say that, in any ordinary war, while one individual is killed by the bullet of the enemy at least ten times that number die of some disease.

It is equally well established, at least to my satisfaction, that the great majority of the deaths in the Army, if not directly due to the use of intoxicating liquors, are certainly indirectly due to that habit, and that by their use they so debilitate the individual that he is unable to withstand the changes of climate and the conditions unnatural to him into which he has been forced by the Army discipline.

While we are expending millions upon millions of dollars for the protection of the individual against any character of injury from the enemy, while all of our tactics are directed toward the preservation of human life in open engagement while at the same time it may inflict the greatest injury to the opponent, but comparatively little attention is given to the protection of the life of the individual while in the post.

Mr. President, considering the great comparisons in the matter of the death rate in actual engagement and out of engagement, remembering also that whilst we have one year of actual warfare we have from twenty-five to thirty years of peace, in which there is no stimulus to the soldier to take any part in active exercises at the post, the natural tendency of our young men is to become dissatisfied. That tendency leads them to the use of drink, and that produces the most extraordinary and deleterious effects upon the Army.

If we give one-half of our attention to the protection of the individual against this one article, which produces more deaths, directly or indirectly, than any other one thing, it seems to me that we shall have done our duty, and when we have done less than that we have failed to fulfill our requirements as persons having in charge the real welfare of the Army.

Mr. President, it has been suggested all along here that the real benefits were due entirely to the use of light wines and beers in the exchange. Very little has been said about the other things—the games and the many things that are in the post that tend to make the life of the private soldier more agreeable, which, I believe, have had ten times the effect in lessening the death rate and in lessening the number of desertions by making life more agreeable. Everyone, it seems to me, knows and fully comprehends that the life of a private in the Army, in time of peace—at least until within the last twenty years—has not been a life that would be desired by many of your young men. It seems to me that our duty is to guard them in time of peace, and that duty means that we should give attention to everything that will make life agreeable and pleasant to the privates. When we have done that, we have taken away the great temptation for strong drink.

I can not agree with that philosophy which says that the soldier who from an inherent taste desires strong liquors will be willing to stop with a glass of beer at the exchange. If his desire is so strong that it becomes a necessity, overriding his better judgment, notwithstanding the exchange, notwithstanding the light liquors sold at the exchange, he will find his way to the city, and he will find his way to those vile resorts surrounding every Army post, and will suffer the same results as though no intoxicating or but slightly intoxicating liquors were allowed to be sold to the soldiers in the post itself.

So, Mr. President, it seems to me that we gain but very little in allowing light drinks to be used there, while nothing more heavy

is sold. At least, whatever may be the opinion of Senators, I believe that we are entitled to have a fair, honest trial of the canteen or the post exchange without the sale of intoxicating liquors. I do not know how this would affect, or is expected to affect the sale of intoxicating liquors in prohibition States, but I believe you will find that if you will place an army in the State of North Dakota, or any other prohibition State, that there will be just as few desertions from the Army at that place as there will be in places where soldiers can receive their beer at the post or elsewhere.

So, for my own part, I believe that nothing short of justice would require that I cast my vote in favor of a fair trial of the canteen without the sale of intoxicating liquors.

Mr. TELLER. Mr. President, the canteen ought to be distinguished from the post exchange. It is not necessary in order to have the post exchange that we shall have the canteen system. So far as I am aware and know, nobody proposes to make any attack upon the post exchange. I have no doubt that the Army has derived benefit from that system. What is objected to is the sale of intoxicating drinks inside of the posts. In 1899 Congress passed the following act on the 2d of March:

SEC. 17. That no officer or private soldier shall be detailed to sell intoxicating drinks, as a bartender or otherwise, in any post exchange or canteen, nor shall any other person be required or allowed to sell such liquors in any encampment or fort or on any premises used for military purposes by the United States; and the Secretary of War is hereby directed to issue such general order as may be necessary to carry the provisions of this section into full force and effect.

Mr. President, the canteen system was not established by law. It was established by a military order. This provision of the law, which was intended to compel the abandonment of the canteen system, was a direction to the military department of the Government. If it had not been passed, the power existed to destroy the canteen at any time the Commander in Chief of the Army—that is, the President of the United States—or the Secretary of War desired.

But I want to call the attention of the Senate, and, Mr. President, I want to call the attention of the country as well, to the fact that it was not necessary for the purpose of destroying the canteen that Congress should act or pass any law, unless the executive department of the Government declined to act. The executive department of the Government having put this canteen system in force, there was objection to it made throughout the country, and an appeal was made to Congress to destroy it.

We passed what, I think, is a clear, well-defined prohibition. As a lawyer, I have no hesitation in saying that it is clear and unequivocal, but in order to destroy its effect the Department of Justice, in construing the law, changed the character of the law. It is well understood that the punctuation of a bill is as much a part of the bill as the wording of it. The Department of Justice changed the punctuation of the law; it put into two paragraphs what is practically in one; and then, arguing upon the second branch of the paragraph, which is part of the first, declared that we could not have intended to destroy the canteen system, and the system thus survived.

Mr. President, I do not intend to go into a discussion of the merits of the Attorney-General's decision. I simply say that, submitted to me, I could not have construed it in that way. He could not have construed it that way if he had not put a semicolon where there was a comma. I do not mean to say that he changed the text of the law, because he did not, but when he wrote his opinion, where there was a comma, he put a semicolon, and then proceeded to argue upon false premises, and so came to a false conclusion.

It is proposed by the House of Representatives, in the provision which they insert in the bill, that we shall get rid of the canteen. For myself I have listened with a great deal of interest and a great deal of attention to the statements made here by Army officers, and especially by those who were formerly against the canteen and are now for it, who say that their experience has changed their views. Yet I am not convinced that the canteen system is a wise and a proper one. On the contrary, I believe that it is vicious; and so, I think, believe the great body of the American people who are concerned in promoting temperance, morality, and virtue. I think it is a sort of shock to the moral sentiment of this country that the Government of the United States shall put back of liquor selling its great force and character.

Mr. President, the Senator who sits next to me [Mr. HAWLEY] says "not liquor." It has been attempted here, and attempted by some of these Army officers, to make it appear that wine is not an intoxicating drink.

Mr. HAWLEY. We exclude wine.

Mr. TELLER. I meant beer. In my judgment, if you have to take either wine or beer, you had better take light wine, for it is not, as has been repeatedly demonstrated, as deleterious as beer. No man need stand here and say to us that beer is not an intoxicating drink. We have seen hundreds of men go down to drunkards' graves as beer drinkers in the section of country in which I live, and no doubt the same is the case in other sections. There

is not any worse form of drunkenness in the United States than that occasioned by beer drinking. It is not only detrimental to morals, but it is detrimental to health. It may be that drinking beer in moderate quantities probably does not hurt; and a moderate drink of whisky may not hurt a good healthy man. I have never tried it. I do not use either whisky or beer, and never have done so; but I know from observation that men can get as stupidly and as blindly drunk on beer as on anything else, and every other Senator in this body knows that to be a fact. So you are selling intoxicating drinks in the canteen if you permit the selling of beer.

Mr. President, I do not intend to go into any discussion as to the evil influences of the use of beer or wine or of strong drinks generally. The public understand that matter; but the best element of American society all over the country have come here ever since the canteen was opened and entered loud and strong protests against it. The attempt which has been made of late to make it appear that the saloon interests of the country were back of this movement is simply so absurd that it is not worth while to talk about it.

Mr. HAWLEY. But it is true nevertheless.

Mr. TELLER. It is not true, even if the chairman of the committee does say so. I challenge him to say that it is true. The saloon interest is not back of this movement, and the Senator can not prove that it is. The saloon interests at the posts may be for it; but the great fight which has been made against the canteen, the Senator from Connecticut knows, is not made by the saloon interests; and it is unfair for him to say in this body that it is. He knows that the fight is made by the church people, the temperance people, the moral people, and the decent people of the United States; and it is made against the rum-drinking and the rum-selling elements in this country. The great brewery combinations are on his side; all the great, wicked elements interested in the sale of intoxicating drinks in the country are on his side; and he need not say to us that we represent the saloon element, for it is not true.

Mr. President, we have the right to exclude intoxicating liquor from our soldiers, and it is our duty to exclude it. I say that you have no right to put such a temptation in a place or in juxtaposition to it, where a soldier has a right to go, where he might find it his pleasure to go, and where he ought to find it his pleasure to go, because there he ought to find newspapers and magazines and social relations which he ought to have—you have no right to put by the side of it or in it, as in many places you have done, the temptation to an American boy, who goes from an honest American home where liquor, whether beer or wine, is not used, to drink it at his own impulse or at the request of somebody else. Every American father and every American mother who send out their boy into the Army, or allow him to go, has the right to insist that the Government of the United States shall not put such temptation in front of him.

Mr. President, no executive officer can escape the duty he owes to the country to take hold of this question. If he believes, of course, that the canteen is a blessing, a good thing, and that the soldier has a right to it, then it becomes probably his duty to sustain it; but he should not do that under the pretense that we did not provide a law which compelled him to do it when he had the power all the time—as the canteen existed by virtue of an Executive order—by a stroke of the pen to have destroyed it.

We have now in another part of the world ten or twelve million people not addicted to the use of strong drink. The President of the United States as Commander in Chief of the Army, now represented by a commission of five men, has absolute authority to deal with this question, and if we are to believe the testimony of the best men who have been to Manila—representatives of this Government, not only in the civil service, so far as there is any civil representation there, but military officers—if we may believe the representations of the church people who have gone there, of the missionary bishops of one of the greatest churches in this land, of a number of other missionaries, we are cursing that people with such a curse as they were never cursed with under Spanish domination—a curse that will in the end be as vicious and as vile and as dangerous to those people as all the oppressions of Spain and Spanish greed and avarice have ever been. It is within the power of the Executive, or within the power of this body acting with the other, to shut out from those people the temptation we are allowing to be put in front of them simply that we may make commerce with those islands.

I have seen recently a statement of the vast increase of our commerce; but if you will examine as to what it consists of, you will find the increase of commerce is very largely in the increase of the sale of intoxicating drinks.

Mr. President, I promised yesterday the Senator who seems to be concerned as to this matter that I would not delay this bill by any lengthy discussion of the canteen question. I regard the question of infinite importance to the American people; I regard it as of infinite importance to the morale of the Army of the United States; but I do not believe it is as great a question as some other

questions which are before us for consideration. I think I shall discharge my duty when I enter my protest—a decided protest—against the Government of the United States making beer selling and beer drinking respectable. I do not set myself up to say that a man may or may not drink if he chooses, but I do say that the Government of the United States has no right to put this temptation in front of the American soldier. If he will, as it is said he will, go out and hunt liquor somewhere else, that is his business and not ours. We should restrain him as far as possible in that respect, so far as is consistent with liberty.

I wish to call attention to and to put in the RECORD a few statements to which my attention has been called as to the condition in the Philippine Islands. It is said that when we went there there were 4,000 saloons; that we have destroyed them, and that they have been decreased now to 700. I have heard that repeatedly stated in order to justify our conduct over there. Now, I want to read a statement from Mr. Edwards, who was our consul there for many years and for many years a resident of the islands. I shall not read it all. He says:

During my long residence in the Philippines I rarely saw a drunken native or Spaniard. Certainly not more than two or three in a year. In crowds of 10,000 people not one would be seen or heard. To call a Spaniard a drunkard was a much greater insult than to call him a liar. The natives drank "tuba," the juice extracted from the coco palm, which Mr. Dean C. Worcester, of the two Philippine commissions, thus described: "The unfermented 'tuba dulce' is a pleasant and nourishing drink, often recommended for those who are recovering from severe illness, on account of its flesh-producing properties. The fermented product is a mild intoxicant."

The principal drink was "tuba," and the "gin shaks."

This is a quotation and this is what we have been calling them—mentioned by Chaplain Pierce (up to 1888, when I last saw Manila) sold little else than this harmless beverage. The great point is that from 1853 to 1888, the range of my personal knowledge of the islands, drunkenness was practically unknown among the natives or Spaniards.

The Spanish cafés sold mostly Spanish wines, and men would sit an hour chatting over a glass or two of wine, and smoking in front or in them, with never a sign of intoxication. Nothing like the American saloon was ever known in Manila while I lived there; and I heartily endorse the remark of President Schurman, the chairman of the Philippine Commission, as quoted by you from the Independent, and in his address to the Liberal Club of Buffalo.

This is what Mr. Schurman said:

I regret that the Americans allowed the saloon to get a foothold on the islands. That has hurt the Americans more than anything else, and the spectacle of Americans drunk awakens disgust in the Filipinos. We suppressed the cock fights there and permitted the taverns to flourish.

No one in this country believes that cock fighting is as degrading and as demoralizing as the free use of intoxicants in a tropical climate. Cock fighting may not be the most elevating thing, but yet, beyond the mischief which is inflicted on two cocks, it would not hurt anybody very much.

One emphasized the Filipino frailty and the other the American vice.

That is well stated, too.

I have never seen a Filipino drunkard. The Filipinos have some excellent virtues. They are exceedingly cleanly and also exceedingly temperate. Even the members of this Liberal Club would shock them by the amount of wine most of you have consumed this evening.

Mr. President, there is an article in Leslie's Weekly, by Mr. H. Irving Hancock, their Manila correspondent, which I call to the attention of the Senate, so that it may go into the RECORD. I want to do it for two reasons. I want to do it because the people of the United States do not understand generally, I think, the character of the Filipino. I want also to show what a demoralizing influence in this beginning of the twentieth century, nineteen hundred years after the birth of Christ, this great Christian nation is exhibiting there.

The Filipinos of Manila are rather slow to take to drink. They have always heretofore been an abstemious people. Yet slowly but surely the natives are veering around to the temptation to be found in the saloon. Five years more of the present saloon reign in Manila will see a sad demoralization of the natives.

At present the nondrinking majority of the Filipinos feel only contempt for the American whom they see lurchingly walking the streets or crouching in silly semistupor in the cabs on their way to office, home, or barracks.

There is nowhere in the world such an excessive amount of drinking per capita as among the few thousand Americans at present living in Manila. Nor does this mean that we have sent the worst dregs of Americans there. Far from it; some of the best American blood is represented in Manila, men of brains and attainments, who would nobly hold up our name were not the saloon at every step. Gamblers and depraved women—in both classes the very dregs of this and other countries—have followed and work hand in hand with their natural ally. These people are fast teaching the natives the depths of Caucasian wickedness, and the natives imagine this is Americanism.

We tried to civilize the Indian and incidentally wiped whole tribes off the earth by permitting disreputable white traders to supply him with ardent liquors. Are we to repeat this disgrace, tenfold, as we at present seem fair to do in the Philippines?

The following testimony is from Capt. Everard E. Hatch, Eighteenth United States Infantry:

The great source of evil has come from the liquor interests. The first followers of an army are the saloons, with disreputable women a close second. To repress their pernicious influence taxes the efforts of those in authority. One shipload of liquor was in Manila Harbor before the city was taken by the Americans. The agent of the company was with the Army, wearing a military uniform, under the guise of a "volunteer aid." The city taken, the "volunteer aid" cast aside his uniform, located a depot, and proceeded to establish saloons. In a few weeks the principal streets were transformed.

The one brand of whisky and beer handled by the firm received a great boom, and in a way got a great start of competitors. It was not for long. In a few weeks every brand of beer and whisky in America was represented, and the different agents vied for business and supremacy.

I call the attention of the Senate to his conclusion. He says:

The saloons were directly responsible for more of the friction, disturbances, and estrangements with the natives than all other causes combined.

Now, Mr. President, here is the testimony of an American Methodist bishop, a man whose province it is to take charge of the Christianizing of these and other races. Nobody will doubt his word; nobody will say that he talks for political effect. This was written in April, 1899:

Every alternate place of business seems to be a liquor shop of some kind—

This is in Manila—

and the soldier has temptation before his eyes whichever way he may turn. * * * Drunken soldiers meet me everywhere, and it is painful in the extreme to remember that many of them have come from Christian homes and that they have been thrust into the very jaws of temptation from which only a strong man can be expected to escape.

This is by Bishop Thoburn, who is known at least by a good many members of this Senate.

Here is a quotation from an address delivered at the Young Men's Christian Association rooms in the city of Manila by Chaplain Cephas C. Bateman, of the United States Army. He said:

The degradation of Manila means the degradation of Luzon, and the degradation of Luzon would result in the degradation of the whole archipelago, and the city of Manila would be a reproach and disgrace to the whole American nation. Every man should have pride that he is a representative of occidental thought and progress, and he ought to be ashamed to give himself over to sin.

A mestizo of repute said the common people of the islands never saw a drunken man until the Americans came. That may not be so, but I never saw a drunken Filipino or Chinaman. The people have reason to believe that the United States is a nation of drunkards. All the men should take this to heart. What have we come to these islands for? To establish a peace-loving people. Shall we leave them worse than we found them?

Mr. LODGE. If it would not interrupt the Senator from Colorado, I should like to ask him a question.

Mr. TELLER. Certainly.

Mr. LODGE. He is reading what I have read, the gravity of which I appreciate, relative to the saloons that have been established by Americans in Manila.

Mr. TELLER. Yes.

Mr. LODGE. It does not touch the canteen question, except indirectly.

Mr. TELLER. It does not touch the canteen question.

Mr. LODGE. No; and the stoppage of the sale of beer at the canteen would not affect it.

Mr. TELLER. Not in the slightest.

Mr. LODGE. I want to say, and I am glad the Senator has brought it out, that there is an evil of the worst kind—the establishment of American barrooms in Manila in the wake of our army; and if there is any way to have them closed, I should be glad to see it done.

Mr. TELLER. The Senator was not here when I commenced?

Mr. LODGE. No.

Mr. TELLER. It is in the power of the President to close every one of them as quick as a telegram can reach Manila. If the President declines to do it, it is within the power of this body and the House to compel it to be done. Will anybody say, in view of what I have read and mean to read, that it is not our duty to act promptly?

Mr. GALLINGER. If it will not interrupt the Senator from Colorado—

Mr. TELLER. Not at all.

Mr. GALLINGER. I will say that this morning an officer, whose name I will not give, but who stands in the forefront of American generals, deplored this condition, in conversation with me, saying he had knowledge of the existence of four or five hundred American saloons, and that they were licensed by an officer who some time ago was in charge of military affairs in the archipelago. He said they of course could be very readily abolished if a military order to that effect should be issued.

Mr. LODGE. I should like to ask the Senator from Colorado a question.

Mr. TELLER. Certainly.

Mr. LODGE. It is whether he knows of any statement that has been made in regard to that, as to why this condition exists?

Mr. TELLER. I do not know whether there has or not. I talked with an American officer, a regular officer, whom I have known for thirty-odd years, who emphasized to me this condition there, and I felt humiliated to have him say that it existed only where we had power and were exerting it, and that in that section of the country where our power had not been felt the old condition existed.

Mr. LODGE. Will the Senator excuse me for trespassing on his time?

Mr. TELLER. I do not mind it.

Mr. LODGE. I do not know the reason for this condition of things in Manila, but I do know that under American orders and

under the command of General Ludlow that thing was absolutely stopped in the city of Habana. I refer to the opening of bar-rooms and saloons by Americans following in the wake of the Army. I know that was done. I had a long talk last spring with General Ludlow about it. It was entirely abolished.

Mr. TELLER. When in Cuba last spring I never heard of any complaint of anything of that kind in Cuba, but I do know from the public press, I know it from conversations with men who have returned from there, both civilians and officers, that this condition of affairs existed. I want to read what an officer of the United States, Sergeant Wherry, says:

The soldier's greatest enemy here—

Manila—

is strong drink. When we took possession of the city there was scarcely an open saloon to be seen, but in a few days they marred every prominent place in the city. Beer by shiploads began to arrive. When the first pay was given, the soldiers in the town almost went wild. The saloon keepers, human vultures who had followed the Army in most cases, began to rake in the soldiers' money, and have kept it up ever since. When the Army entered the city there was hardly a case of sickness in any of the companies, but in a short time the sick list began to lengthen, and the cause in fully half the cases was drink. At the present time the saloons are doing a rushing business, and will probably continue to do so. A full page of the newspapers is taken up each day by an advertisement for a certain brand of American beer. Almost every case of disturbance is the direct result of drinking. The inmates of the guardhouse in nearly every case found their way there through the neck of the bottle. A few months spent here should make an uncompromising temperance advocate of any American who desires to see his country's greatness advanced and her moral and religious standard upheld. We boast of our civilization, but it is a poor example that the American has set to the new world of the United States—the Filipino. There is something radically wrong somewhere.

Mr. President, a great deal more of this character might be read. I wish to read, in answer to the statement so often made that there are less saloons now in Manila than when we took the city, what Mr. Harold Martin, Associated Press representative in Manila, said June 28 in the Independent:

Before the arrival of the American soldier in Manila there was very little heavy drinking here, and this because both Spaniards and Filipinos are temperate people; they do not drink to excess. Anyone who has been in Spain, or who has seen the Spanish soldiers in Cuba, in Porto Rico, and the Philippines, will admit they are not addicted to heavy drinking, and I do not think this point needs any further support. And the Filipino is as temperate as the Spaniard. I have been in these islands for one year, and I have yet to see an intoxicated native. * * *

Hence, given the incontrovertible facts that both Spaniards and Filipinos are not addicted to drink, we can understand how Manila got on before we came here with three saloons licensed for the sale of liquors, such as brandy, whisky, and other strong drink, while to-day, May 10, there are 170 licensed saloons in the city and 53 licenses for the wholesale distribution of liquor.

Before we came here there were in and about Manila some 4,000 native wine rooms licensed for the sale of Spanish wines and the native bino. Bino is a fiery drink distilled from grain, generally rice, and flavored with anise seed. It is very strong, and when taken in excess by our men renders them temporarily crazy and utterly irresponsible. * * * When we first came to Manila the American soldiers very quickly discovered where bino could be had, and owing to their excessive use thereof the authorities were forced to close many of these wine rooms. Formerly those places were frequented by the natives, by the Spanish soldiers, and by the Chinamen of the city. Since the Spaniards have gone the demand for Spanish wines has dropped, and to-day about 700 of these native wine rooms are doing business. * * * Their licenses are much more costly now than formerly, and this fact and the departure of the Spanish troops accounts for the very considerable decrease in their numbers. These 4,000 wine rooms can not be considered saloons. They were, with very few exceptions, quiet and orderly places where Spaniards and natives went for their wine. Such wine rooms are distinctly a product of wine-drinking countries, such as France, Italy, and Spain, and I believe that one well-patronized saloon, here or at home, is accountable for as much drunkenness and disorder as were 1,000 of these wine rooms in Manila. * * *

I want to read that again to those people who are saying that the American domination over there has reduced the number of saloons:

I believe that one well-patronized saloon here or at home is accountable for as much drunkenness and disorder as were 1,000 of these wine rooms in Manila.

Mr. President, that is not all of it, but I will not weary the Senate by reading more. However, I will read an extract from the report of the general secretary of the Young Men's Christian Association:

The Filipinos, while pagan and semicivilized, are moral and sober. They first learn of Christianity from the profane sailor, and when they see immense numbers of drunken, profane, and immoral soldiers representing this country they have little respect for the religion they profess. "If that is your religion," they say, "we prefer our own."

Mr. MCCOMAS. Will the Senator permit me to make an inquiry? Is not the Senator describing a situation in existence prior to the order of the Taft Commission abolishing the saloons on the Escolta and plazas in Manila and prohibiting the sale of vino and other native spirituous drinks in the saloons and anywhere to a soldier?

Mr. TELLER. Does the Senator say the saloons have been abolished?

Mr. MCCOMAS. I asked him if he is not aware of the fact that the sale has been abolished in those places in Manila and very much restricted otherwise by the Taft Commission?

Mr. TELLER. The Senator does not mean to say they do not sell liquor in Manila?

Mr. MCCOMAS. I mean to ask the Senator if he has not been made aware, as is stated on page 35—

Mr. TELLER. I have been describing a condition which existed in Manila two months ago.

Mr. MCCOMAS. I am asking the Senator whether or not that condition has not been very much abated by the action of the Taft Commission?

Mr. TELLER. If the Senator will produce any evidence on that point, I will be delighted.

Mr. MCCOMAS. I will read, if the Senator will permit me, what I find on page 35 of this document.

Mr. TELLER. In a moment. The last statement made from there was that the Taft Commission was controlling it, and, I believe, had increased the amount of license; and that was within the last ten days.

Mr. MCCOMAS. If the Senator will permit me, I will read it.

Mr. TELLER. I will let the Senator read it.

Mr. MCCOMAS. I read from page 35. Chaplain Miller says:

Under the recent order of Judge Taft, president of the commission in the Philippines, all the saloons are banished from the Escolta and plazas in Manila, a much higher license imposed on those that remain, and the sale of vino and other native spirituous drinks prohibited in the saloons and anywhere to a soldier. This puts Manila, in temperance and morals, ahead of most of the cities of our home land, and I do not believe I was ever in a city where law and order are so well established or where punishment so quickly follows crime.

If the Senator will allow me, I should be very glad if out of his experience and with his skill he would draft an amendment to this bill—I should like to vote for it—still further enforcing the suppression of American saloons and the sale of poisonous native distillations.

Mr. LODGE. Will the Senator from Colorado permit me?

Mr. TELLER. Certainly.

Mr. LODGE. I think there is no doubt that the Taft Commission has improved the situation in Manila, but I do believe that something could be done by legislation to improve it still further; and I think there is nothing we could do that would be more beneficial than to prevent the possibility of the recurrence of the evils about which the Senator has been reading and of which I read with a great deal of pain.

Mr. TELLER. The other day in executive session the Senator, I believe, procured the passage of a treaty intended to secure the protection of the dark races in Africa and other places from the use of intoxicating drinks, and I think there is nobody better qualified to prepare such an amendment to this bill than the Senator from Massachusetts, and I wish he would do it. I should be delighted to vote for it.

Mr. LODGE. The treaty the Senator refers to was made public, and it was passed as the Senator states.

Mr. TELLER. Yes.

Mr. LODGE. And the Senate also agreed to a resolution expressing its opinion that it was desirable to prevent the introduction of spirituous liquors into such regions as these for sale to the aboriginal inhabitants. With that I am wholly in sympathy.

Mr. TELLER. The Senator from Massachusetts introduced it.

Mr. LODGE. I introduced it, and the Senate agreed to it unanimously.

Mr. TELLER. I voted for it, and I should be very much delighted if he would draft an amendment to fit this case. He belongs to the party in power, and I think it would be a little wiser, perhaps, for it to come from him than from me. In answer to the Senator from Maryland, that I may not appear to be reading ancient history, I will call his attention to an article in the London National Review for September. This is from the pen of John Foreman. He is an English engineer who went to that country and spent about eleven years as an engineer and some eight or ten years more living in the country attending to business. He was before our commission. He wrote the most interesting book on the islands that has ever been published, in my opinion. He has a full and thorough acquaintance with those people. I wish to say to the Senator from Maryland that I have not brought this up in a way to attack anybody or to gain any political advantage or anything else, but in the interest of what I believe to be justice and right.

The conduct of the boisterous, undisciplined individuals who formed a large percentage of the first volunteer contingent sent to Manila has had an ineffectually demoralizing effect on the proletariat and has inspired a feeling of horror and loathful contempt in the affluent and educated classes who guide Philippine public opinion. From the outset it was a mistake to treat the Christian Philippine population like savages ignorant of Western civilization, considering that there are thousands of Filipinos mentally equal to the invading forces, and comparable, in intellectual training, with the average middle-class European. I would point out that the Philippine Christian population includes not only those of pure Malay descent, but a large admixture of sagacious Spanish and Chinese half-castes, educated in the university and colleges of Manila, in Hongkong, Europe, and other places.

Within a fortnight after the capitulation of Manila the drinking saloons had increased fourfold. According to the latest advices there are at least twenty to one existing in the time of the Spaniards. Drunkenness, with its consequent evils, is rife all over the city among the new white population. The orgies of the newcomers, the incessant street brawls, the insults offered with impunity to natives of both sexes, the entry with violence into private houses by the soldiery, who maltreat the inmates and lay hands on what they choose, were hardly calculated to arouse in the natives admiration for their new masters. Brothels were absolutely prohibited under Spanish rule, but since the evacuation there has been a great influx of women of ill fame.

There is some more than that which might be read. There is a

chapter that might be read of the condition in the Sulu Island, which is enough to make any man ashamed who has any idea of decency.

Mr. FORAKER. Mr. President—

The PRESIDING OFFICER (Mr. PLATT of Connecticut in the chair). Does the Senator from Colorado yield to the Senator from Ohio?

Mr. TELLER. Certainly.

Mr. FORAKER. I wish to make a statement. On account of another duty I am compelled to be absent from the Chamber during the rest of the day's session. I am sorry for it, because I wanted to be here to vote upon this proposition. Inasmuch as I will perhaps not be here when it is voted on, I simply wish to announce the reason why I am absent, and that if here I should vote to abolish the canteen. I should vote against the Senate amendment.

Mr. TELLER. I hope the Senator will pair with some one.

Mr. FORAKER. I am paired. I am much obliged to the Senator.

Mr. TELLER. I should like to put into the RECORD a statement made by the Rev. F. H. Morgan, a missionary of the Methodist Episcopal board in Singapore. I think I will read it. He is vouched for by the Rev. Dr. Leonard, secretary of the Methodist Episcopal board, as a worthy and reliable man. Some of the Senators know Dr. Leonard.

The colonial expansion which has taken place in our country has brought in its train certain evils which we have never met hitherto. Great Britain and the continental powers have set the pace in many things which are not altogether acceptable to Christian sentiment at home or abroad, and one of the evils which they have fostered, but from which we have hitherto been free, is the pandering to the vice of soldiers. It is a fact that is not probably known at home that the iniquitous "contagious-diseases acts," formerly openly, and at the present time, it is claimed, secretly, enforced in the cantonments of India, are now in effect in our new possessions. The subject was brought to my attention a few weeks ago, but, unwilling to jump at conclusions, I have waited until I could confirm the statements then made that in Sulu, and if there, doubtless in other places, there is a quarter set off by the commanding officer, General Kobbé, as the recognized resort of prostitutes—

That is what I referred to, not intending then to read it—

that these women, mostly Japanese, are brought there with the knowledge and consent, if not the approval, of the authorities; that they are segregated and only soldiers allowed to consort with them; that sentries are posted at the entrance to keep peace and order and prevent the entrance of natives or the escape of the women, and that it is a recognized institution of our military occupation. The officers have full knowledge of it, but have yielded to the sophistry so common among military men that you "can't prevent the men doing such things, hence it is better to safeguard them as much as possible."

That is the argument used in reference to the canteen.

Do our Christian people at home realize what this means—that their sons are taken from Christian homes in Christian America and brought to the Tropics, with all the seductive influences prevalent there, and under the sanction of their officers find everything made as easy as possible for them to live lives of impurity and vice; that our Christian Government, through its representatives, provides every facility for such sin, and says, by actions, if not by words, that it is necessary, and that a young man can not be continent and pure away from home and mother? The canteen is evil, but this is infinitely worse. Ought not the matter to be investigated and the seal of disapproval set upon it by the united Christian sentiment of our land? We want pure men to guard these outposts and to set the native races an example. The reports which came to my ears were confirmed by the Sultan of Sulu himself in an interview which I recently had with him.

Mr. President, I will ask permission to put in, without reading, a statement by Miss Alice B. Condit, a doctor and missionary of the Methodist Episcopal Church in Manila:

Several missionaries here have recently received letters from the home land inquiring as to the truth of accounts published in the United States of the licensing of houses of prostitution for the benefit of our United States soldiers. I have accordingly been making inquiries and find to my chagrin that these shocking reports are only too true facts. I am forced to write it. Our United States Government officers have established here regular houses for prostitute women, examining them every week and giving each a certificate, with her own photograph on it, to securely identify the girl who holds it. The reports are that after election is over in the United States the military authorities think of having this system of prevention of disease more systematically carried out here.

This, of course, is simply the iniquitous plan of men who regard the Army simply as so much fighting material. The idea of right or wrong has not been considered at all; therefore the dark deeds have become the military law. It therefore behoves Christian America to rise and assert herself. Especially is it the province of Christian women to come to the front, and I fully expect and believe they will be found fully equal (with God as their leader) to rise and put an end to this horrible evil.

I have gone a little beyond the canteen, because I wanted to attract the attention of the Senate to the fact that these questions are under the control of the Government of the United States without any legislation. The President of the United States can close every grog shop in Manila in an hour. He is responsible to nobody. A power that can sit there and collect taxes and can appropriate the taxes when collected as it sees fit, can not be restrained from enacting rules to close up these dens of vice, whether they be in Manila or whether they be in Sulu. We will not escape the responsibility that falls upon us, if the President fails to do this, if we do not compel, by words which can not be frittered away by an ingenious Attorney-General, to close them up and to maintain temperance and decency wherever the American flag floats over land where, whatever may be said of our relations to those people, we are now the dominant power and are denying

every other power on earth the right to be heard. We have taken away from the people of Manila the right to legislate for themselves, and if they desire to close up these shops they are impotent to do it. Therefore we ought to do it, and if we do not do it, we ought to receive the condign contempt of the American people.

Mr. President, I do not belong to the party that is in power in the Senate, and I know very well, and I have seen it demonstrated here again and again, it has been the experience that if you desire to seek legislation of this character you must call upon the friends who have the majority in the Chamber to initiate it and support it.

Mr. LODGE. I do not wish to interrupt the Senator. I am perfectly willing to wait.

Mr. TELLER. I will be through in a moment.

Mr. LODGE. I wish to offer an amendment.

Mr. TELLER. I wish the Senator would offer it. I should like to hear it.

Mr. LODGE. I do not believe the canteen has done any great amount of harm in Manila. I think that the evil that we get rid of there is comparatively trifling. But I do believe, and I have believed for a long time, that the people who followed the Army and opened saloons in Manila have done immense harm, and there is nothing that this commission has done better, in my judgment, than the restrictions which they have placed upon the liquor traffic, in a way in which I believe they are gradually limiting it. But I think it is a thing important enough to regulate by law. No man is better in the Tropics for drinking distilled spirits. I suggest this amendment: On page 48, line 7, after the words "United States," strike out the word "is" and insert—

And the importation of distilled spirits into the Philippine Islands or their dependencies, except for medicinal purposes, under regulations to be prescribed by the commissioners of the United States, are.

The PRESIDING OFFICER. The amendment will be printed.

Mr. TELLER. Mr. President, I do not care to continue this discussion. I wish to say, however, one word about the use of intoxicating drinks in the Tropics. It is well known to everyone who has ever given any attention to it that in the Tropics it is quite impossible for men to indulge in the use of intoxicating drinks as they do in the Temperate Zone. It is equally true that in the higher altitudes of this country men can not do that. On high mountains the excessive use of liquors is exceedingly dangerous to life. It is equally dangerous to life in the Tropics. That has been the history of the English occupation of India and of every other tropical country. People do not take to it as we do in the North, and they never have done so. The vice of intemperance is not a vice which is usual in tropical countries, partly, perhaps, because of the domination of one great religious organization—the Mohammedans—who do not use liquor, who, according to their faith, must not use either wine, beer, or strong drink, and because of the fact that everywhere they recognize the danger of its use. So we shall do no harm to our soldiers there, we shall not invade any of their privileges that will be dear to them, if we cut off the use of intoxicating liquors of all kinds in the Philippines, and on every foot of it.

Mr. MCCOMAS. I did not clearly understand the Senator from Colorado. Did I understand him to say that he would favor the amendment offered by the Senator from Massachusetts, or an amendment of like import?

Mr. TELLER. I have not had an opportunity to see whether that amendment goes as far as it ought, but as far as it goes I am certainly in favor of it. If it does not go far enough, I shall try to amend it.

Mr. MCCOMAS. If I understand the Senator's position, he does not have any serious scruples about the prohibition as to taxes, duties, and imposts being uniform throughout the United States. He is not troubled by the Constitution being a camp follower.

Mr. TELLER. I do not understand the point the Senator is making.

Mr. MCCOMAS. I mean to say you are not troubled by the question which is now being discussed in the Porto Rican case, by a want of uniformity in duties upon distilled spirits in the ports of the United States and in the ports of the Philippine Islands?

Mr. TELLER. Mr. President, this seems to me to be a very pressing measure, and I am not going into that question. I am waiting to hear what the Supreme Court says on that subject.

Mr. MCCOMAS. I wish to say that I shall favor and that I will have no trouble about voting for the amendment proposed. I heartily favor the restriction on the traffic by that drastic means.

Mr. GALLINGER. Mr. President, I rose to appeal to the Senator from Massachusetts to offer his amendment as a separate section to the bill. There is now a contest between the friends of the present canteen and those who are opposed to it, and it is very desirable that the issue should be squarely decided.

The Senator from Massachusetts will recognize the fact that if his amendment to the provision prevails, it will put the question into conference and that the Senate will be, as it frequently finds itself, not in the hands of a majority of this body, but in the hands of three men who are the conferees. For that reason I trust the

Senator will withdraw his proposed amendment and submit it as a separate section.

Mr. LODGE. I am perfectly willing to submit it as a separate section.

Mr. ALLISON. I suggest to the Senator to withdraw it for the time being.

Mr. LODGE. I will withdraw it for the time being and submit it as a separate section.

The PRESIDING OFFICER. The amendment suggested by the Senator from Massachusetts will be withdrawn.

Mr. COCKRELL. Let the amendment be read.

Mr. GALLINGER. While I am on my feet—

The PRESIDING OFFICER. Does the Senator from Missouri call for a reading of the amendment?

Mr. COCKRELL. I hope the amendment of the Senator from Massachusetts will be read and offered now, so that we will know it is pending.

The PRESIDING OFFICER. It was offered and is withdrawn by that Senator for correction.

Mr. LODGE. I will say to the Senator from Missouri that I will put it in the shape of a new section as soon as possible.

The PRESIDING OFFICER. The Senator from New Hampshire will proceed.

Mr. GALLINGER. Mr. President, I offer an amendment on this question, which I may or may not desire to have acted upon. I have drawn it very hurriedly and it is doubtless very imperfect. I offer the amendment to lie on the table. It need not be printed.

The PRESIDING OFFICER. The proposed amendment will be read.

The SECRETARY. It is proposed to add as a new section:

That all licenses heretofore granted or that may be granted prior to the approval of this act for the establishment of American saloons in the Philippine Archipelago are hereby revoked and annulled, and hereafter no such licenses shall be issued.

Mr. GALLINGER. Let it lie on the table.

The PRESIDING OFFICER. The amendment will lie on the table.

Mr. GALLINGER. I desire, Mr. President, simply to have inserted in the RECORD by consent, if I can obtain it, the testimony of General Miles, which is found on pages 44 and 45 of the hearings before the Committee on Military Affairs, and also—

Mr. PETTIGREW. Let it be read.

Mr. GALLINGER. The Senator from South Dakota asks that it be read. I shall be pleased to have it read.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary read as follows:

TUESDAY, December 11, 1900.

Lieut. Gen. Nelson A. Miles, U. S. A., commanding the Army, appeared before the committee.

Senator SEWELL. I want to ask you if you approve of the canteen as it is, and whether it has been a good thing in the Army?

General MILES. I think it was on my recommendation that the sale of alcoholic liquors was prohibited in the Army. That was done several years ago. I recommended it to President Hayes, and I have the pen now with which he wrote the order prohibiting the sale of rum, gin, brandy, and whisky. It did not prohibit the sale of light wines and beers. That was a step I thought at that time desirable; that was as far as I was ready to go in that direction, and that order, I think, has been of benefit to the service.

Senator SEWELL. You think that has proved to be a good thing for discipline and satisfies the men, and as a result there is less intemperance than under the old system?

The CHAIRMAN. Fewer offenses and more money saved?

General MILES. The old way was very bad, because the sutler's store was demoralizing, and I asked President Hayes to make that order and he did it, and I have the pen now with which he wrote it. Then, at the commencement of the Spanish war I called attention even to the sale of beer and wine, urging that the department commanders would reduce the use of it as much as possible, particularly in the Tropics, in a general order issued, and that was done. Having it under their absolute control now, they can stop the sale of beer and wine or restrict it.

Senator BURROWS. Who can, General?

General MILES. The department commanders and the Army commanders.

Senator BURROWS. They can abolish the canteen if they see fit?

General MILES. Yes; or they can prohibit the sale of more than one drink in a day if they want to. In fact, I called attention to that in an order I issued at the commencement of the Spanish war. As to whether it would now be advisable to prohibit everything of that kind is a matter you can judge as well as I can.

The CHAIRMAN. Would you say that the establishment of the post exchange as it is now has had a good effect on the Army?

General MILES. I think it is far better than it was before.

Mr. GALLINGER. I now desire to have read General Orders, No. 87, Headquarters of the Army, Adjutant-General's Office, Washington, July 2, 1898, which was issued by command of Major-General Miles at that date.

The PRESIDING OFFICER. The Senator asks to have it read?

Mr. GALLINGER. Yes, sir.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary read as follows:

GENERAL ORDERS,

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HEADQUARTERS OF THE ARMY,
ADJUTANT-GENERAL'S OFFICE,
Washington, July 2, 1898.

No. 87.

The Army is engaged in active service under climatic conditions which it has not before experienced.

In order that it may perform its most difficult and laborious duties with

the least practicable loss from sickness, the utmost care consistent with prompt and efficient service must be exercised by all, especially by officers.

The history of other armies has demonstrated that in a hot climate abstinence from the use of intoxicating drink is essential to continued health and efficiency.

Commanding officers of all grades and officers of the medical staff will carefully note the effect of the use of such light beverages—wines and beer—as are permitted to be sold at the post and camp exchanges, and the commanders of all independent commands are enjoined to restrict, or to entirely prohibit, the sale of such beverages if the welfare of the troops or the interests of the service require such action.

In this most important hour of the nation's history it is due the Government from all those in its service that they should not only render the most earnest efforts for its honor and welfare, but that their full physical and intellectual force should be given to their public duties, uncontaminated by any indulgences that shall dim, stultify, weaken, or impair their faculties and strength in any particular.

Officers of every grade, by example as well as by authority, will contribute to the enforcement of the order.

By command of Major-General Miles:

H. C. CORBIN, Adjutant-General.

Mr. GALLINGER. Mr. President—

Mr. LODGE. Will the Senator permit me to put the amendment in before he goes on?

Mr. GALLINGER. Certainly.

Mr. LODGE. I now offer the amendment as a new section, section 41, to follow after the canteen section.

The PRESIDING OFFICER. The amendment will be printed.

Mr. COCKRELL. Let it be read.

Mr. PETTIGREW. I should like to have it read.

The PRESIDING OFFICER. It will be read.

The Secretary read as follows:

Add a new section, to stand as section 37, and to read as follows:

SEC. 37. The importation or sale of distilled spirits into the Philippine Islands or their dependencies, except for medicinal purposes or for use in the arts under regulations to be prescribed by the commissioners of the United States, is hereby prohibited.

Mr. PERKINS. I also desire to offer an amendment. I ask that it may be read and take the same course.

The PRESIDING OFFICER. The proposed amendment will be read.

The SECRETARY. It is proposed to amend the bill by adding as a new section, to stand as section 38, the following:

SEC. 38. That when any enlisted man of the Army (regular or volunteer), serving in the Philippine Islands, who may, on or before July 1, 1901, be entitled to his discharge and transportation home, reenlists for three years, he shall be paid \$300 in lieu of the cost of his transportation to the United States and return of a soldier and the amount of pay and allowances during that period. On the expiration of his second enlistment he shall be entitled to the transportation and allowances to the place of his present enlistment as now provided for by law.

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

Mr. GALLINGER. Mr. President, I am aware of the fact that General Miles, in common with all the other high officers of our Army, whether they approve or disapprove of this canteen question, are averse especially to having their names made prominent in this debate. At least I assume that to be the fact; and yet, as attention has been called to the attitude of some of these great generals, I felt it incumbent upon me to put in the RECORD the testimony that General Miles gave before the committee. It has been said that he is in favor of the so-called post exchange as it is now conducted. General Miles said nothing of the kind in his testimony. He called attention to a reform that had been wrought at his suggestion—a very important reform—and then he said to the committee, practically, "Gentlemen, the question is up to you; let Congress dispose of it as Congress thinks best."

General Miles, for the most admirable order that he issued at the beginning of the Spanish-American war, is entitled to the thanks of every temperance man and woman in this country. In it he called attention to a fact that is well known to the medical profession, that the use of intoxicating drinks in tropical climates is especially injurious to health, and he very pointedly suggested to his officers that they should exercise great discretion in permitting the use even of light wines and beers, and that if they observed that any harm came from them to prohibit the use entirely.

General Miles is known to some of us as a man who believes in temperance in all things. More than twenty years ago General Miles called attention to the fact that there was not a great manufacturing or railroad corporation or any other corporation in this country that permitted the sale of beer or intoxicants of any kind to its employees on its premises, and for that reason at that time he did not see the necessity of it being sold to a regiment of soldiers. I quite sympathize with that feeling. The Amoskeag corporation in my State employs about 9,000 men in the city of Manchester, and if anybody who is connected with that great corporation should suggest that they could not get men to work for them or that it would be for the benefit of the health of those men to have a beer saloon in that great establishment he would be hooted at.

The great Pennsylvania Railroad, the Boston and Maine Railroad, and all the other great railroads of this country, employing

tens of thousands of men, have never thought it necessary to establish saloons in connection with their corporation. And I, for the life of me, can not understand why the boys we send out from New England and other parts of the country to fight our battles should be tempted in this way, and that it should be argued that it is necessary to their comfort and to prevent them from deserting and to encourage their enlistment that we should establish these places where they can procure intoxicating drinks, even of the mildest kind.

Mr. President, I do not wish to detain the Senate a moment longer.

Mr. BUTLER. I call the Senator's attention to section 17 of the Army reorganization act passed in 1899, which reads as follows:

Sec. 17. That no officer or private soldier shall be detailed to sell intoxicating drinks, as a bartender or otherwise, in any post exchange or canteen; nor shall any other person be required or allowed to sell such liquors in any encampment or fort or on any premises used for military purposes by the United States; and the Secretary of War is hereby directed to issue such general order as may be necessary to carry the provisions of this section into full force and effect.

I should like to ask the Senator if he knows what construction has been put by the Department upon that section?

Mr. GALLINGER. In the observations I made yesterday on this bill, while I did not discuss that matter at length, not caring to do so, I said that the Attorney-General had made a remarkable discovery, and that discovery was that that section did not mean what it said it means.

Mr. President, that amendment was submitted to me before it was offered. I read it carefully, desiring to prohibit the sale of intoxicating liquors in our Army. I approved of the amendment, believing it would accomplish that result if it was passed. It was passed and became a law, and the Attorney-General, the Senator from Colorado this morning said, by putting a semicolon in a place where Congress put a comma, and dividing the section into two parts, proceeded to render an opinion that it did not mean what we intended it should mean, and so the post exchange has continued without regard to that statute.

I will say to the Senator that I have no sympathy whatever with the construction which was put upon that section by the Department of Justice. It certainly was not what the friends of the section intended.

Mr. HANSBROUGH. It nullified the law.

Mr. GALLINGER. It nullified the law absolutely and as I think very unjustly.

Mr. BUTLER. I should like to ask the Senator if he can conceive of any language that we could use which would be plainer than this?

Mr. GALLINGER. I have said in print, and I have said in certainly one public address, that I do not believe that there is an American citizen capable of writing any plainer language or language more easily understood than that section, and I was astounded at the time and I am equally so now, that any different construction could have been put upon it than that I put upon it at the time I read it.

Mr. BUTLER. What hope does the Senator then see in any legislation which we may enact?

Mr. GALLINGER. Perhaps the commas will be all right this time and the sentence may not be susceptible of a different punctuation.

Mr. BUTLER. We had better punctuate this seventeenth section of the law and reenact it.

Mr. HANSBROUGH. Mr. President, I simply desire to say for the information of the Senator from North Carolina that the section now known as the anti-canteen section has been drawn with an idea to overcome the objections that were contained in the decision or the judgment that was passed upon the former section by the Attorney-General, and competent lawyers have agreed, at least those to whom I have talked, that it will pass muster.

Mr. BUTLER. That it will be impossible to construe it away?

Mr. HANSBROUGH. That it will be impossible to construe it so as to nullify it.

The PRESIDING OFFICER (Mr. THURSTON in the chair). The question is on agreeing to the amendment of the Committee on Military Affairs.

Mr. PETTIGREW. Mr. President, I have been somewhat surprised at the debate which has occurred upon this bill. The committee have reported a bill to increase the Army of the United States to 100,000 men, undertaking to disguise their purpose by a provision by which the President can reduce the number of privates and corporals to a less number, but the bill provides the officers for 100,000 men. No necessity has been stated by the committee for this increase in the Army. Information is withheld, and the committee make a report which contains nothing of value, except it be a justification for the sale of intoxicating liquors to the Army of the United States. There is nothing else in their report. Page after page is devoted to showing that the sale of liquors to our soldiers is a good thing, and a majority of the commit-

tee are willing to come before the Senate and the country with this sort of a document to justify increasing the Army to a hundred thousand men, to justify having more men to place under the influences of the Army canteen and there sell liquor to them.

I supposed there was a minority of this committee. Their voices are silenced; we hear nothing from them. How the minority should have been silenced I know not. Commissions have been abundant in the Army, and the volunteer service finds many relatives of prominent men among their number. The majority of the committee seems to have been engaged principally in trying to defend the President of the United States for violating an act of Congress.

There is no necessity for this legislation prohibiting the Army canteen. We have passed a law upon that subject. It is clear and distinct. There is no possible chance to misunderstand its language. And yet the President of the United States refuses to enforce the law. Pursuing that course, with the same disregard for the law and a disregard for the Constitution, he sets up his authority as superior to everybody's, and withholds from this body the information in his possession necessary to an intelligent discharge of our duties as legislators.

The act of Congress which we passed before, prohibiting the sale of liquor in Army canteens, was not necessary. The power of the President was abundant. An order from him as the Commander in Chief of the Army could have prevented the sale of intoxicating liquors upon the ground occupied by the Army and in every Army canteen throughout the United States. And yet he refused to issue the order, and not only refused, but has since refused to execute the law we passed. To justify this act on his part, the majority of the committee devoted their entire attention to a defense of his action.

What is more, Mr. President, in the hearings before the committee not an Army officer has been subpoenaed to testify to the injurious effects of the sale of liquor to soldiers. Only those were selected who would justify the course of the President, and yet many Army officers have stated to the contrary, as was shown by the Senator from North Dakota [Mr. HANSBROUGH] yesterday. But in this document there is not a line from any officer of the Government except those in favor of selling liquor to our soldiers. Why this special plea? What peculiar purpose influenced the majority of the committee to make this special plea to defend and shelter their President, who has violated his duty?

Mr. President, the report of the Committee on Military Affairs, which embraces 10 printed pages, contains the following as a reason why the Army should be increased:

It is impossible to suppose that any intelligent citizens would pretend that an army of 29,000 is sufficient to meet existing requirements. Sixty-nine thousand soldiers must be discharged before July 1, 1901. The work has necessarily commenced already. Invalid soldiers are brought home first. A ship is now on the way with its complement, and ships are to leave twice a month until all are brought home except those who desire to remain in our island possessions as citizens.

If no legislation shall interfere, on the 30th of June the men who enlisted in the Regular Army for three years will have to be mustered out before their time.

To fail now to preserve the Army substantially at its present strength would be to plunge our present position into chaos and to let loose all shames and crimes.

That is all there is on the subject. The remainder of this report, except some tables covering less than a page in relation to the number of men provided by the bill and the number of the Regular Army under existing law, is devoted to the Army canteen. Here is page after page to show why liquor should be continued to be sold in Army posts.

Now, I am not opposed to the canteen; I am simply opposed to the sale of liquor in the Army canteen. Beer is an intoxicant, as any other liquor, if men drink enough of it, and, generally, when men commence and learn to drink the milder intoxicants they follow it up ultimately with the stronger intoxicants. If beer is sold to the boys who enlist, if it is authorized by the Government, if it is declared by Congress to be wholesome and proper, if it is kept where the men all must assemble to have any amusement, the boy who has been taught by his mother that temperance is better for him, and that the use of intoxicants will undermine his health, will conclude that he will do as others do, and thus the canteen becomes a nursery for drunkards and a kindergarten for the crimes that follow the use of more strong intoxicants.

It is said that the canteen keeps the men from the grogshops. Why, Mr. President, the grogshops exist on the borders of the reservation, and the numbers who patronize them will be recruited and increased if you provide that they shall be schooled in intemperance upon the reservation and within the military post itself.

I have heard of no argument, I have seen no evidence, which shows that the use of intoxicating liquors is of advantage to the men. When I asked the chairman of the committee [Mr. HAWLEY] yesterday if there was any testimony that the use of beer was a good thing for the men and conducive to their health, he declined to answer my question. I have looked through the testimony, and

there is not a line anywhere which indicates that it would be of advantage to the health of the men. The only argument presented is that intemperance was reduced in the Soldiers' Homes by having beer sold within their walls or upon the premises; but a rule which would apply to the Soldiers' Homes would not apply to the Army.

The men in the Soldiers' Homes are, as a rule, men on an average of over 55 years of age, and their habits are fixed. They are either intemperate or they are not. The influence of the presence of liquor would not induce a man to drink who had been temperate until he had reached such an age, but it is different with the Army. The Army is composed of boys, boys from 17 to 25 years of age; boys who have largely not yet come in contact with the world; boys fresh from their homes, many of them trained and brought up in temperance, taught that it is an evil and an injury to them to indulge in intemperance; and yet this class are to be taught that, with the approval of the President and the approval of Congress, it is their license to commence a course of intemperance by the use of beer in the Army canteen.

As I understand it, the Army canteen is a place where the boys may go and amuse themselves, where they may go to buy extra articles of food. The Senator from North Dakota says that is the post exchange. The Army canteen and the post exchange, as I understand, are synonymous terms, and the same person conducts both; they are together. In the rooms adjoining the post exchange there are tables where the boys may play games and engage in amusements which are entirely harmless. Now, it is proposed by act of Congress to add to that the sale of intoxicating liquors; and a great committee of this body devote their entire time to a justification of this course. They have devoted nearly two days—all of yesterday at least—to a debate to show why this policy of the President should be continued in the future. I have here the law which was passed upon this subject March 2, 1899, a law which remains unenforced, and a law which the President refuses to execute.

SEC. 17. That no officer or private soldier shall be detailed to sell intoxicating drinks, as a bartender or otherwise, in any post exchange or canteen, nor shall any other person be required or allowed to sell such liquors in any encampment or fort or on any premises used for military purposes by the United States; and the Secretary of War is hereby directed to issue such general order as may be necessary to carry the provisions of this section into full force and effect.

I have also the opinion of the Attorney-General upon this subject, which furnished the excuse that the President found for refusing to enforce this law. As I said before, the law was unnecessary. An Executive order could have been issued without the law. Refusing to issue the Executive order, the President had his Attorney-General write an opinion, upon which he based his evasion of the law and refused to execute it.

Mr. SPOONER. Why does the Senator say that the President had his Attorney-General write an opinion against the law?

Mr. PETTIGREW. I think he would have gone on and enforced the law according to its clear and specific terms if he had not an Attorney-General to write an excuse.

Mr. SPOONER. Then the Senator should quarrel with the construction placed by the Attorney-General upon the law. Does he suppose that the President directs the Attorney-General to render an opinion construing the law in a certain way?

Mr. PETTIGREW. I do not know whether he does or not.

Mr. SPOONER. Then I would not say so.

Mr. PETTIGREW. The Attorney-General, addressing the Secretary of War, says:

You request my opinion as to whether the statute above quoted prohibits the continuance of the sale of beer by the Government in the canteen sections of the post exchanges, which are organized and maintained at the various Army posts and encampments throughout the United States. I presume that by "beer" you mean a particular kind of intoxicating drink, and what I shall have to say will refer to that as well as to other "intoxicating drinks," that being the phrase used by the act in question.

In practice the Government commissary stores constituting the regulation ration allowed for the soldiers in each company are required by the War Department to be issued by the commissary officer to the commander of the company, and the commander of the company is (by the same authority) required to have prepared for the mess table of the soldiers only such portion of the same as is found to be necessary at the time, and to sell the remainder and thereby constitute a "company fund" from which to supply the soldiers' mess table with desirable food not contained in the commissary stores drawn by him as regulation rations from the commissary officer, as above stated.

At every post where it is practicable the War Department requires the post commander to institute a post exchange, the capital stock of which is to be made up of contributions from the said funds arising out of the said sales of commissary stores and held by the company commanders, as above stated, and known as company funds. The post exchange is an establishment in which all articles are sold such as soldiers usually buy with the money they spend from their pay, and the establishment is divided up into the following sections:

"(a) A well-stocked general store in which such goods are kept as are usually required at military posts, and as extensive in number and variety as conditions will justify; (b) a well-kept lunch counter supplied with as great a variety of viands as circumstances permit, such as tea, coffee, cocoa, nonalcoholic drinks, soup, fish, cooked and canned meats, sandwiches, pastries, etc.; (c) a canteen at which, under the conditions hereinafter set forth, beer and light wines by the drink, and tobacco, may be sold; (d) reading and recreation rooms, supplied with books, periodicals, and other reading matter; billiard and pool tables, bowling alley, and facilities for other proper indoor games, as well as apparatus for outdoor sports and exercises, such as

cricket, football, baseball, tennis, etc.; a well-equipped gymnasium, possessing also the requisite paraphernalia for outdoor athletics. At small posts it may be impracticable to maintain all of these sections, but at every exchange there should be no less than two departments—the refreshment, embracing store, lunch counter, and canteen; and the recreation, which includes all the other branches."

The net profits arising from the whole business go to the company funds from which the capital stock was contributed, as above stated, and then are used with the rest of the funds, of course, to improve the soldiers' mess table. All of these transactions are carried on by the Government through the War Department under a branch of the Army Regulations promulgated as Post Exchange Regulations. Under these regulations it becomes the official duty of certain officers at the post to attend to the general direction of the business affairs of the post exchange, including all its sections, and the post commander and other officers are, of course, officially responsible to the Government for the management, discipline, and order of the whole matter. Also the Post Exchange Regulations provided for enlisted men to be detailed, under certain circumstances, as salesmen, etc., in all sections of the post exchange, including the canteen section.

Officers in command of camps, forts, reservations, or other premises used for military purposes have usually exercised the authority (when people desired to sell to soldiers) to allow them to come on the premises to do so, or to refuse to allow them such privileges, in their discretion, and also to dictate or determine what those should or should not sell who were permitted to come on the premises.

The post exchange thus organized and conducted is, in effect, a voluntary association, similar to an unincorporated club, the officers and men composing the garrison constituting the members thereof, and the rules and conduct of the exchange being under the regulation and supervision of the War Department.

The section of the statute referred to consists of three parts or clauses, namely:

1. That no officer or private soldier shall be detailed to sell intoxicating drinks, as bartender or otherwise, in any post exchange or canteen;
2. Nor shall any other person be required or allowed to sell such liquors in any encampment or fort or on any premises used for military purposes by the United States;
3. And the Secretary of War is hereby directed to issue such general order as may be necessary to carry the provisions of this section into full force and effect.

The question to be decided is whether this enactment absolutely prohibits the sale of intoxicating drinks in any manner or by any person in any post exchange or canteen, or whether its effect is merely to modify and regulate sales of intoxicating drinks in those places by discontinuance of the custom heretofore followed of detailing enlisted men as salesmen in the canteens.

Then the Attorney-General quotes from many authorities and gives his own opinion as to the construction of the statute.

Mr. BUTLER. May I ask the Senator if he is reading from the opinion of the Attorney-General?

Mr. PETTIGREW. I am reading from the opinion of the Attorney-General.

Mr. BUTLER. Construing away section 17 of the act of March 2, 1899?

Mr. PETTIGREW. Yes; construing away section 17 of that act. Then he continues:

But the sale of intoxicating drinks in post exchanges and canteens is not the only method in which those commodities are supplied upon premises used for military purposes. As is stated above, officers in command of encampments, forts, reservations, and other premises have usually exercised the authority to allow persons to come upon the premises and sell intoxicating drinks to soldiers, or have exercised the discretion of refusing such privilege. The second clause would seem to relate particularly to this class of persons and to this custom. Given its full effect, it forbids any such license or permission to be granted hereafter by any military officer. I do not think that the second clause of the section is intended to modify or affect in any way the sale of intoxicating drinks in the post exchanges or canteens.

Now let us see what the second clause is:

Nor shall any other person be required or allowed to sell such liquors in any encampment or fort or on any premises used for military purposes by the United States.

The Attorney-General says that language is not "intended to modify or affect in any way the sale of intoxicating drinks in the post exchanges or canteens."

It seems to me that a President would hardly need the advice of anybody who could put such a construction upon language used on this or any other subject, unless he was desirous of securing an opinion as an excuse for violating an act of Congress.

Then the Attorney-General says:

Strength is given to this proposition by the third clause, which directs the Secretary of War to issue such general order as may be necessary to carry the provisions of this section into full force and effect. If the section was intended to be an absolute prohibitory act, preventing the sale of intoxicating drinks on all Government premises occupied for military purposes, then it would execute itself and would require no general order from the Secretary of War or from anyone else. In the face of a general prohibitory section of that kind such sales would be unlawful and the order of the Secretary would not in any way enhance their illegality. If, however, that interpretation be adopted which separates the first and second clauses and makes the second refer only to sales by persons not connected with post exchanges or canteens, then the third clause of the section becomes intelligible and appropriate and applies to the future sales in post exchanges or canteens. The act having forbidden the employment of soldiers as bartenders or salesmen of intoxicating drinks, it would be lawful and appropriate for the managers of the post exchanges to employ civilians for that purpose. Of course, employment is a matter of contract and not of requirement or permission.

That is the language he uses to evade these words:

Nor shall any other person be required or allowed to sell such liquors in any encampment or fort or on any premises used for military purposes by the United States.

The Attorney-General says:

Of course, employment is a matter of contract and not of requirement or permission. The regulation of the post exchanges and canteens being within the power of the Secretary of War, the act means that he shall by order modify the regulations upon that subject so as to make them consistent with

the provisions of this act. To that end it will be requisite that he shall determine the question of the persons who may be employed in the post exchanges, and such other conditions and requirements in connection therewith as his good judgment may dictate.

The result of these reflections is, then—

He calls these "reflections"—

that this section does not prohibit the continuance of the sale of intoxicating drinks through the canteen sections of the post exchanges as heretofore organized and carried on, except that, of course, no officer or soldier can be put on duty in the canteen section to do the selling, either directly or indirectly. This latter the law clearly prohibits.

Mr. MALLORY. Will the Senator allow me to interrupt him a moment?

Mr. PETTIGREW. Certainly.

Mr. MALLORY. I understand from that decision that the ground on which the Attorney-General held that the law did not prohibit the sale of liquor was because the money which was expended in the purchase of the liquor went back to the soldiers and was reinvested; that it was like a club unincorporated. I should like to know if I am correct in my understanding of that point of the decision, because, if I am correct, I should like to know what is the difference in that situation and that which is presented by the amendment which is now before the Senate? In other words, it is the same condition exactly. I do not see any distinction between them; and I do not see how the Attorney-General, if the matter were submitted to him again, could avoid rendering the same decision regarding this proposed legislation.

Mr. PETTIGREW. Mr. President, I do not understand from the opinion that the Attorney-General puts it on the ground that the post exchange is a club. He puts it on the ground of the construction of the language of the second section of the law—he having divided it into sections. However, I do think that the Attorney-General can, with equal propriety, override the law which we are now about to enact, after having overruled the previous one, and that he can find, "after due reflection," not reason, but words, to express his opinion that the law should not be obeyed.

Mr. MALLORY. The present proposed legislation contains the third paragraph, which was in the other law which the Attorney-General construed, namely, that—

The Secretary of War is hereby directed to issue such general order as may be necessary to carry the provisions of this section into full force and effect.

It is almost identical with his issuing a general order to carry it into full force and effect.

Mr. PETTIGREW. No; as I understand it, the Attorney-General first declares that no officer or private soldier shall be detailed to sell intoxicating drinks. He says the law is clear on that subject. Then he says these words: "Nor shall any other person," etc., do not mean what they say; and he divides the law into three paragraphs. Under the head of "second," he says the language "Nor shall any other person be required or allowed to sell such liquors" applies to soldiers, civilians, and everybody else "in any encampment or fort or on any premises used for military purposes by the United States."

It covers everything, and yet the Attorney-General says, "Of course employment is a matter of contract and not of requirement or permission"—not required or allowed, but a contract to sell, and therefore they may sell. Under that construction of the law the President of the United States refused to enforce the act of Congress, and now we are called upon to pass another act. The same Attorney-General may be called upon to render another decision to nullify that, and there will be just as much reason for it, just as much sense for it, and just as much justification for it. If the committee had said, "We already have a law upon this subject and therefore another is not necessary," the report could have been shorter, this debate shorter, and we could have come down to a discussion squarely of the question.

I have examined these hearings, Mr. President. There are two books or pamphlets containing them, I think. The one I hold in my hand relates to the "sale of intoxicating liquors at the Army canteens." It is entirely devoted to that subject. It contains the testimony of many philanthropic people, people who have studied this question, and who came before the committee voluntarily to express their sentiments upon it. It contains the statement of Rev. E. C. Dinwiddie, legislative superintendent of the American Anti-Saloon League; the statement of Mrs. Cornelia B. Forbes, of Connecticut; the statement of Mrs. Ella A. Boole, representing a constituency in the State of New York, having a membership of 22,149 women, opposing the sale of intoxicating liquors in the Army canteen; the statement of Mary H. Hunt, representing the mothers of the United States; the statement of Mrs. Margaret Dye Ellis, of the Northwestern Christian Temperance Union, superintendent of legislation in favor of abolishing the sale of liquor in the Army canteens; the statement of Miss Leitch; the statement of Rev. W. F. Crafts; the statement of Mrs. Ella M. Thatcher, of Florence, N. J.; the statement of Mrs. Katherine Lente Stevenson; the statement of Mrs. M. Kells, president of the Mississippi Woman's Christian Temperance Union; the statement

of Mrs. Ingalls, of Missouri, and the statement of Miss Belle Kearney, of Mississippi.

I shall not read the testimony of these people, because I think it is unnecessary, although the committee did not furnish this testimony until after the debate upon this bill had commenced and there has been little opportunity to examine it. These statements are all in favor of abolishing the sale of liquor in the canteen.

Then follow the statements of Rev. Oliver C. Miller, chaplain, voluntarily attached to the Fourth United States Cavalry, and of Army officers, all in favor of continuing the present practice except the statement of General Miles, which, while he does not express an opinion, clearly indicates that he believes, having abolished the use of alcoholic liquors in the canteens, the time has now come to abolish the sale of wine and beer. Although many Army officers have made statements showing the injurious effect of the sale of beer and wine, the Committee on Military Affairs did not choose to subpoena any of these officers or take their statements or their testimony. They seem to have been especially desirous of making a case to justify the course of their President.

I do not know that I care to discuss this question further, except to say that this legislation is unnecessary. The power is ample to deal with this question, both by act of Congress and by the power lodged in the President as commander of the Army. I do not think it is necessary to adopt the amendment offered by the Senator from Massachusetts, as I do not believe we should legislate with regard to the people in the Philippines, and as we have no authority there; but in consequence of the war power and as martial law has been declared in Manila, the President can abolish every saloon in that city. He can prevent the importation of alcoholic liquors and their sale, and, although I shall vote for the House provision in the bill prohibiting the sale of beer in Army canteens, I shall feel that I am voting for unnecessary legislation, if the officers of the Government would enforce existing laws and exercise the power which they now possess.

As long as they refuse to do that they advertise to the American people and to the world that if the boys enlist they are to be subjected to the almost forced habit of using intoxicating liquors, for no boy who visits the Army canteen and enjoys its amusements can avoid, without great mental discomfort to himself, the following of that practice set by older members of the Army. So long as this practice continues, the President of the United States says to the mothers of the United States, "We will subject your boys to the pressure, not alone the temptation, of becoming drunkards, and we will furnish the school and the opportunity."

Mr. GALLINGER. Mr. President, as I recall the matter the Senator from Florida interrogated the Senator from South Dakota as to whether or not if we passed this bill as it came from the House of Representatives the Attorney-General would not nullify the law on the same ground that he did the provision that was in the last military appropriation bill. I will say in reference to that point that I have been informed that the present provision in the bill is drawn in the precise language used by the Attorney-General in his decision when he suggested the form in which the amendment should have been drawn to have made it operative. So there is no danger on that score.

Mr. President, as this matter of the opinion of the Attorney-General has been discussed, and I have received a good many letters first and last concerning it, I simply desire to have incorporated in the RECORD without reading first a promulgation by the Adjutant-General, under date of March 2, calling attention to the provision in the last Army appropriation act; then a letter to the Attorney-General by George D. Meiklejohn, the Assistant Secretary of War, asking for his interpretation of the law; next the opinion of the Attorney-General, and next the General Order, No. 69, of the Adjutant-General, conveying to the Army the opinion of the Attorney-General on its substance. The papers will be found on pages 86, 87, 88, 89, 90, 91, and 92 of the Annual Report of the War Department for the fiscal year ending June 30, 1899, and I ask that they may be put in the RECORD.

Mr. PETTIGREW. I should like to have them read if they are not long.

Mr. GALLINGER. They are very long, occupying 5 pages. The Senator read a part of the papers.

Mr. PETTIGREW. Very well.

The PRESIDENT pro tempore. The papers will be printed in the RECORD.

The papers referred to are as follows:

On the 2d of March, 1899, the same being section 17 of the act entitled "An act for increasing the efficiency of the Army of the United States, and for other purposes," Congress enacted the following provision:

"SEC. 17. That no officer or private soldier shall be detailed to sell intoxicating drinks, as a bartender or otherwise, in any post exchange or canteen, nor shall any other person be required or allowed to sell such liquors in any encampment or fort or on any premises used for military purposes by the United States; and the Secretary of War is hereby directed to issue such general order as may be necessary to carry the provisions of this section into full force and effect."

In accordance with the concluding sentence of the above-mentioned act,

the following was published to the Army under date of March 10, 1890 (General Orders, No. 38):

GENERAL ORDERS,

No. 38.

HEADQUARTERS OF THE ARMY,
ADJUTANT-GENERAL'S OFFICE,
Washington, March 10, 1890.

II. By direction of the Secretary of War, the following extract from an act of Congress is published for the information and government of all concerned:

"An act for increasing the efficiency of the Army of the United States, and for other purposes.

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.

"SEC. 17. That no officer or private soldier shall be detailed to sell intoxicating drinks, as a bartender or otherwise, in any post exchange or canteen, nor shall any other person be required or allowed to sell such liquors in any encampment or fort or on any premises used for military purposes by the United States; and the Secretary of War is hereby directed to issue such general order as may be necessary to carry the provisions of this section into full force and effect.

"Approved, March 2, 1890."

By command of Major-General Miles:

H. C. CORBIN, Adjutant-General.

As a consequence of this publication, a large number of inquiries reached this office asking for an interpretation of the act in question: whether or not the sale of beer is absolutely prohibited; whether the Department will entertain exceptions; whether the rule applied to military camps where canteens were conducted and where there was no post exchange, and, among others, from the Board of Commissioners of the National Homes for Disabled Volunteer Soldiers as to whether the War Department construed the act in question as prohibiting the sale of beer at such Homes. For the purpose of determining the question, and in accordance with provisions of law (sections 336 and 337, Revised Statutes) which authorize the Secretary of War to require the opinion of the Attorney-General whenever a question of law arises in the administration of the Department of War the cognizance of which is not given by statute to some other officer from whom the head of the Department may require advice, the following letter was addressed to the Attorney-General:

WAR DEPARTMENT, Washington, March 24, 1890.

SIR: In practice the Government commissary stores constituting the regulation ration allowed for the soldiers in each company are required by the War Department to be issued by the commissary officer to the commander of the company, and the commander of the company is (by the same authority) required to have prepared for the mess table of the soldiers only such portion of the same as is found to be necessary at the time, and to sell the remainder and thereby constitute a "company fund" from which to supply the soldiers' mess table with desirable food not contained in the commissary stores drawn by him as regulation rations from the commissary officer, as above stated.

At every post where it is practicable the War Department required the post commander to institute a post exchange, the capital stock of which to be made up of contributions from the said funds arising out of the said sales of commissary stores and held by the company commanders, as above stated, and known as company funds. The post exchange is an establishment in which all articles are sold such as soldiers usually buy with the money they spend from their pay, and the establishment is divided up into the following sections:

"(a) A well-stocked general store, in which such goods are kept as are usually required at military posts, and as extensive in number and variety as conditions will justify; (b) a well-kept lunch counter, supplied with as great a variety of viands as circumstances permit, such as tea, coffee, cocoa, nonalcoholic drinks, soup, fish, cooked and canned meats, sandwiches, pastries, etc.; (c) a canteen at which, under the conditions hereinafter set forth, beer and light wines by the drink, and tobacco, may be sold; (d) reading and recreation rooms, supplied with books, periodicals, and other reading matter; billiard and pool tables, bowling alley, and facilities for other proper indoor games, as well as apparatus for outdoor sports and exercises, such as cricket, football, baseball, tennis, etc.; a well-equipped gymnasium, possessing also the requisite paraphernalia for outdoor athletics. At small posts it may be impracticable to maintain all of these sections, but at every exchange there should be no less than two departments—the refreshment, embracing store, lunch counter, and canteen; and the recreation, which includes all the other branches."

The net profits arising from the whole business go to the company funds from which the capital stock was contributed as above stated, and then are used with the rest of the funds, of course, to improve the soldiers' mess table. All of these transactions are carried on by the Government through the War Department under a branch of the Army Regulations promulgated as Post Exchange Regulations. Under these regulations it becomes the official duty of certain officers at the post to attend to the general direction of the business affairs of the post exchange, including all its sections, and the post commander and other officers are, of course, officially responsible to the Government for the management, discipline, and order of the whole matter. Also, the Post Exchange Regulations provided for enlisted men to be detailed, under certain circumstances, as salesmen, etc., in all sections of the post exchange, including the canteen section.

Officers in command of camps, forts, reservations, or other premises used for military purposes have usually exercised the authority (when people desired to sell to soldiers) to allow them to come on the premises to do so, or to refuse to allow them such privileges, in their discretion, and also to dictate or determine what those should or should not sell who were permitted to come on the premises.

Your attention is invited to section 17 of the act entitled "An act for increasing the efficiency of the Army of the United States, and for other purposes," approved March 2, 1890. It is as follows:

"That no officer or private soldier shall be detailed to sell intoxicating drinks, as a bartender or otherwise, in any post exchange or canteen, nor shall any other person be required or allowed to sell such liquors in any encampment or fort or on any premises used for military purposes by the United States; and the Secretary of War is hereby directed to issue such general order as may be necessary to carry the provisions of this section into full force and effect."

You are respectfully requested to render an opinion as to whether this statute prohibits the continuance of the sale of beer by the Government in the canteen sections of the post exchanges as described above, except, of course, that no officer or soldier can be put on duty in the canteen section to do the selling, either directly or indirectly, for it is clear that the law prohibits this.

Very respectfully,

G. D. MEIKLEJOHN,
Acting Secretary of War.

The ATTORNEY-GENERAL.

To which he made the following reply:

DEPARTMENT OF JUSTICE,
Washington, D. C., April 5, 1890.

THE SECRETARY OF WAR.

SIR: Section 17 of the act entitled "An act for increasing the efficiency of the Army of the United States, and for other purposes," approved March 2, 1890, provides as follows:

"That no officer or private soldier shall be detailed to sell intoxicating drinks, as a bartender or otherwise, in any post exchange or canteen, nor shall any other person be required or allowed to sell such liquors in any encampment or fort or on any premises used for military purposes by the United States; and the Secretary of War is hereby directed to issue such general order as may be necessary to carry the provisions of this section into full force and effect."

You request my opinion as to whether the statute above quoted prohibits the continuance of the sale of beer by the Government in the canteen sections of the post exchanges, which are organized and maintained at the various Army posts and encampments throughout the United States. I presume that by "beer" you mean a particular kind of intoxicating drink, and what I shall have to say will refer to that as well as to other "intoxicating drinks," that being the phrase used by the act in question.

In practice the Government commissary stores constituting the regulation ration allowed for the soldiers in each company are required by the War Department to be issued by the commissary officer to the commander of the company, and the commander of the company is (by the same authority) required to have prepared for the mess table of the soldiers only such portion of the same as is found to be necessary at the time, and to sell the remainder and thereby constitute a "company fund" from which to supply the soldiers' mess table with desirable food not contained in the commissary stores drawn by him as regulation rations from the commissary officer, as above stated.

At every post where it is practicable the War Department requires the post commander to institute a post exchange, the capital stock of which is to be made up of contributions from the said funds arising out of the said sales of commissary stores and held by the company commanders, as above stated, and known as company funds. The post exchange is an establishment in which all articles are sold such as soldiers usually buy with the money they spend from their pay, and the establishment is divided up into the following sections:

"(a) A well-stocked general store in which such goods are kept as are usually required at military posts, and as extensive in number and variety as conditions will justify; (b) a well-kept lunch counter supplied with as great a variety of viands as circumstances permit, such as tea, coffee, cocoa, nonalcoholic drinks, soup, fish, cooked and canned meats, sandwiches, pastries, etc.; (c) a canteen at which, under the conditions hereinafter set forth, beer and light wines by the drink, and tobacco, may be sold; (d) reading and recreation rooms, supplied with books, periodicals, and other reading matter; billiard and pool tables, bowling alley, and facilities for other proper indoor games, as well as apparatus for outdoor sports and exercises, such as cricket, football, baseball, tennis, etc.; a well-equipped gymnasium, possessing also the requisite paraphernalia for outdoor athletics. At small posts it may be impracticable to maintain all of these sections, but at every exchange there should be no less than two departments—the refreshment, embracing store, lunch counter, and canteen; and the recreation, which includes all the other branches."

The net profits arising from the whole business go to the company funds from which the capital stock was contributed, as above stated, and then are used with the rest of the funds, of course, to improve the soldiers' mess table. All of these transactions are carried on by the Government through the War Department under a branch of the Army Regulations promulgated as post exchange regulations. Under these regulations it becomes the official duty of certain officers at the post to attend to the general direction of the business affairs of the post exchange, including all its sections, and the post commander and other officers are, of course, officially responsible to the Government for the management, discipline, and order of the whole matter. Also, the post exchange regulations provided for enlisted men to be detailed, under certain circumstances, as salesmen, etc., in all sections of the post exchange, including the canteen section.

Officers in command of camps, forts, reservations, or other premises used for military purposes have usually exercised the authority (when people desired to sell to soldiers) to allow them to come on the premises to do so, or to refuse to allow them such privileges, in their discretion, and also to dictate or determine what those should or should not sell who were permitted to come on the premises.

The post exchange thus organized and conducted is, in effect, a voluntary association, similar to an unincorporated club, the officers and men composing the garrison constituting the members thereof, and the rules and conduct of the exchange being under the regulation and supervision of the War Department.

The section of the statute referred to consists of three parts or clauses, namely:

1. That no officer or private soldier shall be detailed to sell intoxicating drinks, as a bartender or otherwise, in any post exchange or canteen;

2. Nor shall any other person be required or allowed to sell such liquors in any encampment or fort or on any premises used for military purposes by the United States.

3. And the Secretary of War is hereby directed to issue such general order as may be necessary to carry the provisions of this section into full force and effect.

The question to be decided is whether this enactment absolutely prohibits the sale of intoxicating drinks in any manner or by any person in any post exchange or canteen, or whether its effect is merely to modify and regulate sales of intoxicating drinks in those places by discontinuance of the custom heretofore followed of detailing enlisted men as salesmen in the canteens.

In order to solve this question and determine which is the proper construction, it is not permissible to resort to the debates in Congress, nor to refer to any particular remarks made by members of Congress at the time this provision was before that body for action. It is a rule of construction that what may be called the parliamentary history of an enactment is wisely inadmissible to explain its meaning. Its language can be regarded only as the language of the three branches of the legislative establishment, namely, the House of Representatives, the Senate, and the President, and the meaning attached to it by its framers or by the members of either House can not control the construction of it. The opinion held or expressed by one or more members of Congress may or may not have been those entertained by the more than 400 members who gave no such expression. The declaration of some and the assumed acquiescence of others therein can not be adopted as a true interpretation of the statute. (Endlich on the Interpretation of Statutes, p. 41.)

This doctrine of construction has frequently been stated and applied by the Supreme Court of the United States. See *United States vs. Freight Association* (188 U. S., 290, 318), where the earlier cases in that court are cited, and the following language is used by Mr. Justice Peckham:

"Debates in Congress are not appropriate sources of information from which to discover the meaning of the language of a statute passed by that

body. The reason is that it is impossible to determine with certainty what construction was put upon an act by the members of a legislative body that passed it by resorting to the speeches of individual members thereof. Those who did not speak may not have agreed with those who did, and those who spoke might differ from each other, the result being that the only proper way to construe a legislative act is from the language used in the act, and, upon occasion, by a resort to the history of the times when it was passed."

Another rule of interpretation that must be applied in the construction of this statute is that no part of an act shall be regarded as meaningless or superfluous if a construction can be legitimately found which will preserve it and make it effectual. A construction of a statute which would leave without effect any part of the language should not be made, unless it is otherwise impossible to give a reasonable and consistent construction of the act. It is to be presumed that in enacting a law the legislature means precisely what it says, and the effort of the interpreter should be to give force and effect to every word, paragraph, and section of the act. (Endlich on the Interpretation of Statutes, p. 29.)

If this act was intended to be entirely prohibitory of the sale of intoxicating drinks in post exchanges or canteens, as well as in encampments, forts, and other premises used for military purposes, then, to say the least, Congress used a very circuitous route to reach that point and employed many superfluous words to enact a simple provision which could have been stated in a single sentence declaring that hereafter no intoxicating drinks should be dealt in or sold in any post exchange or canteen or any premises used for military purposes by the United States. The act does not make any such declaration. On the contrary, the first clause merely forbids the detail of an officer or private soldier to act as a bartender or otherwise in the sale of intoxicating drinks in any post exchange or canteen. Why specify officers and private soldiers as forbidden if it was intended to forbid the traffic by all other persons?

The designation of one class of individuals as forbidden to do a certain thing raises a just inference that all other classes not mentioned are not forbidden. A declaration that soldiers shall not be detailed to sell intoxicating drinks in post exchanges necessarily implies that such sale is not unlawful when conducted by others than soldiers. If a statute were to provide that no liquors should be sold to minors in any saloon, would not everyone infer that the enactment was predicated upon a state of law which, as to others than minors, allowed the sale of liquor in saloons? As all parts of the act must be given effect according to their natural sense and meaning, if possible, it becomes necessary to attach to this first clause, therefore, a significance which implies that the sale of liquor in post exchanges is not unlawful when conducted by others than soldiers. Certainly, standing by itself, it can receive no other or broader meaning than that officers or private soldiers are not to be detailed to sell intoxicating drinks.

But the sale of intoxicating drinks in post exchanges and canteens is not the only method in which those commodities are supplied upon premises used for military purposes. As is stated above, officers in command of encampments, forts, reservations, and other premises have usually exercised the authority to allow persons to come upon the premises and sell intoxicating drinks to soldiers, or have exercised the discretion of refusing such privilege. The second clause would seem to relate particularly to this class of persons and to this custom. Given its full effect, it forbids any such license or permission to be granted hereafter by any military officer. I do not think that the second clause of the section is intended to modify or affect in any way the sale of intoxicating drinks in the post exchanges or canteens. That is dealt with and covered by the first clause. The second clause relates entirely to a different matter.

Strength is given to this proposition by the third clause, which directs the Secretary of War to issue such general order as may be necessary to carry the provisions of this section into full force and effect. If the section was intended to be an absolute prohibitory act, preventing the sale of intoxicating drinks on all Government premises occupied for military purposes, then it would execute itself and would require no general order from the Secretary of War or from anyone else. In the face of a general prohibitory section of that kind such sales would be unlawful, and the order of the Secretary would not in any way enhance their illegality. If, however, that interpretation be adopted which separates the first and second clauses and makes the second refer only to sales by persons not connected with post exchanges or canteens, then the third clause of the section becomes intelligible and appropriate, and applies to the future sales in post exchanges or canteens. The act having forbidden the employment of soldiers as bartenders or salesmen of intoxicating drinks, it would be lawful and appropriate for the managers of the post exchanges to employ civilians for that purpose.

Of course, employment is a matter of contract and not of requirement or permission. The regulation of the post exchanges and canteens being within the power of the Secretary of War, the act means that he shall by order modify the regulations upon that subject so as to make them consistent with the provisions of this act. To that end it will be requisite that he shall determine the question of the persons who may be employed in the post exchanges and such other conditions and requirements in connection therewith as his good judgment may dictate.

The result of these reflections is, then, that this section does not prohibit the continuance of the sale of intoxicating drinks through the canteen sections of the post exchanges as heretofore organized and carried on, except that, of course, no officer or soldier can be put on duty in the canteen section to do the selling, either directly or indirectly. This latter the law clearly prohibits.

Very respectfully,

JOHN W. GRIGGS,
Attorney-General.

In accordance with this opinion, an order was published to the Army quoting the opinion of the Attorney-General as above cited and concluding as follows:

GENERAL ORDERS,

No. 69.

HEADQUARTERS OF THE ARMY,
ADJUTANT-GENERAL'S OFFICE,
Washington, April 17, 1899.

1. The following opinion of the Attorney-General, and orders of the Secretary of War based thereon, are published for the information and guidance of all concerned:

2. The provision of paragraph 3 of the post-exchange regulations (General Orders, No. 46, 1895, from this office), to the effect that "in establishing a new exchange, and at posts where the business is small, the steward and attendants may be enlisted men," is revoked so far as the canteen section is concerned, so that the said paragraph will hereafter be authority for the employment of civilians only in the canteen.

So much of paragraph 10 of the said exchange regulations as requires that "the canteen must be in a room used for no other purpose, and, when practicable, in a building apart from that in which the recreation and reading rooms are located; the sale of beer must be limited to week days, and the beer consumed upon the premises;" and that "the practice known as 'treating' will not be permitted," is amended by the additions thereto of the provisions that *no officer shall be assigned, nor any private soldier detailed, to sell*

intoxicating drinks, as a bartender or otherwise, in any post exchange, or canteen, and that such sales shall be made only by civilians employed for that purpose; and the requirements of said paragraph 10 of the exchange regulations, to the effect that "*the sale or use of ardent spirits in any branch of the exchange is strictly prohibited,*" is emphasized, and also extended so as to apply to any encampment or fort or premises used for military purposes.

3. No person shall be required, permitted, or allowed to sell liquors of any kind, character, or description in any encampment or fort or any premises used for military purposes by the United States; and commanding officers are especially enjoined to see that this prohibition is strictly enforced, and that the sales of liquors in the canteens are confined to the sales of beer and light wines by civilians employed in the canteen for the purpose by the proper Government authorities.

By command of Major-General Miles:

H. C. CORBIN, Adjutant-General.

Mr. PETTIGREW. I desire to have read, as part of my remarks, a pamphlet which I hold in my hand upon this subject. It seems to me to outline an ideal canteen, and I should like to have it read.

The PRESIDENT pro tempore. The Secretary will read as requested.

The Secretary read as follows:

As the question is being asked, "What can we offer to take the place of the Army canteen?" we beg to offer the following proposition, which was presented at a hearing before the Senate Committee on Military Affairs December 7, 1900.

PROPOSITION TO THE UNITED STATES WAR DEPARTMENT.

By Sergt. Francis H. Buzzacot, of Chicago, Ill.

WASHINGTON, D. C., November 20, 1899.

SIR: I have the honor to respectfully tender my services and such an amount as is necessary, not to exceed \$5,000, to be expended by me or under my direction, for the purpose of erecting and establishing a model Army temperance canteen, to be conducted under military regulations, for the recreation, benefit, and modern advantages of such United States volunteer troops as are now serving in the Philippines.

In this temperance canteen there will be sold, on a scale lower than prevailing market prices, all such articles and comforts that troops in tropical camps require; to supply many of such articles as books, literature, games, all free of cost (in short, to provide anything that is right and proper), except liquors or intoxicants; absolutely nothing of this nature to be permitted or disposed of in its vicinity.

This temperance canteen will be capable of accommodating 1,000 men under its portable canvas roof. It will be floored, ventilated, and equipped with a general store for the disbursement of such goods as are approved of by the War Department. It will be provided with reading and writing tables, recreation tables, benches, music, pictorial magazines, and will be absolutely free to our soldier boys for their comfort, entertainment, and accommodation at all such times as they have for recreation when off duty. Neat and tasty lunch counters will be erected and maintained for the serving of hot tea, coffee, chocolate, fresh milk, iced tea, lemonade, and such drinks as will be beneficial to troops instead of hurtful to them. The serving of light lunches of a nature to relieve the monotonous effect of the Army ration will be encouraged.

Athletic games will be furnished, baseball and football outfits provided and loaned to the troops on all proper occasions, when time permits, and thus supplied to the men free.

In this temperance canteen and its establishment and equipment I prefer my services until its erection and complete organization; whereupon I shall make full and complete presentation of same to the Government, through such commanding officer as the Honorable Secretary of War directs, absolutely free of debt or any expense whatever to the Government or troops, asking only that upon its successful existence that the United States Government will so maintain it, as a strictly temperance canteen, wherever it can be of service to bodies of troops who remain in the camp on field.

It is to be understood also that all profits arising from the sale of everything will be strictly accounted for (less a reasonable percentage for running expenses), and the entire balance to be used for the purpose and issue to the troops or commands who patronize this canteen in such a way as will relieve the monotony of camp fare and rations and best add to the comfort, benefit, health, and moral advancement of the troops abroad. Lastly, that a small percentage be set aside for the sole purpose of extending the movement and reestablishing other temperance canteens elsewhere, thus letting the good work go on.

Religious or song services could also be held here, and what more fitting place could be found for a regiment and its music than in a temperance canteen amidst the heart of a camp of our soldier boys?

It is to be hoped that the Secretary of War will, with other Departments, look well into this offer. There should be unison in one fair effort to establish a model Army temperance canteen, which would be a source of comfort and convenience to the boys and a credit to those who indorse such a movement.

Surely it will be appreciated by the men, for is it not a twofold benefit and a credit to them? In conclusion, I beg in support of my offer to state that an experience of over ten years in the Regular and Volunteer armies (both in peace and war) acquaints me with the actual requirements of soldiers in the field, and I trust will in a small measure contribute to the success of the temperance canteen.

For your information I may add that during the Spanish-American war I presented to my regiment, the Third Illinois Infantry, a complete temperance canteen on the lines herein indicated, and the records will show that in several months' existence it grew to be the largest temperance canteen ever established, capable of accommodating an entire regiment and band for church service. Its profits cleared its original cost and amounted in all to \$5,000 (in but a few months' time), all of which was turned over to my regiment and distributed and used by its various companies during its campaign in the Tropics.

At this camp 20,000 troopers visited and patronized it. I refer with pride to these facts simply to indicate what can be done by a soldier alone. With its recognition and cooperation by the Secretary of War and other Departments, I will strive to repeat and extend its influences with a credit to every man and soldier concerned, and I will cheerfully pay every dollar necessary for its establishment.

I believe such a movement will be indorsed by every Christian temperance association in the United States. Mothers, sisters, and men have long since urged reform in Army canteens.

There is a way to do away with the beer canteen. Put in its place something better, something so vastly superior and elevating that will make American soldier boys proud of their own institution. Let there be a respectable, honorable temperance canteen and it will reflect both on the service and men and honor those who sanction and aid the movement. I feel, sir, that I have said enough. What is most needed is to go to work.

I respectfully urge the indorsement of this offer by the honorable Secretary of War, the generals commanding the various departments, and whosoever is for a model Army temperance canteen. If this offer is accepted, I will personally establish it at any point in the Philippines, where a large body of troops is stationed. Then let the results accomplished speak for themselves.

I have the honor to be, with great respect,

FRANCIS H. BUZZACOT,
*Late Fifth United States Cavalry, late Fifteenth United States Infantry,
Sergeant, United States Volunteer Infantry, Porto Rico Campaign.*

The Honorable SECRETARY OF WAR.

(Through the Adjutant-General U. S. Army, Washington, D. C.)

Mr. BUTLER. Mr. President, I thought this question was settled when we voted on the Army bill which was enacted March 2, 1899; but we have had a most remarkable decision by the chief law officer of the Government to the effect that Congress did not know what it wanted when it enacted that. As technical as many of the sections of the bill are and as plain as that section is, it is very strange that it is the only section which it was thought necessary by the War Department to call upon the Attorney-General to construe, and his construction was a wonderful intellectual feat. On account of his decision, which nullified the law, we have the whole question up again. It was considered important enough by the committee which reported the present bill to devote nearly all of their report to the canteen question, and to have many copies of the hearings on that question printed separately for distribution, on the ground, as explained by the Senator from Michigan [Mr. BURROWS], that it was thought that the public was not interested in any other part of the bill, but that the country was intensely interested about this section. In fact, it was considered so important by the Administration that an eminent bishop, I understand, was brought down to Washington to be conferred with about it, and he has furnished an opinion in favor of the canteen as one of the greatest civilizers known to the religious world. That opinion is published in the report. In fact, the opinion occupies nearly all of the last half of the report, and it is all a special plea for the humanizing, civilizing, Christianizing effect of beer.

There are many other good people in this country, equally as good as those the Archbishop speaks of, and probably more numerous, who do not agree with him. They have diametrically opposite views. Some of them appeared before the committee, and some of their testimony is in the report, of the hearings. The representative of the Anti-Saloon League, who is stationed in Washington, was before the committee, and it seems that after a brief hearing he was requested or permitted to add to his testimony and file it with the committee for publication in the hearing. As I understand it, he sent the matter that he wished to present, representing his people, in two installments, and the first installment got into the hearing, and the latter installment, arriving probably a little too late, delayed a day or two, was not printed. Therefore the case as presented by those opposed to the canteen and by the official representative of the Anti-Saloon League is not given in the hearing in full.

Inasmuch as this section has been made the most important part of the bill, it seems to me entirely proper, as well as just to the people interested, that the case as made out by those opposed to the canteen should be fully put before the Senate. I have had furnished to me by the representative of the Anti-Saloon League the remainder of the matter that he intended to go into the hearing.

Mr. HAWLEY. I wish to ask a question for information. Does the Senator propose to add all that to the hearing in addition to the testimony given?

Mr. BUTLER. We have had put before us everything on the other side, it seems, that the Government could get, and the report is devoted almost entirely to the canteen.

Mr. HAWLEY. We have had more evidence against the canteen than for it. A very large body of good women came here and had a hearing, and many of them made very good speeches. The committee excluded nobody who wanted to testify.

Mr. BUTLER. I had not charged that, because I did not know it was so, but I stated the facts as I understand them. The representatives of the Anti-Saloon League had a conference in Washington I think on the 19th of December, and had representatives here who represented probably eight to ten million people. That is what they claim.

Mr. HAWLEY. What body is that?

Mr. BUTLER. The Anti-Saloon League. They had a conference here in December last. They appointed a representative to appear before the committee and present their reasons. They wanted to offer a kind of section to the bill that they thought would not be construed away by the Attorney-General. In fact, they were shrewd and intelligent enough and diligent enough to pick out from the Attorney-General's opinion the words which he himself suggested could not be construed away. In that opinion he stated that if section 17 in the bill that we passed last year had employed certain words he could not have construed it away. He practically stated that. And so they selected just those words and got them incorporated in the bill in the House.

Their representative put a great deal of valuable information before the committee, and it seems that the committee asked him, after a brief hearing, to file with the committee his brief. The representative sent it in in two installments. The first installment reached the committee, it seems, in time and was published. The latter installment, as I have already stated, reached the committee a few days later, but was not printed. Probably it was too late; probably the matter had been sent to the printer. We have, therefore, only a small part of their argument in the hearing. I have the remainder of it here. It seems to me that they represent enough people to be entitled to a hearing about a matter that has been made the most important part of the bill, and surely the time of the Senate would not be wasted—

Mr. HAWLEY. Will the Senator please let me make an inquiry of him? Is the agent of the Anti-Saloon League that he refers to Mr. Dinwiddie?

Mr. BUTLER. Yes.

Mr. HAWLEY. He has seven pages of testimony in the book. He appeared before the committee. He was very welcome. He talked until he was tired or as long as he wanted to.

Mr. BUTLER. I have already stated—the Senator probably did not hear me—that I have been informed by him that he was given permission or was requested, probably, by the committee, after a brief hearing, to file with the committee a statement of facts and arguments which the Anti-Saloon League wanted to put before the committee in support of the anti-canteen amendment.

Mr. HAWLEY. Perhaps this is what the Senator refers to. Somebody did ask to put in some more testimony, and was given notice that it must be in by Saturday, because the testimony was to be printed; it could not wait, and it did not come. I do not know when it did come.

Mr. BUTLER. That conforms with what he informed me. He sent it by mail, I think. At any rate, he thought himself that probably he was to blame for being a day late, but still he did not want his people not represented, and he did not want the report which is now before us to be the only hearing that they would have, it being only a partial statement of the case.

Mr. HAWLEY. I remarked that he has seven pages here. He made a very good speech.

Mr. BUTLER. Yes; I think myself it is very good, as far as it goes.

Mr. HAWLEY. And then he failed to come to time on some other papers that we know nothing about.

Mr. BUTLER. There is the trouble. The distinguished Senator who is chairman of the committee is in ignorance of part of the argument and facts that the Anti-Saloon League want to put before him. It is their misfortune, and his misfortune probably, and the misfortune of the country, as far as the temperance question goes, that they did not get it in this report, so many copies of which have been called for and distributed over the country. Now, it is to remedy that misfortune as far as possible that I wish to get the matter together.

Mr. HAWLEY. I think I will be in duty bound to object to this very late addition of a large mass of matter when the man might have given it all when he had his hearing. I do object to making a bulky book when it is not needed, because we should get down to the grain. The chaff has been abundantly thrashed over and over.

Mr. BUTLER. Congress has expressed itself on this important question, and its expression is now a statute. It has been construed away by an executive officer, and now we are here legislating on this important question again, and it is attempted to pass legislation that can not be construed away. The distinguished Senator who is chairman of the committee brings in a report here advising Congress to reverse itself and to be convinced that the Attorney-General was right when he told us in his opinion that we did not know what we wanted or what the country wanted, and now he seems to be impatient that anybody should want to present any further argument or reasons why we should adhere to the law that we passed before and try to put it in such shape as will be satisfactory to the Attorney-General. The amendment that is pending is in the words practically recommended by the Attorney-General or which he stated would have been sufficient to prevent him from construing it away.

I do not understand what the Senator means when he says that he objects to my furnishing this information. I have not made any request up to date, but I am going to make one, and that is that this matter be put altogether before the Senate. What is in the report now is short. This [exhibiting] follows it. In fact, the first sentence in the new matter begins by discussing the last paragraph in the matter that is in the report. It is not at all intelligible separate. I ask the Secretary to read the brief part which is in the report, and I wish to take up and discuss this matter to follow it, so that it will be altogether in the RECORD. I do not see how we can well put it altogether in this report without reprinting it, and it would be after the bill has passed probably before we would get it. Of course they would be very glad to have it altogether in this report, but the easiest way to get it altogether

is to get it in the RECORD, and that is the quickest way. I ask the Secretary to read Mr. Dinwiddie's statement as far as it is printed in the report, beginning on page 26, down to the marked place on page 31, where the new matter will come in to follow it.

The PRESIDENT pro tempore. The Secretary will read as requested.

Mr. ALLISON. Mr. President, will the Senator allow me to interrupt him a moment?

Mr. BUTLER. Certainly.

Mr. ALLISON. If I understand the view of the Senator, it is that in the printed report a part of a statement made by the gentleman who represented a large body of people is printed and another part of it is not printed.

Mr. BUTLER. Yes.

Mr. ALLISON. Now, would it not satisfy the Senator and the Senate to allow the part which is not printed to be appended to what is printed and incorporate it in the document or in the RECORD?

Mr. HANSBROUGH. I understand that that is what the Senator wants.

Mr. ALLISON. I understand him now to ask that several pages be read, and then—

Mr. BUTLER. And then a part of this matter to follow.

Mr. GALLINGER. Let those pages be incorporated without reading likewise.

Mr. BUTLER. I have just explained, as it will appear, that the matter is so connected that where the new matter begins it discusses the matter that is now in the report.

Mr. ALLISON. And my suggestion is that the matter which is now in the report shall be incorporated, and that the new matter shall follow it in the RECORD. That would cover the idea, it seems to me.

Mr. HAWLEY. Mr. President—

Mr. BUTLER. The Senator speaks in a very indefinite way about these people, somebody he supposes I am speaking of. Does not the Senator know of the Anti-Saloon League and the eminent gentlemen who are at the head of it?

Mr. ALLISON. Undoubtedly; I heard the Senator's statement as to who these people are.

Mr. BUTLER. A distinguished gentleman from the Senator's own State is the president of this league, an ex-Congressman, a man who was Indian Commissioner under President Harrison.

Mr. ALLISON. I was endeavoring to promote what the Senator desires to do. I am in favor of doing just what I understand him to propose, namely, to get this whole matter in a connected form in the RECORD. I want to promote his wish in that regard, but I did hope that it might be done without occupying any great length of time. We can all read it in the RECORD in the morning. But I will not make that suggestion now.

Mr. HAWLEY. I wish to offer a solution of this question. I propose a reprint of all we have printed, and then to put in addition to it, "The following is matter intended by the committee, but it arrived too late." I suggest that it be printed with that heading, that it is additional matter intended by the committee, but it failed to reach it.

Mr. BUTLER. The Senator has now before his committee this very matter that I have here, or most of it. I have all of it. I regret very much that he did not have it printed with that heading, if it came too late, and furnish it to us. He considered that it was not worth printing after getting it. It may have been one day late, but it is lying now in the committee room in a pigeonhole somewhere. It has not been used; it has not been put before us.

Mr. HAWLEY. The clerk of the committee thinks it has been taken away; that it was not left there.

Mr. BUTLER. If it was taken away, it was taken away after the representatives of the Anti-Saloon League were informed that it would not be printed or incorporated in the report.

Mr. HAWLEY. I offer to let it be printed now. That will suit the Senator. But I want to have him tell the truth about it and say that it is additional matter, that it goes in by unanimous consent, having failed to reach the committee in time.

Mr. BUTLER. Well, I think that is the fact.

Mr. HAWLEY. It is fair to do that.

Mr. BUTLER. I think probably that it reached the committee later than the day named by them. I stated that twice.

Mr. HAWLEY. Will you put that in the heading of this additional matter?

Mr. BUTLER. I would be very glad to have it printed that way if it were practicable, but the trouble is, as I have stated twice, that the part which is published in the RECORD is unfinished; it breaks right off. It was sent in two installments.

Mr. HAWLEY. Add these pages to it, only saying it was matter intended by the committee, but failed to reach it.

Mr. BUTLER. The first sentence of the new matter begins by discussing where the last sentence of the other stops off, and you will have it disconnected. I was trying to get it in the RECORD as the best solution of the question, so that we would have the matter all together.

Mr. HAWLEY. It will not be independent of what was sent abroad.

Mr. BUTLER. I intended to ask (I did not suppose the Senator would object) to have it printed as a supplement later, to go out with all this matter; but I want the RECORD to contain it all. We shall probably have a vote on this question this afternoon, and I have never seen the propriety of closing the stable door when the horse is out. If the matter is worth anything at all, it is worth something now, as far as practical value is concerned, on this vote. It may not be worth anything to-morrow, after we have voted, except for the information of the country. It will not then be worth anything for the information of the Senate as far as it affects anyone's vote.

Mr. HAWLEY. It will go out, of course, with the 15,000 copies of the whole body of testimony?

Mr. BUTLER. It is desirable it should. I think it ought. I think these people are entitled to have it go out.

Mr. HAWLEY. I do not object to that. I ask only one condition, that it shall be put on as an appendix and say that it is matter intended by the committee which unfortunately failed to reach them in time.

Mr. BUTLER. Mr. President, if that is the fact, and of course these people were informed that that was fact by the committee, that it came to them too late, then I think the committee ought to publish it as a supplement and let it go along with the report; and in any reprint it ought to be embodied in the proper place, which could be done.

Mr. TOWNE. With a footnote.

Mr. BUTLER. Yes; with a footnote, as the Senator from Minnesota [Mr. TOWNE] suggests, stating the facts. I will state what I understood to be the facts. The Senator knows, and he is the proper person to state those facts. I think it is due to the large number of people in this country who are deeply interested in this question that it should be printed. For the purposes of this vote, however, that will not answer, because this matter ought to be before us before we vote. Therefore I ask the Secretary to read it.

The PRESIDING OFFICER (Mr. BURROWS in the chair). The Secretary will read as requested.

Mr. HANSBROUGH. What is it?

Mr. HAWLEY. Some belated testimony of the Anti-Saloon League.

Mr. HANSBROUGH. What does the Senator from North Carolina desire to have read?

The PRESIDING OFFICER. The Senator from North Carolina will state.

Mr. BUTLER. I desire to have read that part of the testimony, a small part of it, by Mr. Dinwiddie, representing the Anti-Saloon League, which is now in the report, and then this matter to follow it, because the first sentence in the new matter begins by discussing extracts and facts set forth above, and that is the only way we can have it placed before us intelligently.

Mr. HANSBROUGH. I suggest to the Senator that he request that it be inserted in the RECORD consecutively, allowing the unprinted portion of Mr. Dinwiddie's statement to be published following that portion which has been printed. Will it not satisfy the Senator to have it published in the RECORD and also to have it published after that in the 15,000 copies of the hearings?

Mr. BUTLER. The chairman of the committee has already agreed to do that, which I am very glad that he suggested, but, Mr. President, we should not trifling with a great question and with the millions of people who are interested in this subject. We simply want to get something in the RECORD to send out to our constituents and let them see it there and know that we had it before us, not to stick it in without reading. Here is a question that we are going to vote on. These people hope to appeal to our hearts and consciences by certain facts and data. Now, we are about to vote. It is treating this great question lightly and improperly and it is not becoming the dignity of the Senate to just push the matter into the RECORD, so that to-morrow morning, if we want, after we vote, we may read it. We are now about to vote. Here is something in the nature of a petition from 10,000,000 people—for this league represents that many, I understand—and millions of other people who agree with them, and is it said that what they want to put before us should not be heard by us before we vote? The Senator surely would not treat their petition in that way.

Mr. HAWLEY. I do not wish to see a mass of matter that I know nothing about put in now as testimony before the committee, when we never heard it in committee, and without an answer. There may be things in it that ought to be commented upon, and that would have been commented upon in the committee room if the papers had reached there in time.

Mr. BUTLER. Mr. President, that is unfortunate. We will not stop to discuss who is to blame for the matter not getting there in time.

Mr. HAWLEY. I am not blaming anybody; it might have been an accident through missing a train or something of that

sort: but I simply wish it stated there that this addendum is composed of matter intended for the committee, but it failed to reach here in time to be read by the committee.

Mr. BUTLER. The statement of the chairman will go into the RECORD. He has just made it and it will be a part of the permanent record of the Government, and that is sufficient, it seems to me, to set the committee right and everybody else. I ask the Secretary to read.

The PRESIDING OFFICER. The Secretary will read what the Senator from North Carolina has requested shall be read.

The Secretary read as follows:

Statement of Rev. E. C. Dinwiddie, national superintendent of the legislative department of the American Anti-Saloon League.

Mr. Chairman and gentlemen of the committee, there are several Senators here this morning who were not present yesterday, and I think for the purpose of making our object clear we should state to you just what is before the committee.

The amendment to the Army bill, section 40, which is really before you for consideration, is as follows:

"SEC. 40. The sale of or dealing in beer, wine, or intoxicating liquors by any person in any post exchange, or canteen, or Army transport, or upon any premises used for military purposes by the United States, is hereby prohibited. The Secretary of War is hereby directed to carry the provisions of this section into full force and effect."

This is designed to correct the difficulty which has existed almost two years past in an amendment to the Army reorganization bill, approved March 2, 1899, in which it was intended to cover this point and prohibit absolutely the sale of liquors in the military establishment. The language, it seems, did not cover the case. It was simply held by the Attorney-General that no officer or private soldier should be detailed, as a barkeeper or otherwise, to sell intoxicating liquors, and that no other person should be required or allowed to sell such liquors. It was, as I have said, to correct any real or supposed defect in language in the act of March 2, 1899, that this amendment passed the House on Thursday, when the Army bill was up for consideration, and which I have already read in your hearing. This is not new. It was before the Fifty-fifth Congress, when a unanimous report was made by the Committee on Alcoholic Liquor Traffic. It was finally passed as an amendment to the present Army law of March 2, 1899, but rendered inoperative by the opinion of the Attorney-General already referred to. In the Fifty-sixth Congress a similar measure was introduced by Mr. BOWERSOCK, of Kansas, and on the 24th of May the Committee on Military Affairs returned a report, a portion of which I will add hereto, in which they recommended the passage of this bill.

"The bill was referred to the War Department, and a very voluminous report was returned to the committee against the passage of the bill, but the committee believes that, in view of the legislation of the last Congress, when it was intended by Congress to abolish the canteen, but on account of faulty language did not accomplish it, the present bill should pass. The expressions received from all parts of the United States go to the point that even if the canteen results in the decreased consumption of liquor by the Army, the United States Government should not in any sense be connected with the liquor traffic, but let private parties conduct it under the laws of the different States."

I want to get distinctly before you one or two points with reference to our advocacy of the inhibition of liquor selling in the Army.

The advocates of the present canteen system have to some extent, at least, befogged the issue. Our position is rational and common sense, and despite a mass of ex parte testimony for the system is supported both by reason and observation. First, we do not oppose the post-exchange system. We believe in it and are willing to see it extended and improved. We are opposed to the sale of intoxicating liquors in the canteen, and such prohibition need not militate against the successful operation of the post exchange in its other and valuable features. That this is true is apparent from the fact that no class of people have a higher regard for the soldier than the petitioners for this legislation, and I call attention to the fact that our interest is not sordid or commercial; we have no profitable market we are attempting to preserve by stopping governmental liquor selling to the soldiers, as is the case in so many instances on the other side. Also, we indorse the proposition of Sergeant Buzzacott, well known in Army circles the country over, to establish temperance canteens, one of which proved so valuable and profitable in 1898. (See proposition accompanying, marked Exhibit A.)

Second. The Littlefield amendment does not extend to Soldiers' Homes, but only to the military establishment, seeking only what the people intelligently asked for and Congress intended to grant in the act approved March 2, 1899.

Third. The charge that the suppression of liquor selling in the canteen will compel drinking on the outside is answered by the statement, which we can prove beyond a peradventure, that the soldiers—not all, but those who desire to do so—do this now. Experience in many places shows this conclusively, and it is reasonable as well. Cases like Trooper Davis (see Exhibit A) at Fort Myer, almost within the shadow of the War Office, within the year, and the cashiering and dismissal by General Otis of four high officers in the service in the Philippines for drunkenness and unbecoming conduct consequent thereupon, and the condition at the Columbus Barracks, where the aid of the police department of the city was invoked by the commandant to keep the soldiers out of down-town saloons and resorts, and where the records show frequent arrests of soldiers for drunkenness and disorder, either prove that men can and do get drunk on liquors sold in the canteen or else, notwithstanding the canteen, drink outside, or, what is probably true, both. In either of which cases this argument for the canteen is destroyed.

Our contention is that it is quite as important, from every point of view, to provide good environment in the hope of preventing the creation of appetite in abstaining recruits as it is to pander by governmental sanction to the liquor habits of some in the service who still would drink.

Fourth. A second argument for the canteen is, in our judgment, a strong condemnation of the system, namely, that the profits of liquor selling go to improve the mess and hospital service. The Government is amply able to provide for all the needs of the officers and enlisted men, and it should not permit the resort to the menacing inducement to drink by such a system, for few men are liable to share with comfort regularly the profits of a fund they do not help to create. Again, the opponents of the present system are charged with trying to regulate the habits of men in regard to drink, but the canteen defenders are not only guilty of the same charge, but they seek both to prescribe what a man shall drink and where he shall drink it, insisting, if the regulation were carried out, which it is not, that only beer and wines be drunk by the soldier, and then in the canteen. However, this is not an unusual thing in military life. We prescribe what kind of food a soldier shall eat in the Army, and how much of it, and discipline says to him if he grumbles and is recalcitrant because it does not please him, "Go to the guardhouse."

We are not theorists. We do not claim this bill will reform or revolution-

ize the Army. We believe the trend is in the right direction, and in harmony with General Ludlow's wise suggestions (Major-General Miles's report, 1899, vol. I, pp. 226-227) when he said: "The weight of authority and precept in this department is on the side of total abstinence. It is believed by this department that prohibition is imperative," and "it is particularly important, where a large proportion of the troops are recruits, that nothing be done officially to create in them the habit of drinking." Seventy-five per cent of our Army are recruits to-day. This suggestion is in line with the successful attempts of the British war department to promote temperance. Wolseley, Roberts, White, Kitchener, Gatacre, Methuen, Kelly-Kenny, and the best leaders in the British service lend their aid in this direction, and the Government encourages the British Army Temperance Association by granting an annual stipend thereto.

The beneficent results are shown in the table, which I give from the records of the British army in India for the year 1898:

	Members Army Tem- perance As- sociation.	Non- mem- bers.
Number soldiers included in return	18,603	48,842
Convictions by court-martial	77	1,777
Convictions by court-martial per 1,000	4.12	36.38
Summary punishments for insubordination	741	4,500
Summary punishments for insubordination per 1,000	39.70	92.32
Admissions to hospital	3,801	14,827
Admissions to hospital per 1,000	203	302

We are not clamoring for or asking impossibilities. We ask the Department to use its influence and its discipline on the right side, and a steady upward trend will result.

There is another misconception I desire to correct. The Army testimony was collected after the will of the Department had been made known in favor of the canteen. Anyone familiar with Army life knows how difficult it is under such circumstances to get an uncolored and unbiased opinion. But notwithstanding the unusual requirement of courage under such conditions, 25 reporting officers declared the canteen to be detrimental to the morality of the men; 40 said it was prejudicial to discipline; 20 say it has increased drunkenness, and 36 declare in favor of its abolition. The high generals, like Miles, Shafter, Wheeler, Ludlow, Wilcox, Robertson, Boynton, Carlin, and others, are on record against it, and the chaplains, those best qualified to speak about the morals of the men, were not invited to express their opinions. The reason is obvious, though a few have volunteered their help in sustaining the Department against the will of the people, though many more, through other channels, have declared against the canteen.

I desire to say, Mr. Chairman and gentlemen of the committee, that the constituency which we represent does not malign the soldier. We have the profoundest respect for him and the greatest interest in his welfare. We recognize him as not simply the hireling of the Department, but as typifying the will and might of our people, and we have the right to demand from him the clearest brain, the steadiest nerve, and the best American manhood. If we get these in the Regular—if he keeps in condition to meet emergencies as they arise—it will be well; but if, as many of the officers defending the canteen attempt but fail to have us believe, he will desert if he can't have beer, that he would be low and drunken and unfit for service without the canteen, then we shall need depend upon the soldier who has never failed us, who always responds in the nation's need and peril, who represents at least the average of our people, the American Volunteer.

The Adjutant-General, in his report for 1899, practically admits the charge of bad results of liquor selling in canteens among Volunteers (p. 39), with an intended inference that it operated well with Regulars in some way or by some means. That the Volunteers do not suffer by comparison, and that some causes were at work to the comparative disadvantage of the Regulars, is evidenced by the following facts taken from tables facing pages 10 and 16 of the Adjutant-General's report just referred to: In round numbers the average monthly strength of Regulars from May 1, 1898, to June 30, 1899, was 56,000; of Volunteers, 112,000—almost 2 to 1.

During that period, among the Regulars, 1 officer and 32 men committed suicide; among twice as many Volunteers, 1 officer and 20 men; 28 Regulars died from murder or homicide; among twice as many Volunteers, 26; 921 Regulars were dishonorably discharged by sentence of general court-martial; among twice as many Volunteers, only 508; 3,036 Regulars deserted out of 56,000—1 out of every 19; 2,736 Volunteers deserted out of 112,000—1 out of every 41.

I shall not take the time of the committee to read the official action of the large and influential church bodies and temperance organizations throughout the country condemning the liquor canteen and urging its prohibition in the establishment, very many of which are on file at our national headquarters in this city. The following are but indicative of similar action by Presbyterians, Congregationalists, Evangelical Lutherans, Friends, United Presbyterians, United Brethren, and the other branches of the church. The general conference of the Methodist Episcopal Church declared in May, 1900:

"We deeply regret that after the enactment of a law prohibiting the sale of intoxicating beverages at Army posts and in forts, camps, and reservations used for military purposes, a law plainly intended to effectuate this result, and so understood by its friends and foes in and out of Congress and by the Chief Magistrate who signed it, by a construction which seems to us forced and unnatural, placed upon the law by the Attorney-General, its plain intent was defeated, and the Government of the United States, amid the exultation of all sympathizers with the liquor traffic, resumed the practice of selling intoxicating beverages to its soldiers. Aroused and indignant at the aggressiveness of the liquor power, at the inexcusable miscarriage of the anti-canteen law, and at the new perils in which the nation is involved in its new possessions, the church will summon and pledge all her ministers and people to a more determined struggle against this enormous evil and urge each to contribute thereto, according to his judgment, his testimony, his example, and his ballot."

The Columbia Association of Baptist Churches, November 21, 1900, adopted the following resolution against the canteen:

"That this association unites its voice with that which we hear coming up from all parts of the land in earnest protest against the perpetuation of the official saloon for our soldiers, known as the canteen. No amount of testimony is convincing that making it easy to get drink will reduce drunkenness, or that the substitution of beer for the stronger drinks of soldiers who already have formed the drink habit will, for any considerable length of time, compensate for the creation and cultivation of this enslaving appetite in those numerous recruits who are not yet slaves to drink when they enlist."

The great temperance organizations of the country, the Anti-Saloon League, W. C. T. U., Good Templars, Sons of Temperance, Rechabites, Royal Templars, as well as the young people's societies, like the Y. P. S. C. E., Epworth League, B. Y. P. U., and others are petitioners for this legislation by Congress,

and, gentlemen, when it is intimated that we must defer to the superior knowledge of men in the service we reply, "Yes, in matters of military tactics and skill and strategy, but not of necessity upon moral propositions." It is not necessary to own a saloon or tend bar to become familiar with the evils of the liquor traffic. It is not necessary to be in the service to learn the evils of the canteen system of to-day.

But we have read the testimony, which was solicited, after the pro-canteen policy of the Department was well known, from certain officers and responded to by about 1,000 (one-half of them noncommissioned, sergeants and corporals) out of over 2,000 in the regular establishment, and over 8,000 in our whole Army at the present time, including the classes of officers to which the inquiries were addressed, and I submit. Mr. Chairman and gentlemen, that a candid review of the pro-canteen testimony in the Secretary of War's report for 1890 forces the convictions: First, that the testimony is *ex parte*, many of the officers stating that they have been or are in charge of canteens, and are therefore not likely to testify against the system and, per consequence, themselves. Second, that after the Department had so openly signified its pro-canteen sympathies it would require commendable courage for any considerable number of men in the humbler positions to stand out against it. (This I have from officers of the Army themselves.) Third, many of those testifying for the canteen plainly show by the language employed that they have no sympathy with the temperance side and are opposed, to total abstinence and temperance reform, either in or out of the Army. Many of these sneer at the opponents of the present system as being "meddlers," "long-haired men," "short-haired women," scorn the Woman's Christian Temperance Union and other agencies for good, and criticize even the State and local legislation which the sovereign people in these States in their wisdom saw fit to enact. Fourth, that these pro-canteen officers have, in these reports, said more to convict the Army of excessive drinking and drunkenness and lack of self-control than all the temperance people have done or have attempted to do in all the discussion. Fifth, that it would be surprising if our Army should be abstemious when a few of the Department or bureau heads become agitators for the Government saloon, and large numbers of the officers defend liquor drinking and favor liquor selling to the men under governmental auspices. Sixth, that under all these conditions the wonder is we have the magnificent establishment in its personnel that we have to-day. The reason probably lies in the facts behind the statement of Maj. C. A. P. Hatfield, Eighth Cavalry (Secretary of War's Report, p. 127):

"Excellent. [Referring to effect of legislation we seek.] In favor of prohibition. The reforms in morality, temperance, and good behavior which have swept over the United States (particularly the thickly settled Eastern portion) have had a direct and indirect effect for good in the Army. Twenty years ago the average recruit was already a drunkard before joining his company, or with all his inclinations that way; now four out of five recruits are young men brought up in practices of temperance, sobriety, and morality, and with some idea of Christianity. If to take proper care of this good material, develop it, and turn the men out, on discharge, a credit to the Army, to their officers, and to themselves is aided by introducing the recruit to a wine and beer room, where he is taught that it is the proper and loyal thing to patronize the canteen, and beer especially, then my deductions are certainly at fault."

Mr. BUTLER. The part of the statement of the Anti-Saloon League that is not printed in the hearings should come in at this point. I will not ask that it all be read, but that a goodly part of it be read. I am willing that the remainder shall go into the RECORD without reading, but the part which I send to the Secretary's desk I desire to have read.

Mr. HAWLEY. I might interpose something of a protest here. I find that this reverend gentleman puts in words which imply that he was addressing the committee. The committee did not see him at all in that matter and did not hear a word of what has been read. There are some statements there as to which he certainly would have been criticised if he had made them while I was in the chair.

Mr. BUTLER. I will say to the chairman of the committee that the language he is referring to is a part of the hearings.

Mr. GALLINGER. It is a part of the Senator's own report.

Mr. BUTLER. It is a part of the report of the Senator's committee. There has been nothing read so far except what is in the report submitted by him.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary read as follows:

Besides these facts the testimony is not all on one side, as witness the following, taken from the report of Secretary of War for the year 1890, and in answer to the questions, "What, in your opinion, would be the effect of an absolute prohibition of the sale of beer in the Army? Are you in favor of such prohibition, or are you in favor of the exchange as conducted at present?" etc., these officers said:

Capt. G. H. Paddock, commanding Troop F: "A good effect, especially in this hot climate, where drinking is so injurious. The only excuse, in my opinion, for the canteen was to improve the mess. Now that the ration is good and sufficient, I am in favor of the total prohibition of the sale of intoxicants of all kinds. Have observed for several years the workings of the canteen at several different posts. I have been a successful exchange officer at several posts, as the records will show, and I have done everything in the power of an officer to make the system a success. Yet it is my deliberate opinion that the ease with which intoxicants can be obtained at a post exchange has a tendency to make men, especially young soldiers, drink who would not do so otherwise. In the best-managed exchanges the part where beer is sold is frequented and occupied by the 'old soaks' of the command, whose bear eyes and ribald jests have nothing but an injurious effect upon the decent (always the large) element of a regular command. When no exchange is at a station, none but the worst element of a troop will frequent the public saloons, or, if they do, will do so very seldom, but the exchange saloon, or portion of the exchange where beer is sold, being authorized by law and to that extent made respectable, is more frequented. The argument usually made that men will have their drink is absurd. Our men join us quite young, and if no liquor is in sight they do not think of it. The few old soaks of the Army are of more use in the guardhouse than in line. I do not think that their appetite for liquor should be considered" (p. 120).

Capt. Clarence Deems, commanding Battery C: "Highly beneficial to the health and discipline of the Army. Am in favor of such prohibition" (p. 159).

Capt. Luigi Lomia, commanding Battery H: "I think it would be a good

thing. I am in favor of the post exchange with the canteen feature in it eliminated. Billiards, coffee, soda water, ice cream, lunches, etc., might be sold to the men with profit. I have observed the workings of the canteen feature of the exchange more especially since promoted to captain, 1894, February 3. As battery commander I have been informed many times that many of the young men who come into the service would let beer and all other intoxicants alone were it not for the fear of being considered "mean"—that is, the old soldiers in some way or other get the younger soldiers to spend money on them, although "treating" is prohibited. Thus young men acquire the taste for drink that, if the opportunity were not afforded, might never acquire such a taste. In my opinion drink in ninety cases out of one hundred is at the bottom of all a soldier's troubles" (p. 151).

Capt. George E. Sage, commanding Battery E: "Benefit the moral tone of the men and improve the discipline of the service. I am in favor of such prohibition" (p. 152).

Capt. Thomas H. Wilson, commanding Company L: "A very wise proceeding, with beneficial effect. Yes; I am in favor of such prohibition, especially in Cuba. The exchange, so far as I can see, simply affords men a chance to tipple. In this country I think it wise to keep the men from drink as much as possible. The exchange gives them no chance to save money, as the temptation to drink seems very strong here. A well-regulated canteen in the States I consider a necessity. A man who drinks to excess occasionally has, I believe, a much better chance here (Cuba) than the man who takes regular drinks, and this the canteen encourages" (p. 161).

Capt. A. R. Paxton, commanding Company I: "Good, if supplemented by a careful recruiting service" (p. 187).

Lieut. Col. H. W. Wessells, Jr., commanding regiment: "It would help the decency of the service. I am unalterably opposed to saloons and saloon keepers. I never can or will believe in saloons or saloon keepers, call them by what euphemistic names you please." (Secretary of War, 1899, p. 112.)

First Lieut. Alonzo Gray, commanding Troop H: "It can not be done except on paper. I am in favor of neither. Stationed ten years where a canteen has been in operation. If the exchange is a cooperative clubhouse for enlisted men, it should be managed by a board composed of enlisted men only, subject to the approval of the commanding officer. Either the canteen is a club or a beer saloon. My position requires me to be a gentleman, and, as such, I object to managing a beer saloon, and do not think any officer ought to be required to do so" (p. 120).

Capt. William Stanton, commanding Troop C: "There would be less drunkenness at the post and, I think, no more in the town or other places near the post. I am in favor of such prohibition. The canteen at the post is a temptation to many who would not take the trouble to go outside the post for a drink. This is especially the case with young men who have not formed the habit of drinking. Even men of intemperate habits might often be prevented from getting drunk if intoxicants were not placed so conveniently within their reach. The plea that you limit the amount of beer sold to a man in the canteen is fallacious. The man who will refuse a man beer when he thinks he has had enough will, I suspect, be hard to find. I believe that the exchange without the canteen can not be maintained, and in consequence the profit now enjoyed by the companies must cease, and it is to this fact I attribute much of the support which the canteen receives from the officers of the Army" (p. 122).

Robert von der Goltz, post quartermaster-sergeant, U. S. A.: "I firmly believe, although not classing myself as a total abstainer and admitting that I indulge occasionally in a glass of beer, but never in liquor, that the absolute prohibition of the sale of beer in the Army would be a benefit to the soldiers and would improve the efficiency of the Army, both from a standpoint of morality and discipline" (p. 210).

Capt. W. H. W. James, commanding Company C: "In my opinion the effect of an absolute prohibition of the sale of beer in the Army would be a wonderful benefit and advantage to the Army. I am most emphatically in favor of an absolute prohibition of the sale of beer in the Army. I have commanded a company where an exchange was in operation for about three years. In my opinion the way for a man to keep from drinking immoderately is for him not to drink intoxicating liquors at all. By not drinking intoxicating liquors at all a man does not cultivate a taste and liking for intoxicating liquors. If a man drinks at all he is, in my opinion, liable to form a taste and liking for it, the taste and liking for which may be the cause of his ruin. In my opinion, very often the moderate drinker becomes a drunkard. I have seen a statement in print to the following effect: That Sir Garnet Wolseley, the commander in chief of the British army, stated that two young officers of the army starting out, supposing them to be equal in all respects except that one was a total abstainer from the use of intoxicating liquor and the other was a moderate drinker, that the total abstainer had a great advantage over the other officer, a moderate drinker of intoxicating liquors.

"I believe his statement is true, and I believe the same will apply to two soldiers, supposing them to be equal in all respects except that one is a total abstainer from the use of intoxicating drinks and the other a moderate drinker of intoxicating liquor. I believe that the one who is a total abstainer from the use of intoxicating liquor has a wonderful advantage over the one who is a moderate drinker. I believe the argument in favor of the sale of beer in the exchange is that it is the lesser of two evils—that is, that if not sold in the exchange more intoxicating and worse intoxicating liquor would be obtained outside of the post or camp. I say, why take either evil? I am, myself, a total abstainer from the use of intoxicating liquor, except when used as a medicine, which is exceedingly seldom. I believe it is wonderfully better for me to be a total abstainer from the use of intoxicating liquor, except when used as a medicine, and I believe it would be wonderfully better for the enlisted man to be a total abstainer from the use of intoxicating liquor. I believe the sale of beer in the exchange under official sanction is likely to produce the impression in the mind of the soldier that as it is sold with official sanction that it is not so bad after all to drink beer" (p. 201).

Edward A. Brown, post quartermaster-sergeant, U. S. A.: "A benefit to all concerned." Fort Bayard, N. Mex., June 14, 1899 (p. 206).

Edwin F. Ambrose, commissary-sergeant, U. S. A.: "Would save many young men from acquiring the drink habit. Much of the money now squandered for drink would be saved. General efficiency of the Army would be improved" (p. 238).

Henry Chapman, commissary-sergeant, U. S. A.: "It would remove temptation from the young soldiers, and also from the older men who can not resist the temptation to drink to excess when it can be had so conveniently" (p. 234).

Philip Roth, commissary-sergeant, U. S. A.: "In the main it would have a beneficial effect" (p. 245).

John Noel, ordnance-sergeant, U. S. A.: "In my opinion, the effect would be good" (p. 227).

Charles Cooper Young, hospital steward, United States Army: "An improvement in the morals. In my opinion the sale of intoxicants of any kind in the Army, no matter how restrictive, is not conducive to the health or morals of the soldiers" (p. 273).

Stuart G. Gibbons, hospital steward, United States Army: "It would result in much improvement in the tone of the Army. The authorizing of the sale of an intoxicant by the Army is looked upon as a licensing of this evil by enlisted men. The absolute prohibition of the sale of intoxicants within

one or two miles of a post or camp would, in my opinion, result in much benefit to the service, along with strict regulations against inebriety. Less encouragement to post exchanges and more to post libraries would, in my opinion, tend to increase the moral tone and afford a means of counter attraction" (p. 255).

Maj. Charles A. P. Hatfield: "Excellent. In favor of prohibition. The reforms in temperance, morality, and good behavior which have swept over the United States (particularly the thickly settled eastern portion) have had a direct and indirect effect for good in the Army. Twenty years ago the average recruit was already a drunkard before joining his company, or with all his inclinations that way; now four out of five recruits are young men brought up in practices of temperance, sobriety, and morality, and with some idea of Christianity. If to take proper care of this good material, develop it, and turn the men out on discharge a credit to the Army, to their officers, and to themselves is aided by introducing the recruit to a wine and beer room, where he is taught that it is the proper and loyal thing to patronize the canteen, and beer especially, then my deductions are certainly at fault." (Secretary of War's Report, 1899, p. 127.)

Capt. E. H. Catlin, commanding Battery I: "Yes. Good. I have been stationed at posts where canteens existed for ten years. It seems to me contrary to good morals to give official sanction to the sale of alcoholic drinks to soldiers, especially to recruits, some of whom in the canteen acquire the taste for drink that they would not acquire elsewhere. The fact that it is considered inexpedient for soldiers to sell beer is enough to condemn its sale by civilians. To myself personally it is repugnant to have any connection with the management of the beer feature of the exchange, which is catering to men's lower tendencies" (p. 142).

Second Lieut. Edward Kimmel, commanding Battery G: "To a certain considerable extent would lessen the use of the beverage, and to that extent the effect would be beneficial. Am in favor of the prohibition. In my opinion, there is no good to be derived from the use of beer; on the other hand, it has a degrading influence on the soldier, physically, intellectually, and morally. The soldier may obtain beer in some other way, but the Government should not counteract its own efforts toward the making of a good soldier by supplying that which will impair his efficiency" (p. 145).

Edgar C. Graham, post quartermaster-sergeant, U. S. A.: "Benicia Barracks, Cal., June 15, 1899. Organization messes would not live so highly so far as table fare is concerned, but the ordinary enlisted man would be benefited otherwise" (p. 210).

Howard Irving, post quartermaster-sergeant, U. S. A.: "Fort Apache, Ariz. I believe it would be beneficial to the greatest number" (p. 212).

August Kurlmann, post quartermaster-sergeant, U. S. A.: "Fort Mott, N. J. In my opinion the effect would be good" (p. 213).

Samuel A. Trask, post quartermaster-sergeant, U. S. A.: "Pinar del Rio, Cuba, June 17, 1899. Better morals, better discipline, better soldiers. It would take off the so-called respectability. As it is now said, the United States Government fosters the traffic, and thereby a curse to all mankind is made respectable" (p. 216).

R. O. R. Bergath, ordnance sergeant, U. S. A.: "Excellent" (p. 219).

Martin Dahl, ordnance sergeant, U. S. A.: "If the question is meant to imply within the military reservations or camps, I think the effect would be for the better" (p. 221).

Figures are produced to show that desertions have decreased in the Army, but none have shown that the liquor-selling feature of the canteen is responsible for the fact. On the other hand, it is a matter of general knowledge that the character of the recruits has materially improved during the past years. This was mentioned in the first report I read from an officer in your hearing, and Adjutant-General Corbin himself says (1899 Report, p. 40): "For various reasons a better class of men are now entering the service." Besides, it is more difficult each year to desert, because the means of detection and capture are greater. Formerly it was not so hard to escape; now the means of communication make it more difficult. It would be a poor commentary upon our Army if we could believe what the Adjutant-General would have us believe, by implication, at least, that our soldiers' fidelity to duty and the flag is measured by their ability to get "booze" in a canteen. We believe nothing of the sort.

Much stress has been laid upon the law-abiding character of the post exchange saloons. In many of these places the stronger liquors, forbidden by the regulations, are sold. At Camp Meade, Pa., soldiers were detailed to sell contrary to section 17 of the present law, even as liberally construed by the Attorney-General, as a reference to the canteen case will prove, reported in 22 Penna. C. C. R., 337, June, 1899.

But, while these things are true and the arguments for the present system have been more than answered, even upon the low plane which has been set for them, we plead for a higher standard and an upward trend in our Army life. General Corbin was right when he said in 1892, when he ranked as Assistant Adjutant-General:

"A cause of restlessness (in the Army) is traced to the excesses of the exchange, the saloon feature of which is not productive of good, and should be done away with without further experiment. The sale of beer, superintended by a commissioned officer and served by noncommissioned officers and soldiers, is not conducive to discipline, nor is it a picture that can be submitted to the people for their approval. The men who drink spend the greater portion of their money for beer. The credit system brings them to the pay table with little or no money due. This takes all heart out of them and makes them quite ready to ask their discharge and try some other calling. The exchange, with an open saloon, would be a first-rate thing to recommend for adoption in the army of the enemy." He reiterated these sentences by direct reference to two different friends of my own, separately, during the pendency of the Army bill in February, 1899, after nine years' trial of the present system. Why he changed his opinion so suddenly I do not understand to say.

Before I conclude I want to call attention to a practical difficulty and danger. With the present system there is constant danger of scandal in the service. There is great competition in the brewing trade. Who shall determine what brand shall be sold in a given canteen, and what inducements will not be offered by anxious competitors for coveted trade? This is a serious phase, as it concerns the officer of lower rank, and we can conceive of its reaching to the higher grades in the service, with the temptation, at least.

I desire to say that the statement that the friends of this amendment are band in glove with the saloon interests is almost beneath notice, but, as it has been made by officers in the reports referred to, and gratuitously by the Adjutant-General, I wish to say, from personal examination, that the liquor press, from the Washington *Sentinel* down, and from New York to Cincinnati and Chicago, have opposed and do oppose this amendment, and commend the pro-canteen attitude assumed by the War Department against the people's will.

We ask as fair a trial of no liquor selling in the canteen as the sale has had, with the executive branch, of which the Army is a part, by precept and discipline aiding in the enforcement of its spirit and letter. Our position is well stated in the House Report by the Committee on Military Affairs referred to and the following editorial in *Harper's Bazaar*, June 9, 1900:

"At present 85 per cent of the United States Army is in the Tropics. Moreover, this is the keynote of the whole question, as General Ludlow puts it:

'It is particularly important, where a large proportion of the troops are recruits, that nothing be officially done to create in them the habit of using intoxicants.' Recruits form 75 per cent of the strength of the Army. These men have left home, family, business, all minor duties, to serve their country in time of war. Shall this country repay them by officially establishing in their midst a temptation threatening them, and the loved ones to whom they will return, with the horror of the vice of drinking?

"If, as General Corbin says, these men, in the absence of post canteens, drink native liquors in the Tropics worse in effect than the beer or light wine the canteen would furnish, it is deplorable—a hideous individual sacrifice in the cause of civilization which the United States has undertaken in the Philippine Islands. But for such consequences of individual human frailty, amid surroundings tempting to vice, the Government is not officially responsible. It doubtless is morally responsible so long as it sustains war in the Philippines, but the volunteer who, having served his country three years in the Tropics and come home diseased, debauched by drink, can not accuse anyone but himself if he sought his doom outside the post to which the Government assigned him. If, however, by official act the Government tempted him to drink, he shall say in bitterness of heart which is a curse upon patriotism, 'I answered the call of my country at the risk of all my earthly interests and it called me to this—dishonor, depravity.'

"To abolish the canteen will not regenerate the Army. But the words of General Ludlow should be the text for Congressional action: 'Nothing should be done officially to create in volunteer troops the habit of using intoxicants.' (Major-General Miles's Report, 1899, vol. 2, pp. 226, 227.)

By the committee's courtesy I shall append to my statement a number of exhibits on various features of the discussion without comment.

I assure the committee that the friends of this amendment will be glad to assist in every practicable way to provide for the men in our military service. None helped in many ways more heartily and loyally during the late war than many who join us in this petition to you, and I may be pardoned if I say I am specially hopeful that you will recommend the adoption of section 40 as it has come from the House, and then that the Department will accept Mr. Buzzacot's generous and patriotic and practical offer (see Exhibit A). Give what we ask a fair chance, and we believe much good will result and the blessings of thousands of our people who break up homes and part with loved ones at the nation's call will be upon you.

Mr. DINWIDDIE. Mr. Chairman and gentlemen of the committee, there is a gentleman present, at the request of the Secretary of War, who desires to represent the defenders of the present system, and I have no desire to run over the present time. If you will permit me to file with the committee, for, I trust, their careful consideration, a proposition from Francis H. Buzzacot, of Chicago, I will simply call attention to that now. This is a proposition which has been on file for months past in the War Department, thus far without definite answer. Mr. Buzzacot is a man who has conducted temperance canteens, which have been expatiated upon in the reports of the Department, and which canteen during the Cuban war netted a profit to the regiment of \$5,000. He offers to do the same thing at a good point in the Philippines and carry it on from place to place if the Government will give him the opportunity to do so, and without the Government expending any money in its initiation. It is a marvelous proposition, gentlemen, and I wish to call your attention to it in the course of the papers which I shall file, with the courtesy of the committee, with the stenographer, in order to reach you more fully, so that you may give it your attention.

Mr. SEWELL. Where does that letter or article come from? From whom is it?

Mr. BUTLER. It is from the Anti-Saloon League.

Mr. SEWELL. I do not wish to interrupt the Senator—

Mr. BUTLER. The distinguished Senator certainly knows of such an organization.

Mr. SEWELL. But will the Senator now let us have a vote on this question?

Mr. BUTLER. I have no objection to that, but I am not quite through.

Mr. SEWELL. I beg pardon.

Mr. BUTLER. I hope the Senator will wait a moment.

Mr. SEWELL. It is not so important about the canteen as to get to the passage of the bill at some reasonable time.

Mr. BUTLER. I judged from the committee's report that the canteen was the only important part of the bill.

Mr. SEWELL. Ah, the Senator is inclined to be a little sarcastic.

Mr. HAWLEY. The Senator can not read.

Mr. BUTLER. The Senator can, but he can not read like the Attorney-General can. Has the Secretary read down to Exhibit A? Is that the next matter sent up?

The PRESIDING OFFICER. The Chair is informed that the Secretary has read to that point.

Mr. BUTLER. There are certain exhibits composing the remainder of this matter, and I will ask that they may be inserted in the RECORD, following what the Secretary has read.

The matter referred to is as follows:

EXHIBIT A.

WASHINGTON, D. C., November 20, 1899.

The SECRETARY OF WAR.

(Through the Adjutant-General United States Army, Washington, D. C.)

SIR: I have the honor to respectfully tender my services and such an amount as is necessary, not to exceed \$5,000, to be expended by me or under my direction for the purpose of erecting and establishing a model Army temperance canteen to be conducted under military regulations for the recreation, benefit, and modern advantages of such United States volunteer troops as are now serving in the Philippines.

In this temperance canteen there will be sold on a scale lower than prevailing market prices all such articles and comforts that troops in tropical camps require—to supply many of such articles as books, literature, games, all free of cost (in short, to provide anything that is right and proper), except liquor or intoxicants; absolutely nothing of this nature to be permitted or disposed of in its vicinity.

This temperance canteen will be capable of accommodating 1,000 men under its portable canvas roof. It will be floored, ventilated, and equipped with a general store for the disbursement of such goods as are approved of by the War Department. It will be provided with reading and writing tables, recreation tables, benches, music, pictorial magazines, and will be absolutely

free to our soldier boys for their comfort, entertainment, and accommodation, at such times as they have for recreation when off duty. Neat and tasty lunch counters will be erected and maintained for the serving of hot tea, coffee, chocolate, fresh milk, iced tea, lemonade, and such drinks as will be beneficial to troops instead of hurtful to them. The serving of light lunches will be encouraged, of a nature to relieve the monotonous effect of the Army ration.

Athletic games will be furnished, baseball and football outfits provided and loaned to the troops on all proper occasions, when time permits, and thus supplied to the men free.

In this temperance canteen and its establishment and equipment I proffer my services until its erection and complete organization, whereupon I shall make full and complete presentation of same to the Government, through such commanding officers as the honorable Secretary of War directs, absolutely free of debt or any expense whatever to the Government or troops, asking only that upon its successful existence the United States Government will so maintain it, as a strictly temperance canteen, wherever it can be of service to bodies of troops who remain in the camp or field.

It is to be understood also that all profits arising from the sale of everything will be strictly accounted for (less a reasonable percentage for running expenses), and the entire balance to be used for the purpose of issues to the troops or commands who patronize this canteen, in such a way as will relieve the monotony of camp fare and rations, and best add to the comfort, benefit, health, and moral advancement of the troops abroad. Lastly, that a small percentage be set aside for the sole purpose of extending the movement and establishing other temperance canteens elsewhere, thus letting the good work go on.

Religious or song services could also be held here, and what more fitting place could be found for a regiment and its music than a temperance canteen in the midst of a camp of our soldier boys?

It is to be hoped that the Secretary of War will, with other departments, look well into this offer. There should be unison in one fair effort to establish a model Army temperance canteen, which would be a source of comfort and convenience to the boys, and a credit to those who indorse such a movement.

Surely it will be appreciated by the men, for is not it a twofold benefit and a credit to them? In conclusion, I beg in support of my offer to state that an experience of over ten years in the Regular and Volunteer Armies (both in peace and war) acquaints me with the actual requirements of soldiers in the field, and I trust will, in a small measure, contribute to the success of the temperance canteen. For your information I may add that during the Spanish-American war I presented to my regiment, the Third Illinois Infantry, a complete temperance canteen on the lines herein indicated, and the records will show that in several months' existence it grew to be the largest temperance canteen ever established, capable of accommodating an entire regiment and band for church service. Its profits cleared its original cost, and amounted in all to \$5,000 (in but a few months' time), all of which was turned over to my regiment, distributed, and used by its various companies during its campaign in the Tropics.

At this camp 20,000 troopers visited and patronized it. I refer with pride to these facts simply to indicate what can be done by a soldier alone. With its recognition and cooperation by the Secretary of War and other departments I will strive to repeat and extend its influences with a credit to every man and soldier concerned, and I will cheerfully pay every dollar necessary for its establishment.

I believe such a movement will be indorsed by every Christian or temperance association in the United States. Mothers, sisters, and men have long since urged reform in Army canteens.

There is a way to do away with the beer canteen; put in its place something better, something so vastly superior and elevating that will make American soldier boys proud of their own institution. Let there be a respectable, honorable, temperance canteen and it will reflect both on the service and men, and honor those who sanction and aid the movement. I feel, sir, that I have said enough; what is most needed is to go to work.

I respectfully urge the indorsement of this offer by the honorable Secretary of War, the generals commanding the various departments, and whosoever is for a model Army temperance canteen. If this offer is accepted, I will personally establish it at any point in the Philippines where a large body of troops is stationed. Then let the results accomplished speak for themselves.

I have the honor to be, with great respect,

FRANCIS H. BUZZACOT,
*Late Fifth U. S. Cavalry, late Fifteenth U. S. Infantry,
Sergeant, U. S. Volunteer Infantry, Porto Rico Campaign.*

EXHIBIT B.

[Washington Post, December 1, 1899.]

SOLDIER CRAZED BY DRINK—HOLDS FORT MYER GARRISON AT BAY FOR SEVERAL HOURS.

Nicholas Davis, a member of Troop B, Third United States Cavalry, created considerable excitement Thursday afternoon at Fort Myer, and for several hours held the entire garrison at bay. Davis is said to have been drinking to excess the fore part of the week, and the effect of the liquor was to lead him to the belief that the fort was being stormed by an enemy and it was his duty to defend it. Every man who appeared in sight was made a target by the infuriated man, and in order to prevent any accidents all of the roads leading through the reservation were guarded.

Davis entered the troop quarters, and with a Krag-Jörgensen rifle kept a watch on all sides. There was plenty of ammunition at hand for him and he was free in his shots. The fortifications were almost impregnable against attack except with danger of loss of life attending the capture. All efforts to entice him out were unavailing, and he held the fort in spite of the various subterfuges employed in the endeavor to get him to surrender. The soldiers of the garrison, acting upon orders from Captain Broughton, commanding Troop B, attempted to smoke him out, but this plan failed.

Several soldiers who were well acquainted with Davis, including his "bunkie," started to walk up the stairs to the place where he was holding forth, but he refused to recognize them and menacingly thrust the muzzle of his rifle in their direction, causing a general scamper to cover. Captain Broughton himself attempted to conciliate him, but he could do nothing. After all endeavors to dislodge him from his position, and the waste of several hours of time, it is said, it was decided to shoot him. The sergeant of the guard was instructed to secure a detail for this purpose. The guard secured a point of vantage and waited for Davis to appear at one of the windows of the company house. He was very shrewd, and only showed the top of his head when taking aim. A chance was finally offered, and two soldiers fired at him. He was seen to disappear, and for the time it was thought he had been shot through the head. Some of the men started up the stairs after him, when they were alarmed by his heavy footsteps as he paced the floor above.

Captain Broughton finally entered the room and fearlessly ordered Davis to come downstairs and receive attention from the doctor. Edging his way, he finally managed to grasp the rifle, and in a short time Davis was subdued. He had not been struck when fired upon. The bullet, however, struck the

stock of his rifle and splintered it, some of the flying particles of wood being embedded in his face. It required the combined efforts of four men to take him to the hospital. It is possible he will be sent to the Government Hospital for the Insane if his condition does not improve.

EXHIBIT C.

[Denver Evening Post, September 15, 1899.]

CANTEEN'S WORK.

The suicide of poor Harry McDowell, of Company M, took place last December. Repeated attempts have been made to conceal the real facts. A stigma was put upon the memory of this man to which he was not entitled. McDowell had been out of the hospital only two days. He was homesick; he got drunk on liquor bought in the regimental saloon on credit, and had not the canteen records been burned they would prove it. He was thrown into the guardhouse. This consisted of two rooms aggregating 16 by 32 feet in size, with low ceiling, and situated on the ground floor—a part of a Manila house that no Filipino will sleep in because of the deadly fevers.

This guardhouse had one small window and one door, which was kept closed by McCoy's (McCoy was colonel of the regiment) express orders. The thermometer was then nearly 100 degrees in the shade every day, and the days and nights were rendered terrible by the odors and mosquitoes in the prison. There were 23 men there the day McDowell died. He had passed a sleepless night; he was in the condition any man just from the hospital and sick from intoxication would be in, and he reported to Major Kemble for relief. Because McDowell took no bottle to the dispensary he got no medicine. He returned to the guardhouse. The door still being shut, he tried to get relief by using a small fan. About noon he remarked, "I can't stand this any longer," and, taking a knife from his haversack, cut his throat. After this the guardhouse door was kept open. There is blood on the canteen profits and its promoters.

EXHIBIT D.

[Habana Post, July 6, 1900.]

A DISGRACED OCCASION.

It was a source of genuine disappointment to the large assemblage of American citizens who gathered to witness the Vedado field sports of the soldiers belonging to the batteries stationed there that a feature not down on the programme, but made one of the most notable of the day, should have been brought prominently to their attention. The permitting of the Army canteen on the ground to the right and in front of the grand stand gave the visitors, American and Cuban, an enforced opportunity of witnessing the disgraceful spectacle of perhaps a hundred drunken soldiers, many of whom were violently disorderly, even to engaging in fist fights and general brawls, in the presence and ostensibly under the supervision of the officers of the batteries. It is doubtful if such a disgusting and disgraceful spectacle has ever before been offered the people of Cuba upon the occasion of a public celebration. Certainly not within the experience of a large proportion of the civilian visitors who went to the exercises, expecting to see high-class sports, conducted in an orderly and truly American manner, has there ever been witnessed such scenes of drunkenness, disorderliness, and general confusion.

The Fourth of July was disgraced by the debauchery which prevailed, but it was even worse prostituted by officers who gave their consent to the establishing of a drinking tent in a place of public amusement to which the public had been invited and whose money was taken for what was supposed to be a respectfully conducted exercise. So noticeable was the debauchery for a time that some one in authority actually closed the place for at least two hours, giving the boys this much time in which to sober up, but it was reopened at 1 o'clock, and from that hour until the exercises were over was the rendezvous for all the Army toughs the batteries and visiting companies contain; fight after fight following as men lost their heads under the influence of liquor in the rays of a broiling tropical sun. It was a repulsive sight for the ladies, hundreds of whom were forced to view it from their grandstand seats, and equally disgusting to the sterner sex, who love their natal day and would have been glad to have seen it observed in decency and order.

Some one is to blame for the disgrace which was brought to the United States and its flag Wednesday. How can we consistently censure ill-tempered Spaniards and Cubans for displaying it upside down when we admit to our public places of amusement disorderly conducted canteens to turn our soldiers upside down, make them lose their self-control, and indulge in rowdyism that belonged to the Bowery of other days. The canteen did not locate itself in a conspicuous part of the grounds, nor did it license itself to sell liquor to soldiers in all stages of intoxication. If it was thought necessary for the pleasure of the boys in blue that they should have their beer upon such an occasion the canteen should have at least been put under guard and at the worst have been conducted decently. Furthermore, it should have been located where visitors would not have been made to see its rowdyism and debauchery. Every self-respecting American must have felt like hiding his head in shame over the disgusting exhibition given him at the Vedado field sports on Wednesday. Small wonder is it that the Cuban ladies who were present, to whom such scenes are altogether unknown, should have shown the revulsion of feeling that many of them manifested, and small wonder is it that American ladies in the grand stand blushed with mortification at the indecencies of the day. The Fourth of July was sorely disgraced in our own house.

EXHIBIT E.

COLUMBUS, OHIO, December 7, 1900.

DEAR SIR: I was in and around St. Paul and Minneapolis great part of May, June, and July, 1898, and also during the month of April, 1899, engaged in temperance work. I was frequently at Fort Snelling and the Soldiers' Home, being a civil war veteran myself, and interested in these localities for historic reasons, as well as for purposes related to my work. I made a careful study of the canteen in Fort Snelling as to whether it kept soldiers from going outside for intoxicating drink. I was unable to see that it had any appreciable good effect in this regard. Soldiers came and went freely at the saloons a couple of hundred yards away at the end of the high bridge across the Mississippi. I saw dozens of them in the barroom or the restaurant and hotel where I lodged, at the end of the bridge, and other throngs were coming and going all the time to and from another saloon just across the street.

The trade in the saloons at the end of the bridge was enormous, the beer kegs being stacked in the streets in great ricks, the patronage being almost exclusively that from Fort Snelling. I saw the soldiers in Mendota at the saloons there. I saw them in large numbers in the saloons of Minnehaha Park Station, near, and in the saloons of Minneapolis and St. Paul, to which there is access in a few minutes by street railway from Fort Snelling.

The situation, in short, was that if a soldier did not get all the beer he wanted in Fort Snelling he went outside a little way and easily procured all he desired, while many who did not care enough for it to go outside, yet drank from the canteen in the fort because it was handy.

The Fort Snelling canteen seemed to me only one more opportunity to drink, and one more source of temptation, of which there were already too many in the region.

Very respectfully,

Hon. JOSEPH R. HAWLEY,
Chairman Committee on Military Affairs,
United States Senate, Washington, D. C.

J. C. JACKSON,
Editor *American Issue*.

EXHIBIT F.

[From the Philadelphia Record.]

FOR THE CONSIDERATION OF SECRETARY ROOT.

Secretary Root's annual report of the business of the War Department reopens the vexed question as to the advisability of maintaining post exchanges. The Secretary, who defends Army canteens, says:

"The practical question to be considered is not whether soldiers should drink or not drink, but whether they should be permitted to drink beer in the camp, surrounded by the restraining influences of discipline and good association, or whether they should be driven to drink bad whisky in the vile resorts which cluster around the limits of every military post and camp, and especially around those in which prohibition is maintained."

Many people had cherished the belief that the post exchange would tend to repress the annoying exuberance of soldiers who indulge in intoxicants; but the experience of residents in the vicinity of Camp Meade, when 30,000 Spanish war volunteers were mobilized there, convinced them of their mistake. While the canteen was in daily operation Harrisburg and the neighboring towns were overrun by drinking soldiers, and the speak-easies in the vicinity found patrons by the hundred.

EXHIBIT G.

CINCINNATI, OHIO, December 3, 1900.

MY DEAR MR. DINWIDDIE: In reference to the subject of the canteen at Fort Thomas, Ky. (just across from Cincinnati), you can say that while the canteen in the camp is in operation there has grown up at the entrance a row of saloons which have no local patronage except from the soldiers.

The sight of soldiers about the saloons of this city is common, and on some occasions that I have known of at the time their conduct on the cars going back has been offensive, to say the least.

Very truly yours,

MELVILLE RITCHIE,
420 Elm street.

EXHIBIT H.

[Cleveland Plain Dealer, December 1, 1900.]

REV. E. G. SAUNDERSON OBJECTS TO ARCHBISHOP IRELAND'S ATTITUDE ON CANTEEN.

Rev. E. G. Saunderson, formerly of St. Paul and Minneapolis, is in Cleveland, and yesterday his attention was called to the statement made by Archbishop Ireland, of St. Paul, concerning the canteen. He made the following statement concerning it in reply to what Archbishop Ireland has said:

"My attention has been called to the report from Washington that Archbishop Ireland has spoken in favor of the Army canteen before the Senate Committee on Military Affairs, and referring to observations at Fort Snelling. Knowing the Archbishop to be an ardent temperance man, I am sure he would not advocate a course he believed would conduce to evil. The chaplain at Fort Snelling is one of the Archbishop's priests, and no doubt his efforts have been steady and strong for the good of the men under his care.

"Fort Snelling is just outside the corporate limits of St. Paul, but the part of the city now in the Eleventh Ward is prohibition territory by charter, having been in the old city of Hamline, since united with St. Paul. But this fact, added to the presence of beer in the canteen on the reservation, does not prevent the existence of resorts of the worst sort just off the reservation. Neither does the canteen prevent soldiers from coming down town and patronizing the saloons and other places of evil resort.

"Fort Snelling would seem an ideal place to prove the efficiency of the canteen system, as the Soldiers' Club has a beautiful situation, pleasant surroundings of fine barrack and shade, well conducted school, faithful chaplain interested in the good of his men, and all this surrounded by a belt of prohibition territory. It ought to be easy to keep within the guard lines all not strong enough to go down town and come back sober. But, as a matter of personal observation, soldiers, as soon as relieved from duty, in large numbers hurry past the canteen to the street cars, and spend their evenings down town as they choose.

"The condition of Fort Snelling, to my mind, proves nothing for or against the canteen, except as it is easy to get beer there any time, while beer and worse are to be had clandestinely across the bridge, and anything St. Paul offers at the end of thirty minutes ride down town. The principal argument for the canteen, that the soldiers will stay away from more dangerous drinks and resorts if afforded beer in the canteen, is not more true of soldiers than of other men. No one advocates wine and beer shops in residence districts of cities to aid in keeping young men from going down town nights.

"The only possible argument for the canteen is that it is a concession to the habits of the men which may be made without danger to discipline or efficiency. Discipline should keep the soldier from any danger outside. If experience proves that such of the soldiers as bring with them into the service a thirst for beer, may have that thirst supplied, the Government may assume to permit them to obtain beer through military channels. But it should not be done by the canteen as now conducted, when every man who enjoys the financial advantages of the profits of the canteen feels in honor bound to contribute to the profits by paying for beer.

"Efficiency is the first thing in the Army. In view of the recent testimony from prominent officers as to the effects of strong drink on the soldier in the field, it would be well for the United States authorities to put a premium on sobriety and encourage the enlistment of men who do not bring with them a love of drink, and deliver them from the dangers of drink in the soldier's club, the canteen.

"In the interests of efficiency the Army Regulations prescribe what a soldier shall wear, what he shall eat, and where he shall eat it. Everything must bend to efficiency. No one claims beer is essential to efficiency. All that anyone claims is that it may be permitted to a degree without serious danger to efficiency. But the overwhelming weight of testimony is that it is always a menace to efficiency, and in some cases a positive hindrance.

"The canteen system is principally under the charge of regimental officers. If any such officers are themselves fond of beer, and if brewers think it worth while to subsidize them with free cases, the reason for some favorites for the saloon may be discerned. The Regular Army ought not to be the last resort for bums and toughs and loafers. It ought to be as honorable a calling as any in the country. Archbishop Ireland proclaims himself an abstainer. If total abstinence is good for the Archbishop, it is also good for the soldier."

[From the Washington Post, December 15, 1900.]

EXHIBIT I.

TAFT COMMISSION DIVIDED—MANILA LIQUOR LAW THE SUBJECT OF SHARP CONTROVERSY.

MANILA, December 14.

The liquor-license law has passed the Taft Commission, but the commission is radically divided on its most distinctive feature, namely, the banishment of saloons from the Escolta and several other crowded streets and plazas. Commissioner Wright offered an amendment leaving the authority for the removal of saloons in the districts in question to the provost marshal. The amendment received only the votes of Commissioners Wright and Ide. An amendment by Judge Taft excepting certain streets and adding others was adopted, Commissioners Wright and Ide voting in the negative. On the passage of the bill Commissioner Ide voted "no" and Commissioner Wright voted with the majority. If there had been a seconder, Commissioner Wright would have offered an amendment forbidding the sale of liquor to soldiers.

An amendment was added extending the time for the removal of saloons from three to six months, namely, on July 2. One of the sections increasing the cost of licenses goes into effect January 1, when the licenses expire.

During the arguments of Commissioners Wright, Ide, Worcester, and Taft in favor of closing the saloons they cited the liquor laws of Tennessee and Massachusetts as effective precedents for confining the sale of liquor to prescribed localities. They also said the native police are ineffective to cope with the situation when soldiers visit Manila and become hilarious.

Heavy rain has fallen for several days. This deters war operations, especially on the part of the cavalry.

EXHIBIT J.

FIGURES THAT SPEAK VOLUMES.

The official record of deaths in the Army and Navy from April 7, 1898, to February 28, 1899, during the war with Spain, furnishes an indictment of the War Department that can not be answered by investigating commissions or courts of inquiry:

THE ARMY.

Killed in action	329	Killed in action	17
Died of wounds	125	Died of wounds	1
Died of diseases	5,277	Died of diseases	0

THE NAVY.

Mr. HAWLEY. Mr. President, I desired to make a few remarks in answer to some of the unjust criticisms made, but the Senate is very thin. I am afraid we can not get a very satisfactory vote or I should be very glad to take it now.

Mr. GALLINGER. Let us take it now.

Mr. HANSBROUGH. We are ready for a vote.

Mr. HAWLEY. I think I ought to have a call of the Senate. I suggest the absence of a quorum.

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

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

Allen,	Culberson,	Hoar,	Perkins,
Allison,	Daniel,	Jones, Ark.	Pettus,
Bacon,	Deboe,	Lodge,	Platt, Conn.
Bard,	Dolliver,	McComas,	Platt, N. Y.
Bate,	Elkins,	McCumber,	Proctor,
Berry,	Fairbanks,	McLaurin,	Sewell,
Burrows,	Foster,	McMillan,	Shoup,
Butler,	Frye,	Mallory,	Simon,
Caffery,	Gallinger,	Martin,	Stewart,
Carter,	Hale,	Mason,	Teller,
Chilton,	Hanna,	Money,	Thurston,
Clark,	Hansbrough,	Morgan,	Turley,
Clay,	Hawley,	Nelson,	Wellington,
Cockrell,	Heitfeld,	Penrose,	

The PRESIDENT pro tempore. In answer to the roll call 55 Senators have responded. There is a quorum present. The question before the Senate is on agreeing to an amendment reported by the committee, which will be stated.

The SECRETARY. On page 43, section 34, line 4, strike out the word "beer," and in line 5, strike out the words "intoxicating liquors" and insert in lieu thereof "distilled spirits;" so as to read:

SEC. 34. The sale of or dealing in wine or any distilled spirits by any person in any post exchange or canteen or army transport or upon any premises used for military purposes by the United States, is hereby prohibited. The Secretary of War is hereby directed to carry the provisions of this section into full force and effect.

Mr. GALLINGER. I move to lay the proposed amendment on the table.

The PRESIDENT pro tempore. The Senator from New Hampshire moves to lay the committee amendment on the table.

Mr. BACON. The committee amendment, Mr. President?

Mr. SEWELL. I wish to make a parliamentary inquiry, Mr. President. What effect would that have on the House section? Will it leave it in force?

The PRESIDENT pro tempore. It would leave it in force.

Mr. SEWELL. I think the Senator had better allow us to have a direct vote on the committee amendment. I ask him to withdraw his motion.

Mr. GALLINGER. I think we can get a direct vote, and we get the affirmative of it. I insist on my motion.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from New Hampshire, to lay on the table the amendment of the committee which has been stated.

Mr. HAWLEY and Mr. SEWELL demanded the yeas and nays, and they were ordered.

The Secretary proceeded to call the roll.

Mr. SEWELL. Let us have a fair vote.

Mr. CLARK (when his name was called). I have a general pair with the Senator from Kansas [Mr. HARRIS]. Not seeing him in the Chamber and not knowing how he would vote, I withhold my vote.

Mr. TURLEY. I was authorized by the Senator from Kansas to state that on this question he would vote in favor of the committee amendment, if he were present.

Mr. CLARK. With that understanding, and upon the statement made by the Senator from Tennessee, I vote "nay."

Mr. CULBERSON (when his name was called). I have a general pair with the junior Senator from Wisconsin [Mr. QUARLES]. If he were present I should vote "yea."

Mr. GALLINGER (when Mr. FORAKER's name was called). The Senator from Ohio is absent, and is paired with the Senator from Montana [Mr. CARTER]. The Senator from Ohio would vote "yea" if here.

Mr. CARTER (after having voted in the negative). Since voting I have been requested by the Senator from New Hampshire to stand paired with the absent Senator from Ohio [Mr. FORAKER], and in view of his request, to which I accede, I withdraw my vote.

Mr. HANNA (when his name was called). I have a general pair with the Senator from Utah [Mr. RAWLINS]. He not being present, I withhold my vote.

Mr. TURLEY (when the name of Mr. HARRIS was called). I repeat the statement that I was authorized by the Senator from Kansas to state that if he were present he would vote "nay."

Mr. SEWELL (when Mr. KEAN's name was called). I desire to announce that my colleague is paired with the Senator from Vermont [Mr. DILLINGHAM].

Mr. McMILLAN (when his name was called). I am paired with the Senator from Kentucky [Mr. LINDSAY].

Mr. MALLORY (when his name was called). On this subject I am paired with the junior Senator from Vermont [Mr. DILLINGHAM]. If he were present, I should vote "nay" and he would vote "yea."

Mr. MARTIN (when his name was called). I have a general pair with the senior Senator from Illinois [Mr. CULLOM]. Not knowing how he would vote, I withhold my vote. If he were present, I should vote "yea."

Mr. MASON (when his name was called). I have a general pair with the junior Senator from Mississippi [Mr. SULLIVAN]. He is absent. Not knowing how he would vote, I withhold my vote.

Mr. MONEY (when his name was called). I am paired with the senior Senator from Oregon [Mr. McBRIDE]. I have telegraphed him to know how he stands, but can not get a delivery of the message. Therefore I can not vote. If he were present, I should vote "nay." I do not know how he would vote.

Mr. PENROSE (when his name was called). I have a general pair with the Senator from Delaware [Mr. KENNEY], who is absent. Were he present, I should vote "yea."

Mr. THURSTON (when his name was called). I have a general pair with the senior Senator from South Carolina [Mr. TILLMAN]. Not knowing how he would vote, I will refrain from voting. If he were present, I should vote "yea."

Mr. WARREN (when his name was called). I am paired with the Senator from Washington (Mr. TURNER).

The roll call was concluded.

Mr. MALLORY. I have been informed that the junior Senator from Vermont [Mr. DILLINGHAM] is paired on this question with the junior Senator from New Jersey [Mr. KEAN]. That leaves me at liberty to vote, and I vote "nay."

Mr. SPOONER. I desire to announce that my colleague [Mr. QUARLES] is detained from the Chamber to-day by sickness.

Mr. HANSBROUGH. I am authorized to state that the senior Senator from Rhode Island [Mr. ALDRICH], if present, would vote "nay."

Mr. GALLINGER. I rise to announce that my colleague [Mr. CHANDLER], who is absent from the city, is paired with the Senator from Louisiana [Mr. McENERY].

Mr. BACON (after having voted in the affirmative). I inquire whether the junior Senator from Rhode Island [Mr. WETMORE] has voted?

The PRESIDENT pro tempore. The Chair is informed that he has not.

Mr. BACON. I have a general pair with that Senator, and under the circumstances am compelled to withdraw my vote.

The result was announced—yeas 34, nays 15; as follows:

YEAS—34.

Allen,	Clay,	Hansbrough,	Platt, Conn.
Allison,	Daniel,	Hoar,	Platt, N. Y.
Bard,	Deboe,	Jones, Ark.	Simon,
Bate,	Dolliver,	Lodge,	Teller,
Berry,	Fairbanks,	McComas,	Towne,
Beveridge,	Foster,	McCumber,	Turley,
Burrows,	Frye,	Nelson,	Wellington,
Butler,	Gallinger,	Perkins,	
Chilton,	Hale,	Pettigrew,	

NAYS—15.

Caffery,	Hawley,	Morgan,	Shoup,
Clark,	Heitfeld,	Pettus,	Spooner,
Cockrell,	McLaurin,	Pritchard,	Stewart.
Elkins,	Mallory,	Sewell,	

NOT VOTING—37.

Aldrich,	Hanna,	Martin,	Thurston,
Bacon,	Harris,	Mason,	Tillman,
Baker,	Jones, Nev.	Money,	Turner,
Carter,	Kean,	Penrose,	Vest,
Chandler,	Kenney,	Proctor,	Warren,
Culberson,	Kyle,	Quarles,	Wetmore,
Cullom,	Lindsay,	Rawlins,	Wolcott.
Depew,	McBride,	Scott,	
Dillingham,	McEnergy,	Sullivan,	
Foraker,	McMillan,	Taliaferro,	

So the committee amendment was laid on the table.

The PRESIDENT pro tempore. Are there further committee amendments?

Mr. PROCTOR. On behalf of the committee I submitted an amendment to section 24, which is in the hands of the Secretary.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 36, line 16, strike out all of section 24 after the words "Military Academy" and insert the following:

Persons not over 40 years of age who have served as volunteers subsequent to April 21, 1898, may be ordered before boards of officers for such examination as may be prescribed by the Secretary of War, and who may establish their fitness before these examining boards, may be appointed to the grades of first or second lieutenant in the Regular Army, taking rank in the respective grades according to seniority as determined by length of prior commissioned service; but no officer appointed under the provisions of this section shall be placed above another in the same grade with longer commissioned service, and nothing herein contained shall change the relative rank of officers heretofore commissioned in the Regular Army.

Enlisted men of volunteers may be appointed second lieutenants in the Regular Army under the same conditions now authorized by law for enlisted men of the Regular Army.

Mr. HOAR. I am not familiar with the legislation on this subject, but does the clause—

But no officer appointed under the provisions of this section shall be placed above another in the same grade with longer commissioned service—deprive the President of any general discretion?

Mr. BACON. Senators are standing so close to each other that they do not raise their voices so that those who sit on this side can hear them.

Mr. PROCTOR. I do not hear the Senator from Georgia.

Mr. HOAR. The Senator from Georgia is not heard on this side of the Chamber.

The PRESIDENT pro tempore. The Senate will please be in order.

Mr. PROCTOR. The amendment is printed, and was distributed yesterday. It does not affect in the slightest degree the discretion of the President. In answer to the question of the Senator from Massachusetts, I will say that it merely preserves the present relative rank of officers now in the Army. The amendment, I may state, changes the original measure in this respect: The first word in line 16, page 36, is "officers." That is changed to "persons," so that it opens the door to anyone who has served in the volunteers since April 21, 1898, the outbreak of the Spanish war. It allows them to be ordered by designation of the President, of course, before boards for examination, and to be appointed first and second lieutenants. The last clause in the amendment in reference to enlisted men reads as follows:

Enlisted men of volunteers may be appointed second lieutenants in the Regular Army under the same conditions now authorized by law for enlisted men of the Regular Army.

It gives enlisted men this additional opportunity. The first part of the section would only allow those enlisted men of volunteers who were designated for examination by the President to be appointed. This second clause gives the right; and this I call to the attention of the senior Senator from Iowa especially, because I noticed he was under a misapprehension the other day. The original law in regard to promoting enlisted men of the Regular Army to second lieutenants was confined to noncommissioned officers, who were designated by their captains and recommended. By an additional law, passed I think in 1892, the right was given to any enlisted man on his own motion, without the recommendation of the captain, to come before those boards for examination, and this final clause gives enlisted men of volunteers that same right after two years' service either in the volunteers or in the Regular Army. That right has been extended already by the Department this summer. In the case of those who have served for two years, their volunteer service has been counted, and 65 have been appointed under this clause. That opens it to volunteers to come in for examination on their own motion.

Mr. CULBERSON. I should like to have the amendment read again.

The PRESIDENT pro tempore. The amendment will again be stated.

The Secretary again read the amendment proposed by Mr. Proctor.

Mr. DANIEL. I should like to make an inquiry. I observe in the concluding part of the amendment offered by the Senator from Vermont it is stated that—

Enlisted men of volunteers may be appointed second lieutenants in the Regular Army under the same conditions now authorized by law for enlisted men of the Regular Army.

As I understand it, an enlisted man in the Regular Army is required to serve two years before he can ask for an examination by a board. If this is a mere extension of that privilege to Volunteers, the great mass of volunteers who served in the Spanish war would not be included in it at all. I ask the Senator if that is his understanding of the amendment?

Mr. PROCTOR. The Senator from Virginia will notice that the first part of the section gives enlisted men, by designation of the President, the right to appointment as first or second lieutenants, regardless of the time they have served. It would be impracticable, the Senator will see, to give the right to all who have served as enlisted men in any of our wars, for no matter how short a time, to come before these boards, for the number would be so very great that it would be impossible to execute the law. But it gives the right to those who are designated for examination to come before the board without reference to the time they have served. Any who have served in the Volunteer Army, officers or enlisted men, since the outbreak of the Spanish war can be designated for examination before the board.

I wish before taking my seat to call the attention of the Senator from Minnesota [Mr. NELSON] to this provision, as he had some point to make upon it when it was introduced.

Mr. NELSON. Mr. President, I think the amendment as it is now framed carries out the provisions that ought to be provided in this law, according to my notion. Volunteers, whether they were commissioned officers or not, who have served in the Army since the commencement of the Spanish war can, under the first paragraph of the provision, be examined and, if they pass, they may be appointed first or second lieutenants in the Army.

The last part of the provision, and that is entirely independent of the other and supplemental to it, provides that a Volunteer enlisted man can come in and be examined as enlisted men are examined for second lieutenants in the Regular Army, and I understand that their service of two years in the Volunteer Army will be credited to them in like manner as though they had served two years in the Regular Army. I believe that is the understanding and that that is the rule.

The provision, so far as it relates to volunteers, is of a double kind. They can come in under the first paragraph and be examined under that, and be a first or second lieutenant; or they can come in under the last paragraph and be examined, and become second lieutenants.

Mr. TELLER. Mr. President, I wish to ask the Senator who has this matter in charge what is the object of putting it in the past tense—

Persons not over 40 years of age who have served.

It seems to me that might admit of a construction that it does not apply to future volunteers. I wish the Senator would allow me to move to amend it by inserting after the word "served" the words "or shall hereafter serve."

Mr. PLATT of Connecticut. How would it then read?

Mr. TELLER. "Who have served or shall hereafter serve." I understand it is intended to take in some who are out of the service now. A man who is serving has served, of course, but any man who has served heretofore and gone out of the service could not under this provision be eligible, as I understand it. What I want to secure is that the volunteer in the future shall have an opportunity of preferment.

Mr. HOAR. I suggest to the Senator if he puts the word "shall" before the word "have," that will apply to the time of examination. If his amendment is adopted, then a man who today has served eight months would be included, because he has served heretofore, and he will not have served hereafter for two years.

Mr. TELLER. I think that will hardly hold good. What I want to do is to get this provision in such a shape that in the future the young man who enters the Army of the United States will know that he has an opportunity, if he distinguishes himself, to be promoted to an office in the Regular Army. I think if this great Army is to be recruited you have got to offer some inducement to the people of the United States to enter the Army. I am told on what I regard as good authority that the enlistments, with all the effort the Government can make, are so very small that it would take a long time to fill up the Army. I believe, and I think I am not mistaken, that last month's enlistments, with the inducements which have been made heretofore, were only about 1,600. At that rate it will take a long time to fill up the Army so as to have men to take the place of those who are to be discharged on the 1st of July.

I want to get the provision in such a shape that it will be un-

mistakable that every young man who goes into the volunteer force will understand that every place in the Army is open to him, first by appointment, and subsequently by promotion. Now, I do not care just how that is done. I am willing that the Senator who has it in charge shall make the change.

Mr. NELSON. Will the Senator allow me to interrupt him and to call attention to the last three lines on page 2? I think that is a continuing provision and will apply in the future as well as in the past.

Mr. TELLER. I want to make dead sure of this provision. We have had some trouble with the construction of statutes in the Departments.

Mr. PROCTOR. Will the Senator allow me?

Mr. TELLER. Certainly; if the Senator wants to tell how he can accomplish this end, I shall be glad to hear him.

Mr. PROCTOR. It is not thought necessary to insert anything of that kind for the reason that the army provided for by this measure takes the place of volunteers, and the provision in regard to the Regular Army is one that has stood. It was adopted many years ago. It was largely liberalized about seven or eight years ago, so that any man in the Regular Army, after two years' service, might of his own motion go before the board of examination. That is continued, and his volunteer service will be counted.

I would say that after the Spanish war there were quite a good many volunteers who wanted to know whether if they went into the Regular Army their service as volunteers would be counted on the two years, and they were assured that it would be done. That system has been adopted, and some of them have been appointed as second lieutenants. That provision is continued.

Mr. PLATT of Connecticut. Mr. President, I should like to inquire of the Senator from Vermont, so that I may understand this matter, whether the first portion of the amendment, namely, "persons not over 40 years of age who have served as volunteers subsequent to April 21, 1898, may be ordered before boards of officers" for examination, and on establishing their fitness "may be appointed to the grade of first or second lieutenant in the Regular Army," will allow a person who served as a private in the Volunteer Army to be designated for examination, although he did not serve two years.

Mr. PROCTOR. It does not matter how short the time he served.

Mr. PLATT of Connecticut. Then I think that is wrong. A private enlisted in the Regular Army can only be designated for examination, as I understand it, after he shall have served two years. I do not think there ought to be such a discrimination as that made in favor of a volunteer. I think that he should be put on the same basis with a person who has served as a private in the Regular Army, but to say that a volunteer who served thirty days in the Spanish war as a private may be examined and appointed a first or second lieutenant when the man who has served a year and eleven months in the Regular Army as a private can not be, I think is an improper discrimination.

Mr. DANIEL. As I understand it, the President can appoint from the Regular Army if he chooses to do so.

Mr. PROCTOR. I will say in reply to the Senator from Connecticut that they are not put on the same footing. Volunteers who have served a short time may be designated by the President for examination. Those who have served two years may of their own motion as a right go before the board. It is not required that they shall be recommended by their commanding officers or be designated by the President or Secretary of War; they have that right.

Mr. TELLER. I still insist that there should be some amendment.

Persons not over 40 years of age who have served.

Now, that means who have served up to this time. We are enlisting men every day now, I understand, who will serve as volunteers under the act of 1898.

Mr. PROCTOR. No.

Mr. TELLER. I have been told so. There is the authority to enlist, and whether that is done or not I do not know. But certainly there is an authority to enlist, and it surely can not embarrass the bill to put in words so as to make it certain that if there is any soldier serving between this and the 1st of July he can come in.

But, Mr. President, in addition to that, this is a general Army bill. If we should have occasion to muster a great big army, which we may have if the suggestion from the chairman the other day was true that there were some possibilities of a foreign war, for I notice that he said something that is being construed into that by the newspapers—

Mr. HAWLEY. I wish to correct the Senator.

Mr. TELLER. I noticed that the newspapers said that.

Mr. HAWLEY. I said in the most general way that we are not out of sight of the possibilities of war.

Mr. TELLER. With some European power?

Mr. HAWLEY. No; I do not think I said European power.

Mr. TELLER. Yes, you did. I have got it right here. This is

the RECORD. This is what the Senator said, if the RECORD is correct, and that is my memory, too. But it is not a material point. It does not make any particular difference whether there is a possibility of war. The Senator was not referring to the Philippine war, of course. He said:

We are not altogether out of sight of some possibility of war yet with some European power. We do not know. They are in a great deal of trouble there, and I understand they look with very great jealousy upon our talk of a Danish island and our talk about acquiring other territory.

Now, the newspapers are insisting that the Senator from Connecticut has some knowledge about foreign affairs which is withheld from the rest of us, and that we are in great danger of having a foreign war. I do not think the Senator intended to convey any such impression.

Mr. HAWLEY. The newspaper man who wrote that was under the necessity of making it as interesting as he could.

Mr. TELLER. I am going to make a motion to amend the amendment. After the word "served," in line 3, I move to insert "or shall hereafter serve."

Mr. PROCTOR. Will the Senator from Colorado allow me to interrupt him a moment to make a suggestion?

Mr. TELLER. I shall be glad to hear the Senator's suggestion.

Mr. PROCTOR. There is no objection whatever to modifying the amendment so that it shall apply to anyone who enlists in the Volunteer Army between now and the 30th of June, when the Volunteer Army goes out of existence. I do not understand that any men are being or will be enlisted. It would be a very unwise policy. Enlistments are going on, but I understand they are recruits for the Regular Army. I do not think it would be wise to put in a provision that this shall apply to volunteers who may be hereafter authorized. That could be done when there is any legislation authorizing the raising of volunteers. They might be raised for thirty days or three months, and Senators can see that it would be unjust in such a case to have a general law on the statute book that any volunteer hereafter, no matter how short his services, shall be entitled to an examination for promotion.

Mr. TELLER. This provision is that he may be ordered. By whom? By the President. Of course it is not on his motion that he goes. I move to insert, after the word "served," the words "or shall hereafter serve."

Mr. PROCTOR. Previous to June 30?

Mr. TELLER. No; I will not make it previous to June 30, because I want it a general provision of law with reference to a volunteer. If the Senator objects to that, I shall take a vote on it.

The PRESIDENT pro tempore. Does the Senator from Colorado desire to offer his amendment now?

Mr. TELLER. I offer this amendment to the amendment because the amendment is up, and I understand this is the proper time to offer it.

The PRESIDENT pro tempore. But under the unanimous-consent agreement, after the committee amendments have been acted upon, favorably or unfavorably, everything is to be open to amendment.

Mr. TELLER. Then I will let it go and offer it hereafter, when the bill shall be perfected, and when there will be plenty of time. I wish to say that if the Senator who has this in charge insists upon his objection to it, I am then going to submit a few remarks to show why I think this change ought to be made.

Mr. ALLISON. Mr. President, before the amendment proposed by the Senator from Vermont is agreed to, I should like to inquire of that Senator how many volunteers will be open to the lieutenancy provided for in the last three lines? I understand that it applies only to volunteers now in the service:

Enlisted men of volunteers may be appointed second lieutenants.

Now, we passed a law on the 2d of March, 1899, providing for these volunteers, and I think very few of them were enlisted before the 1st of July of that year. I do not think this holds out a very great opportunity for enlisted men who are now serving in the Philippines or elsewhere to become second lieutenants, because they can not make application unless they have served two years. So I think this is a very small boon to those soldiers of the 35,000 men who enlisted for the term of two years and three months, or whatever the term was.

Mr. PROCTOR. Mr. President, I had intended to make it clear before that any volunteer now in the service or who has served any time, no matter how long or how short, since the 21st of April, 1898, is eligible for appointment as first or second lieutenant on the designation of the President.

Mr. ALLISON. I understand that. That is the first part of the section.

Mr. PROCTOR. That is the first part of it. The second part of it will cover a great many cases, and some have already come in under it, where men served a few months in the volunteers and then enlisted in the regulars. They are being appointed all the time, as I said. Sixty-five officers were appointed this last year to second lieutenancies, and they are eligible to come in at any time

when their entire service, volunteer and regular, amounts to two years.

Mr. ALLISON. Is that by law? This seems to provide that if they have served for two years in the volunteer service they shall be entitled to the same privilege as an enlisted man who served in the Regular Army for two years. Now, the Senator I think very well said that they should count the volunteer service. That certainly can not be counted unless it is a part of some statute. I do not know whether it is or not. In the face of this law, that service can not be counted unless it is provided for in the law itself.

Mr. PROCTOR. The law as it stands has been interpreted by the Department to include the volunteer service. They have been acting upon it. There would be no objection to adding to this that their service in the volunteers shall be counted as a part of the required two years; but that interpretation has already been made and acted upon by the Department, and appointments have been made under it.

Mr. ALLISON. I merely call attention to it. Now, there is one other inquiry that I wish to make in respect to the amendment. What is the purpose and effect of the following clauses?

But no officer appointed under the provisions of this section shall be placed above another in the same grade with longer commissioned service.

I understand that to mean a longer commission in the Volunteer Army. It is the last clause I wish to call attention to:

And nothing herein contained shall change the relative rank of officers heretofore commissioned in the Regular Army.

Mr. SPOONER. How?

Mr. ALLISON. I do not know how it could do it, except I can see that possibly an officer might be appointed under the first provision to a first lieutenancy and take grade above an officer, for instance, who graduated at Westpoint who is now only a second lieutenant. What is the construction given to that clause? I do not think that would be right.

Mr. PROCTOR. Mr. President, I do not understand that it has any such effect. It merely preserves those heretofore commissioned; their relative rank between each other shall not be disturbed by this enactment.

Mr. ALLISON. But suppose a graduate at Westpoint was commissioned second lieutenant in 1899 or in 1898 and is still a second lieutenant in the Regular Army. This amendment provides that persons may be appointed either to the grade of first or second lieutenant. Now, suppose one of these persons should be appointed a first lieutenant, would he not take grade above the second lieutenant in the Regular Army, the graduate of Westpoint, say, of the class of 1898? I do not know but that it ought to be so. However, it does not quite seem to me that that ought to be the case.

Mr. PROCTOR. If appointed first lieutenant he would take rank above all the second lieutenants.

Mr. ALLISON. Very well.

Mr. PROCTOR. That, I understand, is what the Senator thinks ought to be the case.

Mr. ALLISON. No; I do not think it ought to be the case. I think that graduates at Westpoint who were graduated, say, in 1898, and who may have served as second lieutenants and have not been promoted ought to have an opportunity for promotion in the Regular Army, whatever that may be. But if the President of the United States shall fill up all the vacant places or places that may be created by this law by appointing these persons to the rank of first lieutenant it will relegate, of course, a body of young men to a second lieutenancy for a great number of years. It does not seem to me that that is quite right, but if the committee have looked into it and believe it ought to be done, I shall not criticise it.

Mr. PROCTOR. Mr. President, I do not disagree substantially with the views of the Senator from Iowa. The action of the committee when the bill was first brought before the Senate limited these appointments to the second lieutenancies.

Mr. ALLISON. So I understand.

Mr. PROCTOR. That was the opinion of the committee; but it seemed, as near as we could judge, that the sentiment of the Senate was to open the grade of first lieutenant, and this proposition does it.

The point the Senator makes is well taken, that the recent graduates would be jumped if the President made appointments to the grade of first lieutenant. The clause in regard to relative rank, I understand, merely preserves the rank now existing to those heretofore commissioned; that is, that nothing shall be done to put an appointee of 1900 over one appointed the year previous who is already on the Register.

Mr. TELLER. Mr. President, the fact stated by the Senator from Vermont is of no consequence whatever if it be the policy of this bill to make provision for first lieutenants. It seems to me, if we open the door at all to first and second lieutenants, we had better leave that matter to the President of the United States to appoint when there is a vacancy. If the President thinks that

some volunteer officer or soldier is entitled to rank some West-point officer, he ought to have the power to exercise that judgment. That power will hardly be abused in the United States, for it is certain that the policy of our Government has not been to encourage volunteers so far as giving them commissions. There has been very little encouragement for the promotion of the actual enlisted man under our system. There is probably no government in the world which has been more conservative, notwithstanding all our boasts of equality, than the United States Government in maintaining that the common enlisted man should not be promoted.

Of course, there must be some system of putting proper men into the Army; but I think there is no danger of abuse in this respect, and that we may leave to the Commander in Chief of the Army, the President of the United States, the right to make these appointments. I believe that under certain conditions a man who performs heroic service, and who is a second lieutenant, ought not to be debarred from being made a captain without going through the other grade of first lieutenant. There ought to be the power to make him a major, or a colonel, or anything else which the Commander in Chief of the Army thought him entitled to. It was a source of great strength to old Bonaparte that whenever a meritorious officer, no matter what his rank, displayed great ability he was promoted. He could make a field marshal anywhere, on any day; he could make a field marshal from a private. He did a great many of those things which incited the French army to deeds of heroism which otherwise they would not have performed.

Mr. SEWELL. Will the Senator allow me to make a suggestion there?

Mr. TELLER. Yes.

Mr. SEWELL. I will state to the Senator that at the close of the civil war all the grades were thrown open. The present Lieutenant-General Commanding, from a volunteer officer, was appointed a colonel in the Regular Army, as were many others.

This bill was not originally framed on that basis; but at the suggestion of the Senator from Colorado [Mr. TELLER], the Senator from Minnesota [Mr. NELSON], and some others, and it seeming to be the sentiment of the Senate that the committee ought to liberalize the provision more than we had done, we put in first lieutenants. My own opinion is that a great many of the second lieutenants will go up to first lieutenants. There will not be many vacancies, but there will be some. I think it is fair to leave it to the President, who will not do any injustice in the matter.

Mr. TELLER. I am quite willing to leave it to the President. As was suggested by the Senator from New Jersey, at the close of the civil war appointments were made from the volunteer forces to the regular force of a large number of people, some of whom had served and some of whom had held very high rank in the volunteer forces, and had rendered very distinguished service. We took those gentlemen and put them into the Regular Army at a very much lower grade. We had to do that, because the higher-grade officers of the Regular Army had been doing their duty and we could not very well jump them. I believe—I do not know certainly as to that—that the General Commanding the Army was made a lieutenant-colonel, and possibly a colonel, in the Regular Army.

Mr. SEWELL. A colonel.

Mr. TELLER. A colonel; and from that he has come up to his present position. I know a great many very good officers, who had held high rank in the volunteers, who were made captains in the Regular Army, because, I suppose, there was no higher place in which to put them, and some of them have since become colonels and some have become generals. What I want is elasticity—an opportunity for the soldier.

The Senator from Vermont [Mr. PROCTOR] thinks that we are never going to have any more volunteer soldiers. Why, Mr. President, if we should have a war with a foreign power—which I pray we may not have—we would have a volunteer service at once. We could not do otherwise.

Mr. PROCTOR. Will the Senator allow me?

Mr. TELLER. Certainly.

Mr. PROCTOR. I did not intend to say, and I think I did not say, that we should never want any more volunteers if we should have a great war. I said there was no provision for any more volunteers after June 30 of this year, when the present law expires. If we should become involved in a great war, it would be proper to put a volunteer force in the field. In such a case we might need volunteers but for a very short time.

Mr. TELLER. If the volunteers were needed for but a short time and did not render service of the proper character, they would not get any positions in the Regular Army at all. If they did render meritorious service, no matter whether their service was long or short, they ought to have that reward which is the great incentive to military men.

Mr. HALE. Mr. President, this matter opens a very important

question and, to some of us, an entirely new question. I should like the opportunity to examine the amendment, so as to find what its effect will be, how far it will reach, and whether graduates of the Military Academy may be overslaughed by it. Therefore I suggest to the Senator in charge of the bill that, as it is late, we let the matter go over to-night, and that we take it up in the morning. If this is agreeable, I will move that the Senate proceed to the consideration of executive business.

Mr. GALLINGER. I ask the Senator from Maine to yield to me a moment in which to pass a pension bill for a soldier who is very near death.

Mr. HALE. I will withhold my motion for that purpose.

Mr. MORGAN. With the permission of the Senator who has the floor, I desire to offer an amendment to the pending bill, which I ask to have printed.

The PRESIDENT pro tempore. The amendment intended to be proposed by the Senator from Alabama will be received and ordered to be printed.

HIRAM I. HOYT.

Mr. GALLINGER. I ask unanimous consent for the present consideration of the bill (S. 5360) granting an increase of pension to Hiram I. Hoyt.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place on the pension roll the name of Hiram I. Hoyt, late of Company H, Tenth Regiment New Hampshire Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

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

DAVID M' MURTRIE GREGG.

Mr. HALE and Mr. PENROSE addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Maine yield to the Senator from Pennsylvania?

Mr. HALE. I yield for routine business.

Mr. PENROSE. I want to call up a bill.

Mr. HALE. I will yield to the Senator.

Mr. PENROSE. I ask unanimous consent for the present consideration of the bill (S. 3210) authorizing the appointment and retirement of David McMurtrie Gregg as a captain in the United States Army.

The PRESIDENT pro tempore. The bill will be read for information, subject to objection.

The Secretary read the bill, as follows:

Be it enacted, etc., That in view of the long and faithful services of David McMurtrie Gregg, brevet major-general of United States Volunteers, before and during the late war of the rebellion, especially for gallant conduct at the battle of Gettysburg, and his participation and gallant conduct in forty or more battles and engagements, as shown by the records of the War Department, the President be, and he is hereby, authorized to nominate and, by and with the consent of the Senate, to appoint the said David McMurtrie Gregg, late a captain in the United States Army and a brevet major-general of volunteers, to the position of captain in the Army of the United States, and to place him on the retired list as of that grade, the retired list being hereby increased in number to that extent; and all laws and parts of laws in conflict herewith are suspended for this purpose only: *Provided*, That from and after the passage of this act no pension shall be paid to the said David McMurtrie Gregg, nor shall any compensation be paid him for any period prior to his appointment under this act.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

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

Mr. HOAR. I should like to have that bill explained a little. Is it simply to retire a captain of the civil war or a captain in the late war with Spain?

Mr. PENROSE. This bill relates to General Gregg, one of the most distinguished cavalry officers during the civil war. The bill is to permit the President to appoint him and retire him.

Mr. HOAR. Has he any rank in the service now as a volunteer?

Mr. PENROSE. No.

Mr. HOAR. I do not wish to interfere with what is the proper policy in such a matter, especially where it is intended to pay an honor to a gallant soldier, but if the policy is to be adopted that a famous and gallant soldier who served in the civil war is now to be taken from civil life as a mode for providing for his old age, or doing him honor, if he is to be singled out and appointed to a place on the retired list—which, of course, is substantially a pension, with a certain special honor—I know of some soldiers in my own region who were as gallant officers as ever tied a sash about their belts, who are living lives of great frugality, not to say of hardship, whose names I want to present to the Committee on Military Affairs for a like distinction. If the committee have some policy or principle on which they are going to act on this case, which will govern and control all like cases, I should like to have that policy or purpose stated.

Mr. PENROSE. This bill has already twice passed the Senate. The chairman of the Committee on Military Affairs can explain

better than I whether it is in strict accord with the policy of the committee.

There was no more distinguished soldier of the late war than General Gregg. I understand he was a major-general of volunteers. He resigned for sundry reasons from the position of captain in the Regular Army; and this, in the few remaining years that are left to him, is simply an act of justice on the part of the Government.

Mr. JONES of Arkansas. If there is a report from the Committee on Military Affairs, I think it ought to be read for the benefit of the Senate.

Mr. HAWLEY. There is a report.

The PRESIDENT pro tempore. The report will be read.

Mr. HALE. Does this bill retire General Gregg only with the actual rank he held?

Mr. PENROSE. Yes.

Mr. HALE. Not the volunteer rank?

Mr. PENROSE. No; his regular rank.

Mr. HALE. His regular rank as captain, without pension or back pay?

Mr. PENROSE. Yes.

Mr. HOAR. The Senator did not state that in the answer he before made to me. He stated simply that this was a gallant volunteer soldier who has been in civil life for many years, and that it was proposed now to give him a place on the retired list of the Regular Army. Now, I understand that he has been an officer of the Regular Army, that for some reason he was retired, and he is to be restored to the rank in the Regular Army he had previously held. That is altogether a different case from the one before stated by the Senator.

Mr. PENROSE. Then I did not make myself clear enough.

Mr. HOAR. So far as I am concerned, I do not propose to discuss that matter, and I am willing to follow the committee.

The PRESIDENT pro tempore. Does the Senator from Arkansas demand the reading of the report?

Mr. JONES of Arkansas. I should like to have the report read.

Mr. HAWLEY. This bill gives General Gregg the rank he had in the Regular Army before the war. It is rather a delicate matter to speak of, but I understand he is very poor.

The PRESIDENT pro tempore. The Secretary will read the report of the committee.

Mr. BUTLER. It is too late an hour to begin the reading of that report.

Mr. HAWLEY. It is not very long.

Mr. BUTLER. Let the bill go over.

Mr. HAWLEY. Let this poor old soldier have a chance.

The PRESIDENT pro tempore. The report will be read.

Mr. BUTLER. Mr. President, I asked to have the bill go over. It will take some time to have the report read and to consider the bill.

The PRESIDENT pro tempore. The reading of the report has been demanded, and it is the right of a Senator to have it read.

Mr. ALLISON. If that report is to be read, I hope, pending the consideration of this matter, the Senator from Maine [Mr. HALE] will renew his motion.

Mr. HOAR. I did not ask for the reading of the report.

The PRESIDENT pro tempore. It was the Senator from Arkansas who asked for the reading.

Mr. HALE. I do not want to interfere with the Senator from Pennsylvania, who has his bill up, but, of course, if the reading of the report is insisted upon it will take a half hour's time. I should hope the Senator from Arkansas would be content with a statement of the case and of exactly what is proposed. I at first thought that it was a proposition to retire General Gregg upon the rank which he held in the volunteer force as major-general.

Mr. HAWLEY. We never do that.

Mr. HALE. There is no precedent for that, but this is really a different case, where it is only proposed to retire this man upon the rank he held in the Regular Army after the civil war was over, and not the volunteer rank. That we have done in several cases. We have done it in the Navy and we have done it in the Army.

Mr. HAWLEY. I may mention an instance—that of General Pleasonton.

Mr. HALE. I do not see any objection to the bill. Undoubtedly General Gregg was a very great soldier. During the civil war we heard from him almost every morning.

Mr. SEWELL. If the Senator will allow me, I will state that General Gregg was one of the best soldiers we ever had in the service. There is no doubt about that.

Mr. HALE. He was, undoubtedly.

Mr. SEWELL. But I think the bill had better go over until tomorrow.

Mr. PENROSE. I will not press the bill further now, Mr. President.

EXECUTIVE SESSION.

Mr. HALE. I renew my motion 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 ten minutes spent in executive session the doors were reopened, and (at 5 o'clock and 34 minutes p. m.) the Senate adjourned until to-morrow, Thursday, January 10, 1901, at 12 o'clock m.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 9, 1901.
CONSUL-GENERAL.

Oscar F. Williams, of New York, to be consul-general of the United States at Singapore, Straits Settlements.

CONSUL.

Frank R. Mowrer, of Ohio, to be consul of the United States at Antigua, West Indies.

MARSHAL.

Clinton D. MacDougall, of New York, to be marshal of the United States for the northern district of New York.

UNITED STATES ATTORNEY.

William G. Whipple, of Arkansas, to be attorney of the United States for the eastern district of Arkansas.

DISTRICT JUDGES.

Jacob Trieber, of Arkansas, to be United States district judge for the eastern district of Arkansas.

James Edmund Boyd, of North Carolina, to be United States district judge for the western district of North Carolina.

PROMOTIONS IN THE NAVY.

Commander John J. Hunker, to be a captain in the Navy, from the 11th day of December, 1900.

Lieut. Commander Clinton K. Curtis, to be a commander in the Navy, from the 11th day of December, 1900.

Lieut. John G. Quinby, to be a lieutenant-commander in the Navy, from the 11th day of December, 1900.

Surg. Walter A. McCullough, to be a medical inspector in the Navy, from the 19th day of November, 1900.

PROMOTIONS IN THE MARINE CORPS.

First Lieut. Henry C. Davis, to be a captain in the United States Marine Corps, from the 23d day of July, 1900.

Second Lieuts. Leof M. Harding, Richard M. Cutts, Harold C. Snyder, Olof H. Rask, Julius S. Turrill, George Herbert Mather, Henry L. Roosevelt, Jay M. Salladay, Macker Babb, and Harold C. Reisinger, to be first lieutenants in the United States Marine Corps, from the 23d day of July, 1900, to fill vacancies existing in that grade.

APPOINTMENTS IN THE NAVY.

Herbert Orlando Shiffert, a citizen of Pennsylvania, to be an assistant surgeon in the Navy, from the 26th day of December, 1900.

John F. Hatch, a citizen of Vermont, to be an assistant paymaster in the Navy, from the 2d day of January, 1901.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, January 9, 1901.

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.

LEASE OF PREMISES FOR POST-OFFICE DEPARTMENT.

Mr. LOUD. I ask unanimous consent for the immediate consideration of the bill which I send to the Clerk's desk.

The bill (H. R. 13274) to authorize the Postmaster-General to lease suitable premises for use of the Post-Office Department was read, as follows:

Be it enacted, etc., That the Postmaster-General be empowered to lease suitable premises in the city of Washington for the purposes of the rural free-delivery system, at a cost not to exceed \$4,000 per annum, payable out of the appropriation for that service.

The SPEAKER. Is there objection?

Mr. RICHARDSON of Tennessee. Mr. Speaker, I do not know anything about this matter, but I presume the Committee on the Post-Office and Post-Roads has unanimously recommended the bill. Is that true?

Mr. LOUD. It has been reported unanimously by that committee and is recommended by the Postmaster-General.

Mr. RICHARDSON of Tennessee. Is it a fact that the new Post-Office building is not of sufficient capacity to accommodate the business of the Department?

Mr. LOUD. That seems, unfortunately, to be the condition which confronts us. This matter was presented to the Appropriations Committee and to our committee some time ago; and it occurred to us—when I say "us" I mean the gentleman from

Illinois [Mr. CANNON] and myself—it occurred to us that there ought to be room enough in that building for all these various purposes of the Department. But I have been to the building and made examinations, and I find the space to be all occupied. While it is true there are some rooms in which it might be possible to put one or two more clerks, yet the Postmaster-General says that in view of the character of this work and the necessity that the clerks should have within reach the files with which they have to deal, it would be impracticable to meet the wants of this rural free delivery by putting one or two clerks here and there in various rooms. This service, as the gentleman knows, is growing; I might say, perhaps, abnormally.

Mr. RICHARDSON of Tennessee. Is it true that the Department is also occupying the old departmental building?

Mr. LOUD. It is not.

Mr. RICHARDSON of Tennessee. They have given up all that?

Mr. LOUD. The Interior Department has been in there for some time.

Mr. RICHARDSON of Tennessee. Then all of the old building is now used by the Interior Department?

Mr. LOUD. The Interior Department is occupying all of the old Post-Office Department building; and also the leased quarters formerly used by that Department have been surrendered by the Post-Office Department.

Mr. RICHARDSON of Tennessee. Well, it seems to me unfortunate that this new building is not large enough to accommodate the business of the Government.

Mr. LOUD. It is unfortunate, but the Auditor's department is in the Post-Office Department building, I believe very improperly. I believe that the Post-Office Department and the Auditor's department should be as far apart as possible. But the Auditor's department has been put in there, and has absorbed all the space that was not required by the Post-Office Department.

Mr. RICHARDSON of Tennessee. As this matter is now before the House, I would like to ask one other question—whether this rural free-delivery service is growing and whether it requires more room now than heretofore?

Mr. LOUD. I will say that for the fiscal year ending June 30, 1900, the appropriation for this service was some \$300,000; for the fiscal year ending June 30, 1901, the appropriation was \$1,750,000. There is estimated for the next fiscal year an appropriation of \$3,500,000; and a great many of the "brethren" around here are insisting on having \$5,000,000, and I have no doubt they will secure it before we get through.

Mr. RICHARDSON of Tennessee. I have been unable to get this rural free-delivery service extended to my district, although I have made frequent requests and submitted frequent recommendations to that effect. But I am not complaining of that.

Mr. LOUD. The more you get of this service the worse off you will be.

Mr. RICHARDSON of Tennessee. How much space is contemplated as necessary for occupation by the rural free-delivery service?

Mr. LOUD. This bill proposes to lease one floor of the Star Building, which is opposite the Post-Office Department. I called in the aid of the Assistant Architect of the Capitol, who is regarded as an expert in these matters, and he considered the limit of amount provided in this bill as a very reasonable rental for one floor of that building. There are a little over 2,700 square feet, exclusive of corridors.

Mr. RICHARDSON of Tennessee. How many rooms do you get?

Mr. LOUD. Twelve, I believe. I counted them yesterday, but I can not state the number with certainty.

Mr. RICHARDSON of Tennessee. Then 12 rooms are required now to accommodate this rural free delivery?

Mr. LOUD. There are about 75 clerks or employees now engaged in this service, and probably there will be 150 before the end of the year.

Mr. MOODY of Massachusetts. Mr. Speaker, in connection with the gentleman from Illinois [Mr. CANNON], I have been a great deal interested in the allotment of space for the Post-Office Department, and when the matter was under consideration we supposed that for many years to come there would be sufficient room in that building for all postal purposes. I understand the gentleman from California now to say that he has consulted with the gentleman from Illinois.

Mr. LOUD. We consulted several times. I will not say that the gentleman from Illinois advocated this proposition; but he said he would give it up, and would like to have the Post-Office Committee take charge of it.

Mr. RICHARDSON of Tennessee. If the gentleman from Massachusetts would indulge me, I would like to put one further inquiry to the gentleman from California, and then I shall be through. Did I understand that gentleman to say that if the force of the auditing department was removed from the Post-Office

building there would be room enough for the rural free-delivery service?

Mr. LOUD. There is no doubt of that. There are about 1,500 clerks of the Auditor's department in the Post-Office Department building.

Mr. MOODY of Massachusetts. I would like to inquire how necessary it is to pass this bill this morning?

Mr. LOUD. Well, Mr. Speaker, the rooms are now overcrowded. Let me say that in rooms now devoted to the rural free-delivery service—or rooms which are now used jointly—there are, in a room the size of one of our committee rooms, 15 to 20 clerks; and the demands of the service require additional force, which can not be put on unless we provide this additional space. They are now more crowded than they should be.

Mr. BROMWELL. May I add to what the gentleman has said, that the superintendent of the free delivery, who has charge of this branch of the service, tells me that there are two or three clerks now on leave, sick or otherwise, and when they return it will be absolutely impossible to find seating room in the space now occupied by their force.

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

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

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

BOARD OF REGENTS, SMITHSONIAN INSTITUTION.

Mr. ADAMS. Mr. Speaker, I ask unanimous consent that the Committee on the Library be discharged from the further consideration of the Senate joint resolution 144, and for its immediate consideration. I would state for the information of the House that this is perfectly agreeable to the chairman of the Committee on the Library.

The SPEAKER. The gentleman from Pennsylvania moves that the Committee on the Library be discharged from the further consideration of the Senate joint resolution 144 and that the same be now taken up for consideration. The Clerk will report the joint resolution.

The Clerk read as follows:

Senate joint resolution 144.

Resolved, etc., That the vacancy in the Board of Regents of the Smithsonian Institution of the class other than members of Congress, caused by the death of William Lyne Wilson, of Virginia, shall be filled by the appointment of George Gray, a resident of Delaware.

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

The joint resolution was ordered to a third reading; and it was accordingly read the third time, and passed.

On motion of Mr. ADAMS, a motion to reconsider the vote by which the joint resolution was passed was laid on the table.

HOUSE BILLS WITH SENATE AMENDMENTS CONCURRED IN.

The SPEAKER laid before the House the following House bills passed by the Senate with amendments. The amendments were severally read and concurred in:

A bill (H. R. 1734) granting a pension to Mary A. Whitmore; A bill (H. R. 9108) granting a pension to Maria H. Hixon; A bill (H. R. 5117) granting a pension to Roland Burnett; A bill (H. R. 2752) granting an increase of pension to Edmund P. Tierney;

A bill (H. R. 10082) granting an increase of pension to Harriet Crottsburg; and

A bill (H. R. 5555) granting a pension to Lurinda Laughlin.

On motion of Mr. GIBSON, a motion to reconsider the several votes by which the Senate amendments were concurred in was laid on the table.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. THOMAS of North Carolina for ten days, on account of important business.

RIVER AND HARBOR APPROPRIATION BILL.

Mr. BURTON. Mr. Speaker, I desire to call up for consideration the bill (H. R. 13189) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes. Before the motion is presented to the House to go into the Committee of the Whole, I would like to ascertain whether we can agree as to the amount of time for general debate.

The SPEAKER. The Chair will state the motion. The gentleman from Ohio moves that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 13189, being the river and harbor appropriation bill, and pending that seeks to make an arrangement to limit general debate.

Mr. BURTON. I suggest, Mr. Speaker, from the few requests that have been made for time, that three hours would be required

for general debate. Three gentlemen who desire to propose amendments looking toward a rather different policy in the appropriations to be made by the bill have each requested twenty minutes, and that would consume one hour.

Mr. MCRAE. I have not indicated to the gentleman that I desire time, but I do desire to discuss the bill; and twenty minutes will be enough for me; and if any arrangement is made, I hope it will include my having twenty minutes.

Mr. CORLISS. Will the gentleman inform us whether there are any members of the committee who oppose this measure?

Mr. BURTON. There are not.

Mr. CORLISS. Then, Mr. Speaker, I ask the right of being recognized in opposition to this bill.

Mr. BURTON. I suggest, Mr. Speaker, that we first agree on the time to be consumed in general debate, and then that can be arranged.

Mr. CORLISS. If it can be equitably divided I have no objection.

Mr. BURTON. After it is determined what length of time shall be consumed in general debate, then it can be arranged as to how the time shall be controlled.

Mr. CORLISS. Mr. Speaker, I think that three hours is hardly enough for this important measure. A parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CORLISS. Is it not the right of a member—

Mr. BURTON. We are trying to reach an equitable agreement for time for general debate.

Mr. CUSHMAN. Mr. Speaker, there are a number of members on this floor who desire to oppose the bill, and it seems to me that three hours' debate is not enough for a bill that carries \$60,000,000. That leaves about three minutes to a million dollars. Now, there are several of us on the floor who do not agree with the provisions of the bill, and who desire to be heard, and when the gentleman said that three gentlemen had asked him for time, and they have agreed to take twenty minutes each, I desire to say I was not included in that category. I was told by the gentleman that I could, perhaps, have twenty minutes. Twenty minutes was not what I indicated. That is not all that I expected to obtain. I do not think three hours' debate is sufficient for any of the members who rise in opposition to this bill to make the remarks they desire to make on the bill. I know that twenty minutes will not cover the time I desire in addressing myself to the bill.

Mr. BOREING. I desire to offer an amendment to this bill, and I would like to be heard at least twenty minutes.

Mr. HOPKINS. I would like to ask my friend from Washington if he voted to increase the membership of the House so as to have more time for debate?

Mr. CUSHMAN. Yes, sir; I did.

The SPEAKER. As there is evidently no agreement in sight, the Chair will put the motion of the gentleman from Ohio.

Mr. CORLISS. A parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BURTON. I do not give up the hope that we can agree upon a time. I want to suggest that general debate be limited to three hours.

Mr. CUSHMAN. I object.

The SPEAKER. Objection is made. The gentleman from Michigan has a parliamentary inquiry.

Mr. CORLISS. Mr. Speaker, if the House resolves itself into Committee of the Whole House on the state of the Union upon the motion of the gentleman from Ohio, will he not have absolute control of the time upon the floor in the Committee of the Whole?

The SPEAKER. Not at all; only an hour. He controls an hour, and will have general control of the bill.

Mr. CORLISS. Will a member opposing the measure have control of the time in opposition?

The SPEAKER. The gentleman is asking a parliamentary inquiry that pertains to the Committee of the Whole. Nobody can control all the time. These are matters which will be controlled in the committee, and the Speaker has no power to say what shall be done there. We are now in the House, and that is a matter for the action of the Committee of the Whole.

Mr. BURTON. Mr. Speaker, I renew my motion that the House resolve itself into Committee of the Whole House on the state of the Union.

The SPEAKER. The question is on agreeing to the motion of the gentleman from Ohio.

The motion was agreed to; accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. HOPKINS in the chair.

The CHAIRMAN. The Committee of the Whole House on the state of the Union is now in session pursuant to the direction of the House for the purpose of considering House bill 13189, and the Clerk will report the bill.

The Clerk read the title of the bill, as follows:

A bill (H. R. 13189) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. BURTON. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. Unanimous consent is asked that the first reading of the bill be dispensed with. Is there objection? [After a pause.] The Chair hears none.

Mr. BURTON. Now, Mr. Chairman, I desire to ascertain if gentlemen opposed to the bill can agree upon some one who will control the time of those in opposition to the bill.

Mr. CORLISS. I did not hear what the gentleman from Ohio said.

Mr. BURTON. I asked if gentlemen opposed to the bill could agree upon some one who would control the time of those in opposition to the bill.

Mr. CORLISS. I being the member of the House who asked recognition for that purpose, and assuring those who desire to oppose the bill all the time they want, if I can obtain it, I ask that I be recognized in opposition to it.

Mr. CUSHMAN. Mr. Chairman, I move that the gentleman from Michigan be recognized as controlling the time of those in opposition to the bill.

The CHAIRMAN. The Chair will state to the gentleman from Washington that that requires unanimous consent.

Mr. CUSHMAN. Then I ask unanimous consent, Mr. Chairman.

The CHAIRMAN. Unanimous consent is asked that the gentleman from Michigan [Mr. CORLISS] be permitted to control the time in opposition to the bill. Is there objection?

Mr. MCRAE. I object to that, Mr. Chairman; the gentleman from Michigan can be recognized for an hour.

The CHAIRMAN. Objection is made.

Mr. BURTON. Mr. Chairman, the Committee on Rivers and Harbors present this bill with the confidence that no measure before Congress confers greater benefit upon the country. Nothing has contributed more to make the nineteenth century the greatest of all the centuries than improvements in transportation. These improvements have not only brought nations and States nearer together, but they have made possible the enjoyment of a far greater share of the necessities, comforts, and luxuries of life. Increased facilities for transportation have greatly increased production and consumption, because, except for these improvements, a large share of that which is now annually consumed could not be brought within the reach of the consumer. Thus, increase of production and transportation must go hand in hand.

But for the improvements in distributive energy, a very large share of that which is now produced and consumed could not reach the consumer.

The late Mr. Mulhall, in 1896, made the estimate that in the preceding fifty years distributive energy had increased three times faster than production proper. The same statistician used the illustration that it now costs less to carry a bushel of wheat from St. Paul to Liverpool, a distance of 4,831 statute miles, than it cost in the days of Miltiades and Themistocles to carry the same bushel of wheat from Athens to Marathon, a distance of 20 miles by wagon road.

No country has gained greater benefits from these improvements in transportation than our own. They have afforded a stimulus to our industry; they have made possible the development of our mines, our forests, and our farms, and made available the enormous supplies which can be used for consumption all over the globe. We must, in order to continue this progress, improve our facilities for transportation by land and water as well. Not to continue these improvements is to fall backward. The distinctive feature of this bill is the provision made for deeper waterways and larger harbors, where already large traffic exists, and increased facilities are made necessary by the deeper draft and larger size of boats and the large number of boats frequenting them. This was also the distinctive feature of the bill of 1899.

Next to appropriations made for the Mississippi River, which we regard as in accordance with the settled policy of the Government, the largest project to which this bill commits us is that for Boston Harbor. An appropriation is made of \$600,000 and authority is given for the additional expenditure of \$3,000,000 to secure a channel 35 feet deep and respectively 1,200 and 1,500 feet wide from the wharves in the inner harbor to the sea. The total cost of these improvements when completed will be nearly \$8,000,000. In the bill of 1899 we made provision, by the appropriation or authorization of \$4,000,000, for a channel 40 feet deep and 2,000 feet wide from New York to the sea.

In this bill by the appropriation or authorization of eighteen hundred thousand dollars we have provided for the deepening of Buttermilk Channel, a subsidiary channel in New York, enabling vessels to reach that portion of Brooklyn where exist the largest and greatest number of warehouses. This channel also facilitates the movement of boats from New York Bay to the East River.

We have also made provision by an appropriation of \$100,000 and an authorization of \$596,000 additional for deepening and improving the channel between Staten Island and New Jersey.

This channel has an enormous traffic and is subsidiary to the commerce centering at New York City.

We have also made provision for the improvement of the Passaic River, so as to give the city of Newark, which already has a very large traffic, increased facilities.

We have made appropriations and authorizations with a view to deepening the Delaware River to a depth of 30 feet from Philadelphia to the sea.

In prior bills provision has been made for deepening the Patapsco River to a depth of 30 feet and a suitable width from the city of Baltimore to deep water in Chesapeake Bay.

We have provided in this bill for additional harbor room at Baltimore by improving Spring Garden Harbor, as it is called, at an expense of a little over \$300,000.

At an expense of \$225,000 we have provided for a channel 30 feet in depth from the open sea to Newport News, the most rapidly growing port on the Atlantic coast.

Together with sums already on hand, we have authorized the expenditure of a million of dollars for the improvement of the channel from Savannah to the sea. This port is the most important in its tonnage of all the ports on the Atlantic and Gulf coast between the mouth of the James River and the mouth of the Mississippi.

We have provided for the improvement of the St. Johns River from Jacksonville to the ocean.

We have provided amply for prosecuting the improvement of the Southwest Pass of the Mississippi, with a view to a navigable depth of 35 feet, in order to afford an outlet for the various products of the Mississippi Valley.

We have provided for increased harbor facilities for the city of Buffalo.

We have provided at the city of Cleveland for the improvement of the entrance to the breakwater already existing, and the extension of the breakwater eastward so as to afford a better harbor of refuge and give additional and needed harbor room.

We have provided for the improvement of the Detroit River, appropriating or authorizing the expenditure of \$1,750,000 with a view to providing a channel 600 feet in width sufficient for the great traffic along that waterway.

We have appropriated \$330,000 for the improvement, by doubling the channel, of the St. Clair Flats Canal. This canal was opened to traffic in 1870, or perhaps a year or two earlier, and the traffic there has outgrown the facilities afforded. The grounding of a single boat would stop the traffic of the Lakes, and there is urgent call for immediate improvement.

By an appropriation or authorization of four and a half millions we have provided for the improvement of the connecting waters between Lake Superior and Lake Huron, giving an alternative channel, so as to afford an up and a down route. The total estimate for this improvement is \$5,750,000. We have limited the appropriation or authorization to four and a half millions in the hope that possibly this may finish the project, but with the view, at any rate, to providing ample funds for the rapid prosecution of this very important work.

In the bill of 1899 we authorized the expenditure of a million and a half for the improvement of the mouth of the Calumet River, at South Chicago, a portion of the harbor of Chicago in which more and more the heavy freights are handled, and where there exist very extensive furnaces and manufactories of iron and steel.

We have authorized or appropriated a million and a half dollars to repair damage caused to the jetties at Galveston by the great storm of last autumn. It seemed absolutely necessary to provide for the reparation of these jetties in order to preserve the port. It is probable that this expense will make the jetties somewhat more complete than they were before the storm; but if an additional amount is required it is an economical expenditure of money.

We have provided for the improvement of San Diego Harbor, in the southerly part of California. A small authorization is made for the harbor of San Francisco. This great harbor probably needs less artificial aid than any harbor in the country. It seemed but due to provide a small amount for the blowing out of a rock which, while it merely impedes local traffic across the bay, is a menace to safe navigation.

We have provided for the improvement of the mouth of the Columbia River. The improvement in this locality has been quite unsatisfactory. It has been found necessary to extend the jetties into the sea to a depth of 40 feet—a depth made necessary by the fact that the heavy waves make it difficult for large ocean ships to enter at a less depth of water.

The minor harbors of the country and the rivers and the creeks which afford facilities for inland navigation have not been neglected.

This bill carries approximately in appropriation for the next fiscal year \$22,800,000. It authorizes contracts to be made in the

future, for which appropriations are to be carried on future sundry civil bills, approximating \$37,150,000—in all, nearly \$60,000,000.

The amount authorized or appropriated for the ensuing fiscal year is larger, with one exception, than that in any prior bill. The amount carried in the bill of 1890 for the fiscal year ending June 30, 1891, was larger by \$2,300,000. The bill for 1888 was only less by about \$400,000. The total of appropriations and authorizations, however, is less by \$12,000,000 than those carried in the bill of June, 1896.

A comparison of the appropriations for the last twenty years shows that the river and harbor appropriations have not increased as rapidly as those for fortifications, for pensions, for the Army, or for the Navy. The committee feels justified in bringing in a bill for this amount. This bill looks toward peace and the commercial development of the country's commerce. The task has been one of great difficulty, because we have had before us estimates officially made the total amount of which is more than \$300,000,000, and it has been found necessary to eliminate, at least for the present, as much as four-fifths of the amount required for the completion of improvements for which there are estimates.

This bill, I will further say, has not increased in its appropriations for the last twenty years more rapidly than the expenses of conducting the Post-Office Department, that Department of the country which is most in touch with the commercial growth of the country, and which most reflects the demand for increased facilities. It seems not unreasonable to ask that each year twenty-five to thirty million dollars shall be expended for river and harbor improvements; and whether this amount shall continue, whether it shall increase or decrease, will depend upon certain general consideration as to policy.

There are four questions which will arise which I wish to take up in their order.

Mr. HEPBURN. Will the gentleman permit me to ask him if he can state to the committee the probable amount of river and harbor appropriations that will be carried in the sundry civil bill for the next fiscal year?

Mr. BURTON. A little over \$8,000,000 for the next fiscal year, making in all, this year, \$31,000,000.

The first question will be whether the improvements on the Mississippi River must be continued at the present rate of expense or whether completed results will be attained at an early day. The appropriations for that portion below Cairo have averaged for a number of years between two million and two million five hundred thousand dollars per annum; those for the upper portion above Cairo over half this amount.

The second question—and it is one to which I ask the attention of the House—is the policy that shall be pursued in regard to the construction of locks and dams in navigable streams. We have a great many of those projects before us. While not wishing to criticise previous river and harbor bills, it is evident a policy has been pursued which looks only to very remote results. Rivers like the Tennessee, the Coosa, the Cumberland, and others have been improved by locks and dams in detached portions of those respective rivers without any connection between them. The committee have thought it best to adopt a policy under which each river shall be improved from its mouth toward its source, save under exceptional conditions.

Unless a depth of 6 feet can be obtained in thickly settled portions of the country it is doubtful whether this class of improvements can profitably be pursued. When you fall below that depth, unless it be in a sparsely settled country, railroad transportation can be made available at cheaper rates.

We have not included in this bill any new projects for locks and dams, except in Trinity River, in the State of Texas, where we have appropriated or authorized \$750,000, part for general improvements and part for the construction of locks and dams.

I am frank to say to the committee that on first examining this project I did not think favorably of it, but I gave it a good deal of consideration. The committee called before them the engineer having the improvement in charge, and it seemed to us that an expenditure of this amount was justified. The river is easily capable of improvement. It has stable banks, and the construction of locks and dams is a comparatively easy problem. There is a great amount of traffic in prospect, both from the source to the mouth and from the mouth toward the source. In this particular it differs from many other rivers, where the bulk of the traffic must necessarily be one way. Great quantities of cotton and grain will be carried toward the mouth, and from the mouth toward the source timber and building material for the large expanse of prairie tributary to Dallas toward the north.

We have also made a provision of \$360,000 and an authorization of \$400,000 for the improvement of the Black Warrior, Warrior, and Tombigbee rivers. This project has been under way for a long time. It affords great possibilities in the way of carrying supplies of coal from above Tuscaloosa to Mobile and the Gulf, where coal must be obtained by shipment for a long distance. It also affords the possibility of carrying, at cheaper rates, iron from

Birmingham, which has already become an important factor in the export trade of the United States.

We have also made provisions for four locks on the Ohio River.

The improvement of this river is different from that of those I have mentioned. The object of the locks and dams is merely to provide a uniform stage of the water so that it shall not fall below 6 feet in depth and prevent the river from going out of use at low stages. In the other rivers it is necessary to overcome obstacles afforded by shoals and rapids.

The third question which will, in part, determine whether the appropriations carried in this bill shall be increased or decreased will arise from the policy as to confining this bill to navigation proper. Very large amounts have been appropriated in past years for what is called rectification of banks. If the uniform policy is adopted of protecting the banks of alluvial streams against erosion, in time these amounts, if we pursue a logical policy, will come almost to equal those made for the legitimate improvement of rivers and harbors.

Another feature of this appropriation has been that they have largely been expended at places where there is little or no navigation. Without intending to call invidious attention to any locality, I will mention that portion of the Upper Missouri River for a few miles above and below Bismarck and Mandan, in North Dakota. There is a project there for rectification of banks at an expense of nearly \$750,000, about \$145 for each inhabitant of the two towns. The total navigation for a stretch of 1,600 miles, from Sioux City to Fort Benton, is a little over 20,000 tons. The committee desired to call the attention of the Committee of the Whole and of the House to this incongruity in appropriations, and desire a full discussion of the subject, whether upon this bill shall be carried appropriations for rectification and protection of the banks of alluvial streams where practically no navigation exists.

There has also been an effort in recent years to place upon this bill appropriations for utilization of so-called arid lands. Two years ago an amendment was placed upon this bill appropriating \$250,000, I believe, for the construction of reservoirs in the upper waters of the Missouri River, more than 9,000 feet above the level of the sea, remote by hundreds of miles from any navigation or use of any boat, unless it be a birch canoe.

Members of the House are familiar with the fact that this body stood for the exclusion of that item, and before the bill became a law it was excluded.

A fourth question arises, the decision of which will have its influence upon the future amount of these appropriations, namely, the fixing of a proper boundary line between improvements to be made by the Federal Government and those to be made by municipalities or private parties. An examination of the projects submitted to us shows that if we seek for a uniform rule in this regard we shall find only hopeless confusion. In many cases the General Government has carried its improvements merely to the mouth of the harbor, while in others this improvement has been carried to the wharves and up small streams tributary. On the Great Lakes there is a good illustration, where most of their harbors are afforded by rivers flowing into the lake. In the great majority of them the whole improvement of the harbors on the rivers where boats reach the wharves has been undertaken by municipalities and private parties. In a few, however, the General Government has gone inside of these harbors and done dredging and made improvements which in the other places are made by the municipalities.

While not attempting to enforce any hard-and-fast rule, the committee have sought to make one which shall create some boundary line between the municipalities and the General Government. We have tried, however, to judge each case according to its merit. In some cases there is no opportunity for an outer harbor, and there must be an improvement of the inner harbor. In that case it makes a strong showing for an appropriation within, which otherwise would not exist.

A criticism has been made on this bill, of which I speak with some hesitancy, because my own interest has been identified with that locality ever since I first came to Congress. The statement has been made that undue proportion of the amounts in this bill is appropriated for the Great Lakes. On examination of the subject this criticism will be found to be utterly without foundation. It may be a surprise to some of you to know that 4 of the 8 ports in this country having the largest tonnage are located on the Great Lakes. I must concede some lack of confidence in the official statistics available, owing to the fact that at the ocean-going ports the actual tonnage reported by the collector of customs is restricted to foreign-going vessels, while other statistics are furnished by boards of trade and commercial bodies.

In the statistics before us I fear that injustice may be done to the city of Boston, the figures concerning which are not satisfactory as presented to us. It should be said in this connection that at any rate, whether its tonnage be large or small, it is of a very valuable quality, and that in the sum total of the value of its exports and imports it is second only to New York City. It should

also be stated that there are other tests of the importance of improving a port besides its tonnage, namely, the value of the exports and imports, the necessity of precautions to save human life, the existence of rival ports which could carry merchandise as well as the one improved, or the possession of an exclusive field by the one which asks appropriations.

But after making all these concessions it still remains true that tonnage is the most important test, because it determines the number of boats entering a harbor, the probable size and draft of those frequenting it, and the dangers from collision arising from large traffic.

The eight largest ports in the country, as given by the official statistics contained in the reports of the Chief of Engineers, are, in their order, New York, Philadelphia, Chicago, Buffalo, Pittsburgh, which, perhaps, you can hardly call a port, being located on the head waters of the Ohio; Baltimore, Cleveland, and Duluth-Superior. It thus appears that four of these ports are located upon the Great Lakes.

There is another fact: On the exterior coast of the United States there are numerous bays affording ample space for anchorage within, and there are numerous good-sized rivers flowing into the sea, up which there is ample space for wharves. With three exceptions, upon the Great Lakes these facilities are lacking. These three exceptions are in the harbor of Duluth-Superior, where there are two magnificent inner bays, the harbor of Erie, in which a large bay or interior body of water is nearly surrounded by a long and curving peninsula, and the harbor of Sandusky, Ohio, which is within Sandusky Bay.

In this last harbor, however, the benefits obtained by the protection of headlands are neutralized by the low draft which can be carried to the wharves, or by the shallow depths of water. But in most localities on the lakes it is necessary to create a harbor on what is nearly a straight stretch of the shore. It is obtained either by utilizing a small river or creek which runs into the lake or by building breakwaters on the outside. These differences which I have pointed out emphasize the necessity for more ample provisions for harbors upon the lakes.

Now, let us take up the channels on the lakes and see if there is anything that looks like discrimination there. The distinctive feature of the Great Lake traffic is that the difficulty in navigation between terminal points is in the connecting waters. The lakes themselves for the most part have a depth and size as ample as that afforded by the ocean itself; but in the connecting waters between Lakes Superior and Huron, between Lakes Huron and Erie, through the two rivers, St. Clair and Detroit, and Lake St. Clair there are serious obstacles. There is an almost insuperable barrier between Lake Erie and Lake Ontario.

Now, let us make a few comparisons. We have provided for a channel 2,000 feet wide from New York Harbor to the sea. We are making provision in this bill for the prosecution of a project for channels respectively 1,200 and 1,500 feet wide from Boston to these, but in the Hay Lake Channel, between Superior and Huron, the channel is only 300 feet wide. In the Detroit River, in the lower portion, the channel is only 440 feet wide. This, however, is only part of the facts. In the last two channels mentioned boats must turn at sharp angles, guided by range lights and marks, which in thick or dark weather are very hard to descry.

In the single season of 1899, by collisions and groundings in the Hay Lake Channel, a direct damage was incurred amounting to \$370,118, according to an official report contained in Senate Document No. 80, Fifty-sixth Congress, first session. And the engineers who made the report stated that \$675,000 would be a conservative estimate, taking into account consequential damages in the way of delays and damage to other vessels. So I submit to the committee and to the House that by increasing this channel by providing an alternative one 300 feet up as well as 300 feet down, by widening the Detroit River Channel to 600 feet and by improving the harbors on the lakes, we do not furnish any ground for the criticism that the Great Lakes receive undue attention in this bill. In the connecting waters between Lake Superior and Lake Huron there is a larger traffic than that which goes in and out of any harbor in the country. In the Detroit River there is a still larger traffic, greater than that which goes through any other river in the world.

Mr. Chairman, I have detained the House much longer than I had anticipated. There are, however, several features of this bill of which I wish to speak somewhat further. On full consideration by the committee, it did not seem best to continue the Missouri River Commission or the large appropriations made for that stream. The report gives some comparisons which I should like to have each member of the committee read, showing that we have expended nearly \$11,000,000 on this stream with very trivial development of navigation. The navigation is less than it was thirty years ago, when only small amounts were appropriated.

The question arises, would it not be better for the navigation of the stream if we went back to the former policy of small appropriations? These large amounts have been largely diverted,

as I have said, to the rectification of banks. We mean no reflection on the Missouri River Commission. It is no doubt made up of men of ability and integrity, but they are proceeding on a plan under which it would cost \$30,000,000 to improve this river in the single part between its mouth and Kansas City. So long as there are other streams where improvements can be made much more economically and profitably, we do not feel justified in recommending to the House that these large appropriations should continue.

Mr. CLARK of Missouri. Mr. Chairman, I should like to ask the gentleman a question in connection with the Missouri River.

Mr. BURTON. Certainly.

Mr. CLARK of Missouri. The committee practically declares that no more money shall be appropriated for the preservation of the banks of the Missouri, and practically abandons the river. Now, the question I want to ask is this: Will the chairman of the committee or the committee itself antagonize an amendment which will permit the riparian owners on the Missouri River to construct dikes or wing dams or whatever is necessary at their own expense to protect their own lands?

Mr. BURTON. Speaking for myself, I should say not for an instant.

Mr. CLARK of Missouri. Well, I will take great pleasure in offering that amendment.

Mr. CATCHINGS. Provided they are approved by the Secretary of War.

Mr. BURTON. Of course there must be some regard to the effect on the navigation of the river.

Mr. CLARK of Missouri. And subject to the approval of the engineers.

Mr. BURTON. With that reservation, I do not think there would be any objection on the part of any member of the committee.

Mr. CLARK of Missouri. My district straddles the Missouri. Several times the owners of very rich lands on the banks of the river have undertaken to build some kind of a thing out in the river—a dike, or whatever you call it—to protect their lands, and were perfectly willing to pay for it, but every time they did it the Engineer Department jumped them, because it was interfering with the navigation of the river. If there is no navigation, they ought to be allowed to protect their own lands.

Mr. BURTON. I want to say to the gentleman that I believe that plan would be altogether better for the people on the Missouri River than the plan we have pursued. I believe they could judge more judiciously of what is needed and that the expenditure would not be wasted. If you leave this matter to be determined by private interests, no one is going to throw money away or act under favoritism. It is going to be expended where it will do good.

Now, I want to say, further, that in order to do complete justice to that locality we have recommended in our bill \$300,000 for the portion of the river below Sioux City and \$40,000 above. Possibly our action might have had more character, I may say, if we had stricken out those appropriations entirely, in view of the statement made in the report and our opinion in regard to the matter; but we did not wish to discriminate against that locality and wanted to make provision for finishing works in progress, so that they may not entirely be neglected, and for all legitimate claims of navigation upon the river.

Mr. HEPBURN. If the gentleman will yield to me, I should like to ask him if he does not understand that the appropriation, as it is made, could be used for the very purpose suggested by the gentleman from Missouri [Mr. CLARK]?

Mr. BURTON. The wording of the bill is in this language:

Improving Missouri River below Sioux City: Continuing improvement, \$300,000, which shall be expended in the improvement of such portions of said river as the Secretary of War may designate; and such portions of said appropriation as he may deem necessary may be expended for the improvement of tributary streams of said river heretofore under improvement under the direction of the Missouri River Commission.

Now, that leaves it in the discretion of the Secretary of War. It is expected, however, that this amount will be confined to improvements that bear with some directness on increase of navigation or facilities for navigation. Now, there may be a dike partly under way where to complete it would result in serious damage. We desire to leave with the Secretary of War a large measure of discretion with reference to that; but I have no hesitation in saying to the gentleman from Iowa that the idea the committee had in mind was ultimately to restrict these appropriations absolutely to improvements of navigation. I think I should say that in frankness to the gentleman and to the House.

Mr. HEPBURN. Would you consent to an amendment that would give to the Secretary of War jurisdiction to use this appropriation for the purpose of confining the river within its present limits, for instance?

Mr. BURTON. I should hesitate about that, because I would regard that policy as impracticable. This is a very long stream. To confine it within its present limits is a stupendous proposition.

Mr. HEPBURN. Of course that could not be done through its entire length; but it might be done so far as the appropriation would go.

Mr. BURTON. The trouble about that is that it would repeat the erroneous policy which it seems to me has already been pursued. That policy has been to limit the improvements in a given case to a stretch of 40, 30, or 20 miles—taking, for instance, Jefferson City, and making an improvement there on the theory that the whole river, at an expense of tens of millions of dollars, is going to be improved in the same way. That has been the vital error in the course thus far pursued. While I do not undertake to answer the gentleman's question offhand, I should fear that his suggestion would lead to results in the same direction.

Mr. HEPBURN. Of course the expenditure would have to be confined to a certain locality—to some given point; and there might be different points at great distances apart.

Mr. BURTON. One trouble about that is the scramble—for that is the right word—for appropriations in different localities along the river. Contests would arise between different locations as to where the money should be expended; and this amount, \$300,000, is notoriously inadequate to accomplish any general results in the way of confining the river within its present limits. I should think it would be better to leave absolute discretion in this matter with the Secretary of War.

Mr. BARTHOLDT. Has the committee made any calculation as to the amount of money which will be saved by the policy which they now advocate, of dispensing with the Missouri River Commission?

Mr. BURTON. In salaries, not a very large amount, but in the abandonment of a policy which we think erroneous, a very considerable sum.

Mr. BARTHOLDT. As I understand, the members of the Missouri River Commission are also members of the Mississippi River Commission.

Mr. BURTON. That is not the case.

Mr. BARTHOLDT. Most of them are.

Mr. BURTON. Some of them.

Mr. CATCHINGS. The commissions are separate.

Mr. BARTHOLDT. Even under the policy which the gentleman advocates, it would be necessary to have offices somewhere, to employ clerks, etc., and in my judgment you would save absolutely nothing by abolishing the commission. The officers now engaged are gentlemen who have devoted many years to this work and who consequently are better posted than any new engineers who might be put in charge of it.

Mr. BURTON. It did not seem best to the committee to continue the bureau unless the bureau has something to do. We saw no need for officials unless certain duties are assigned to them. But I would say further that these subordinates of the commission who are no doubt competent would, if fit for their places, be very likely to be employed by the Engineer Department when it assumes control. As to the military officers—the engineers—their positions are of course secure. They will merely be assigned to some other work, or possibly this same work. I should not be at all surprised if Colonel Stickney would be continued on the Missouri River. He no doubt understands it better than anybody else. I have no criticism of him to make, but only of the line of policy that has been pursued. Perhaps you may say that Congress has been at fault in making appropriations for continuing classes of improvements which have been enormously expensive and have brought no good.

Mr. BARTHOLDT. My point is that if what the chairman of the committee says be true, you do not save any money by abolishing the commission.

Mr. BURTON. But it certainly would be a very peculiar policy to deprive those officers of anything to do and yet continue them as officials. That, it seems to me, would certainly not commend itself to the House or be justified by sound principles of economy or business.

Mr. WILSON of Idaho. At the last session of this Congress a law was passed providing for a survey and estimates of cost for constructing a system of canals and lakes at The Dalles, Oregon, and at Celilo Falls, Washington. Some years prior to that Congress passed a law providing for the construction of a boat railway at The Dalles and appropriated a large amount of money for that purpose, of which there is yet available some \$220,000.

I notice by section 7 of this bill you repeal that item entirely. That is the bulk of your repealing clause. I believe the total is about \$270,000, and \$220,000 of that is for the boat railway at The Dalles. Now, this Congress at the last session authorized the survey for making another improvement, an improvement looking to the construction of a canal and locks, and that survey has been made and the report submitted to your committee. It seems to me that it is not right to pass this bill making this repeal and ignoring the improvement contemplated in this report. It leaves this improvement between heaven and earth, and I would like to know something about it.

Mr. BURTON. I would state to the gentleman that the same repealing clause was contained in the river and harbor bill as it passed the last House, but it was stricken out in the Senate. There was some little discussion about the matter. The committee thought this boat railway—the idea of taking a boat out of the water and carrying it 8 miles on a track or tracks 40 or 50 feet wide, and to put it down in the water on a level 82 feet lower—was much more worthy of Jules Verne than of a sober engineer's report. [Laughter.]

Mr. WILSON of Idaho. But Congress had already authorized it.

Mr. BURTON. It is true that Congress had authorized it, but I trust the gentleman, while I do not wish to criticise, will not hold this present committee responsible for some things that have heretofore been authorized by Congress. Now, as to the repeal covering this appropriation into the Treasury, it is true other improvements are contemplated there, but it did not seem to the committee that this amount—something over \$200,000—should be held as a leverage for another improvement. We felt that any other project ought to come up as an independent question. When we come to that we will settle the question of recommending a portage railroad or canal, and try to do justice to all parties.

We found this amount of money remaining, and it is dribbling away a few thousands a year, and we did not think it a business proposition to leave that there so that an amendment might be put on that would commit us to a larger project. It is true that a report was made, and I will say that it is a splendid thing on paper. It was granted a quasi approval of some very eminent engineers, perhaps the full approval of several of them. But we, on full consideration, did not think the boat railway a good or an economical method for the improvement of the navigation of the Columbia.

Mr. HEPBURN. I think the gentleman has before him page 75 of the bill. Would you consent to an amendment by inserting after the word "river," in line 20, the words "and in maintaining the stability of its banks," so that it shall read "which shall be expended for the improvement of such portions of said river and in maintaining the stability of its banks as the Secretary of War may designate?" That would put it entirely in the discretion of the Secretary and remove all the difficulties that the gentleman suggested.

Mr. BURTON. Mr. Chairman, I could not consent to that amendment. It is only a continuation of the method of expenditure there which I think we ought to abandon as rapidly as possible.

Mr. HEPBURN. That is all for the improvement of the river.

Mr. BURTON. There is a little navigation, in addition to a considerable quantity of sand, thirty or forty thousand tons, I believe, and possibilities of future improvement. Now, I yield to the gentleman from Tennessee.

Mr. SIMS. Mr. Chairman, I notice that the appropriation for the Tennessee from Riverton to the mouth is only \$25,000. I would ask the chairman why it is not larger?

Mr. BURTON. I would say to the gentleman that the last bill carried an amount for this purpose, which is the improvement of the Tennessee from Riverton to the mouth, the portion comparatively on a level and easily susceptible of improvement, of which there was still available on the 30th of November \$33,000, and there was \$29,000 remaining at the end of the month of December. The committee thought that the \$29,000 remaining, with the \$25,000 appropriated, would be sufficient to prosecute the work there with a reasonable degree of vigor. I think my friend will find his constituents satisfied. Now I yield to the gentleman from Iowa.

Mr. THOMAS of Iowa. I desire to ask a question in relation to this part of the bill. It seems that the bill provides for an appropriation of \$40,000 above Sioux City and \$300,000 below Sioux City. Now, heretofore a considerable appropriation has been made for the improvement of the banks and wharves at Sioux City, and these improvements are in progress. They are not yet completed, and it seems that this bill excludes anything from being expended at Sioux City.

Mr. BURTON. I would not think so; the dividing line is at Sioux City. It is a mere matter of phraseology. A question has been raised as to the work done above and below Sioux City. I am informed that there has been a ruling by the Attorney-General which seems to create some doubt, and I would be willing for the gentleman to offer an amendment when we reach that part of the bill.

Mr. THOMAS of Iowa. The appropriations in the river and harbor bill carries an appropriation of \$70,000 above Sioux City. The Secretary of War in making the allotment allotted \$30,000 to be expended at Sioux City. Objections were made to that allotment, and the question has been submitted to the Attorney-General, and he held—

Mr. BURTON. I am perfectly willing to have any phraseology you name there to cure the ambiguity, if it is an ambiguity.

Mr. THOMAS of Iowa. I would just make the statement now. At and below Sioux City—

Mr. BURTON. The gentleman can call attention to that when we reach it in the consideration of the bill. Now I yield to the gentleman from Pennsylvania.

Mr. DALZELL. I notice a matter for the improvement of the Allegheny River. I will ask the gentleman whether that has relation to the improvements already under way or in contemplation.

Mr. BURTON. It pertains to the general improvement of the Allegheny River. There is an item of \$244,000, I think it is, which will be carried in the sundry civil bill for building locks and dams there—

Mr. DALZELL. In addition to those appropriated for?

Mr. BURTON. No; to be expended on those heretofore authorized.

Mr. DALZELL. There is no appropriation for providing additional locks and dams?

Mr. BURTON. No, we had so many locks and dams in that neighborhood to provide for that we felt we had gone to the limit of what we could do. I want to say to the gentleman further, although I do not want to say anything which shall have the semblance of a promise for the future, that we regard that improvement of the Allegheny as of importance, and that it will undoubtedly have consideration.

Mr. DALZELL. One other question. I notice an appropriation here for the purchase of land and locks where necessary on the Monongahela River. I would like to know whether that is land adjoining the locks 1 and 2?

Mr. BURTON. It is. This is the fact; boats come up, sometimes in great numbers—the gentleman probably is more familiar with it than I am—and in waiting to be locked through they have to rest against the side of the banks. Private owners own the banks along where they happen to anchor and charge them a fee for it, and in order that there might be ample room for them to moor while waiting to be locked through, this provision was inserted in the bill.

Mr. WILSON of Idaho. I would like to ask the chairman of the committee why there was no action taken by the committee on Captain Hart's report for a system of locks at The Dalles?

Mr. BURTON. The gentleman from Idaho asks why there was no action taken by the committee on Captain Hart's report for a system of locks at The Dalles. I will say that it would cost \$4,000,000. I say candidly to the gentleman that if we had done that, together with other improvements between the mouth of the Columbia River, where we authorized \$2,000,000, it would have been only proper to change the title of this bill to this: "A bill for the development of the Columbia River." We can not take up a project in one part of the country and give it standing in a class to which it does not belong to the detriment of others.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. RICHARDSON of Tennessee. Mr. Chairman, I ask unanimous consent that the gentleman from Ohio be allowed to conclude his remarks.

The CHAIRMAN. Unanimous consent is asked that the gentleman from Ohio be allowed to conclude his remarks. Is there objection? [After a pause.] The Chair hears none.

Mr. RICHARDSON of Tennessee. I desire to ask the gentleman from Ohio a question. I have been urging this committee to make an appropriation for a beautiful stream that flows through the district I have the honor to represent.

Mr. BURTON. The Elk River?

Mr. RICHARDSON of Tennessee. Yes. I do not find any appropriation in this bill for that purpose, and I would like to inquire why the committee did not deem it wise to give us some relief.

Mr. BURTON. I want to say to the gentleman that it would have afforded us the utmost pleasure to accommodate the gentleman from Tennessee. We recognize his long service in this House, and that while he has not heretofore asked the committee for river and harbor appropriations, he has repeatedly urged us to do something for the Elk River. But the fact is that here is a project for improvement costing \$880,000, the whole of which must be expended or it will do no good. As remarked to me by an engineer who is familiar with the locality, when this country becomes as thickly populated as Holland, and like that country furnished with numerous canals and other improvements, it would seem fit to improve the Elk River at this expense of nearly \$900,000.

But I think we ought to advance a few stages in population before that improvement would be justifiable. We have inserted a provision, I will say to the gentleman from Tennessee, providing for a survey up to Estill Springs. The fact is the Elk River has this characteristic—that it goes down hill—and that is true of it in a more marked degree than it is of a great many other streams. It goes down rather rapidly, and it would be necessary to improve

it by locks and dams at rather short intervals, in order to utilize it for navigation.

Mr. RICHARDSON of Tennessee. The gentleman is satisfied that it flows through a great country?

Mr. BURTON. Oh, no doubt about that.

Mr. RICHARDSON of Tennessee. And that there is considerable commerce on its banks?

Mr. BURTON. Yes; and no doubt commerce would be stimulated if these improvements are made. I think, however, that it would afford a simple solution of the question and would be more economical for the Government to build a railroad paralleling it. [Laughter.]

Mr. NEWLANDS. Mr. Chairman, I would like to ask the gentleman from Ohio a question. On page 70, line 10, the following item appears: "Reservoirs at the head waters of the Mississippi River, continuing improvement \$300,000." Will the gentleman explain about that?

Mr. BURTON. These reservoirs are a legacy from a preceding Congress. I speak only for myself, but if that question was to arise to-day I do not think we would recommend that item. There were several reservoirs located up there with the idea that they would affect the water on the Upper Mississippi. They were built at great expense, and they are out of repair. They are in danger of going to pieces and submerging the surrounding country. It is probable that they do raise the water at Minneapolis a little. The question is whether an appropriation is justifiable. This amount is justifiable because it is necessary to put them in condition, so that they may not be dangerous to the surrounding property.

Mr. NEWLANDS. Was the appropriation originally intended to promote navigation or utilize the power on that river?

Mr. BURTON. I do not know. I was not a member at the time it was originally projected and placed in the bill, but I understand it was alleged that it would aid navigation. The gentleman himself is familiar with the fact that there are a great many men in the country, including some engineers, who have an idea that the building of a reservoir well toward the North Pole will affect the level of water even on the Lower Mississippi. It is probable that their views at some time have prevailed with Congress and induced the insertion of items which I think would be more carefully considered now. [Laughter.]

Mr. NEWLANDS. One further question. I understand that the River and Harbor Committee has refused to insert in this bill any provision relating to the improvement of rivers in the arid regions for the purpose of meeting the demands of irrigation as contradistinguished from navigation. Do I understand that to be the case?

Mr. BURTON. The committee has taken this stand: That we ought to confine our improvements to navigation—to rivers and harbors; that the providing of irrigation for arid lands is a widely distinct problem with which we ought to have nothing to do. In the first place, it opens up a subject as broad almost as the improvement of the rivers and harbors of the country, and in the second place it would put something on this bill which we do not think belongs to it.

Mr. NEWLANDS. The gentleman will recognize the fact that the rules provide that all bills relating to the improvement of rivers are to go to the Committee on Rivers and Harbors. Is not that true?

Mr. BURTON. If there is no rule that our appropriations shall be restricted to navigation, we thought it right to make one of our own.

Mr. NEWLANDS. Then it is a rule made by the committee, not by the House?

Mr. BURTON. We do not understand the rule of the House as meaning that we as a committee are to have jurisdiction of water all through the country. We understand the intent of the rule to accord with our interpretation of it.

Mr. NEWLANDS. The title of this bill is "A bill making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other improvements."

Mr. BURTON. "For other purposes."

Mr. NEWLANDS. Now, I ask whether an improvement to promote the use of water for irrigation would not come within that bill under its title?

Mr. BURTON. I do not think it would.

Mr. SHAFROTH rose.

Mr. BURTON. I yield to the other gentleman [Mr. SHAFROTH] interested in arid lands.

Mr. SHAFROTH. Has not the committee on previous occasions allowed an appropriation for the construction of a dam in Minnesota?

Mr. BURTON. What dam does the gentleman refer to?

Mr. SHAFROTH. One at the mouth of the Mississippi somewhere. I do not know exactly. Was there not such an item in the appropriation bill of last year?

Mr. BURTON. That was in pursuance of the plan in regard to which a question has already been asked.

Mr. JONES of Washington. I notice there is no appropriation in this bill for the project entitled "The improvement of Grays Harbor and Chehalis River."

Mr. BURTON. That is carried on the sundry civil bill.

Mr. JONES of Washington. That is at the bar entrance. But this project might be said to be divided into three projects. One is at the bar entrance, which is now under continuing contract; then there is the improvement of the inner harbor, which is called the improvement of Grays Harbor and Chehalis River; and there is the project for the improvement of Chehalis River. Under the act of 1892, \$50,000, and under the act of 1894, \$25,000 was appropriated for this improvement; and in the annual report for 1896 the engineers state that unless the appropriation be made for the improvement of this inner harbor, the value of the improvement of the outer harbor will be very largely diminished. The difficulty is that the harbor next to the outer bar entrance is separated from the inner harbor by two shoals or dams, one below the town of Hoquiam and the other above the town of Aberdeen.

Mr. BURTON. I prefer that the gentleman should raise that point after we come to the debate under the five-minute rule. But I will say to him now, briefly, that it would seem to be the best policy to finish the main improvements first. I am occupying now more time than I had intended, and I would prefer that all questions that may be addressed to me should be limited hereafter to matters of general policy.

Mr. JONES of Washington. Just one further question. The engineer also reports that in order to maintain the improvements already made at the inner harbor there ought to be an appropriation of \$18,500. I call that matter to the attention of the committee. Was it considered?

Mr. BURTON. It was briefly considered.

Mr. JONES of Washington. I will endeavor to bring this matter up under the five-minute rule.

Mr. CUSHMAN. I would like to ask whether in the framing of this bill the committee has endeavored to make always appropriations where the Engineer Department has made a recommendation.

Mr. BURTON. The committee has pursued no rule about that. On the one hand we have avoided being mere clerks to write down the recommendations of the Engineer Department, and on the other hand we have endeavored to give careful and close attention to their reports. We have pursued no hard-and-fast rule about that matter: we could not do so; it would have been out of the question. We have omitted a great many where the engineers made recommendations. If we had put them all in it would have been necessary to bring in a bill for at least \$120,000,000.

Mr. CUSHMAN. Have you not also put in somewhere there was no recommendation from the engineers?

Mr. BURTON. No, we have not; certainly not within my knowledge.

Mr. CUSHMAN. Was there a recommendation from the Chief of Engineers in reference to your own improvement at Cleveland?

Mr. BURTON. Most certainly, and a very elaborate one.

Mr. CUSHMAN. Was that an estimate or was it a recommendation?

Mr. BURTON. It was both a recommendation and an estimate.

Mr. CUSHMAN. I differ with the gentleman.

Mr. FITZGERALD of Massachusetts. Will the gentleman yield for a question?

Mr. BURTON. Yes.

Mr. FITZGERALD of Massachusetts. The gentleman in his figures a few moments ago, in giving the eight cities having the largest tonnage in the United States, did not include Boston.

Mr. BURTON. I stated, I believe, that I was fearful of doing Boston an injustice in that respect. I gave the figures as given in the Engineers' Report, and I will say to the gentleman that for fear I have made them inaccurate I have written to Boston, and, I believe, have telegraphed, asking them to furnish the figures if possible.

Mr. FITZGERALD of Massachusetts. The reason I ask the question is that we supposed that Boston was the second port in the country, and we believe it to be so.

Mr. BURTON. I will agree to anything the gentleman says as to the importance of the port of Boston. [Laughter.] I want to say to the gentleman that the claim has frequently been made before us on behalf of four ports that each is next to New York, namely, Philadelphia, Boston, Baltimore, and New Orleans. As a diversion I once prepared some figures showing that in some important particular each was second to New York, and I will be glad to give the figures to the gentleman. [Laughter.]

Mr. RIDGELY. Will the gentleman from Ohio yield for a question?

Mr. BURTON. Certainly.

Mr. RIDGELY. My question is intended to have a bearing on the general policy of this committee, and I will preface it by

saying that we all in Kansas, so long as we have to depend upon competition in freight rates, are materially interested in maintaining some degree of navigation on the Missouri River as well as the Arkansas. Now, in the preservation of the banks from erosion we contend that you preserve and assist the navigation of the rivers. Does not the committee recognize the fact that if you protect the river banks from erosion you are preserving and aiding the navigation of the river?

Mr. BURTON. That is, if there is any navigation on it, and if the cost is commensurate with the benefits. Of course you can not answer that question by yes or no. Undoubtedly the erosion of banks is a proper subject for expenditure where it prevents cut-offs, prevents the stream from going off somewhere, so that the channel which has been previously followed will be dry. It is proper, I think, to protect landings where there is considerable traffic, but to go in and protect banks against erosion merely because they are on a stream, even if it is a navigable stream, is opening up a field that is limitless.

I will say to the gentleman that ever since I have been a member of the bar I have had charge as trustee of a piece of land containing 45 acres on a navigable river. Almost every year the storms make a change of an acre or two in the ownership on the two sides of the stream. I should not think of coming to Congress to ask an appropriation so that these banks might be rectified. We should regard that as a matter for private expense, although the stream is a navigable one and the land very valuable.

Mr. RIDGELY. Certainly not, but as a general policy. I am not interested in the immediate property on the banks of any of these streams, but I am interested in preserving the navigation so long as we have to depend on competition for our freight rates.

Mr. BURTON. The gentleman will find that carrying the principle that he advocates to its logical conclusion will go away beyond and outside of anything that has the remotest effect on freight rates.

Mr. RIDGELY. But we are alarmed at the attitude of the committee, because you clearly indicate that you are going to abandon these rivers, so far as being worthy of Government appropriation and improvement is concerned.

Mr. BURTON. I do not think the gentleman quite understands our recommendation. We have appropriated an amount which we regarded as ample for navigation.

Mr. RIDGELY. Yes, but you abolish the Missouri River Commission, and in your remarks you cite particularly the small tonnage of freight upon these streams, and say it is a question as to how far the Government should go, and clearly indicate, as I take the tone of your remarks and the tone of your committee report, that you as a committee are looking to the abandonment of those two streams, so far as Government appropriations are concerned.

Mr. BURTON. Not as far as improvements to navigation are concerned.

Mr. RIDGELY. I am glad to have that assurance.

Mr. RICHARDSON of Alabama. Will the gentleman allow a question?

Mr. BURTON. Certainly.

Mr. RICHARDSON of Alabama. I heard the gentleman from Tennessee ask you a question about Elk River, and I want to ask you a question now about something which is below the mouth of Elk River, namely, Colbert Shoals. It is found in lines 12, 13, and 14 of page 59 of the bill:

And the Secretary of War is authorized and directed to prepare an estimate of cost of improving said river at the Colbert Shoals by locks and dams.

Mr. BURTON. What is the question?

Mr. RICHARDSON of Alabama. Are you willing to allow an amendment to your bill based upon an accurate estimate of the cost of locks and dams by the chief engineer in charge of the Tennessee River, on the 2d day of August, 1899?

Mr. BURTON. We could not do that, because, in the first place, it is not officially before us.

Mr. RICHARDSON of Alabama. Now, is it not a fact that if the Secretary of War has prepared an estimate for locks and dams at Colbert Shoals, in preference to the lateral canal plan, that you would be in favor of a generous and liberal appropriation for the removal of obstacles at Colbert Shoals?

Mr. BURTON. I could not go as far as that. Speaking for myself, and I think for the committee, I am unwilling to embark on an improvement that will cost \$6,000,000.

Mr. RICHARDSON of Alabama. One further question. I want to vote for the river and harbor bill and I intend to vote for it. That is my purpose. But is it not a fact that there was an elaborate and an accurate estimate of the lock and dam system in preference to the lateral canal system at Colbert Shoals, made by a competent, certified engineer on the 2d of August, 1899, and was not that before the committee?

Mr. BURTON. There may have been some such estimate made, but it has never come before us officially. We can not take into account reports that are lodged in the engineer's office.

Mr. RICHARDSON of Alabama. Was it not filed in the office of the Chief of Engineers?

Mr. BURTON. That, however, does not bring it before us, even if it were. I telegraphed the Chief of Engineers and asked for it, and he said it had never been published.

Mr. CROWLEY. I see an appropriation on page 68, section 6, for the improvement of the Wabash River, \$35,000. I should like to have an explanation at about what point on the Wabash River this improvement is expected to be made, and what the character of the improvement is to be?

Mr. BURTON. That is at a place called New Harmony Cutoff. The situation is very similar to that created at Vicksburg, Miss., by the water cutting a channel across a bend, the one which General Grant sought to make as a military measure and which nature accomplished afterwards.

Mr. CROWLEY. Do you have to construct a dam at any point?

Mr. BURTON. We have to construct a dam to fill in the cut through which the water goes, because that is filled with rocks and shoals, and navigation through there is absolutely prevented. The aim of this dam is to carry the river around in its natural course, more circuitous, but susceptible of navigation.

Mr. CROWLEY. One more short question.

Mr. BURTON. Certainly.

Mr. CROWLEY. Does this appropriation include anything in the way of constructing a dam or adding to the dam already constructed at Mount Carmel, Ill.?

Mr. BURTON. It does not.

Mr. CUSHMAN. I should like to ask the gentleman a question.

Mr. BURTON. I greatly desire to conclude my remarks, if the gentleman will kindly excuse me. There are several general provisions in this bill. One of the most important is that which pertains to the creation of a board of review of five members, to be constituted by appointment by the Chief of Engineers. Such a measure as this we have found absolutely necessary. Pressure has been brought upon us through members of the House and from all parts of the country for the insertion in our bill of items which would either appropriate or commit us to the early appropriation of \$300,000,000.

It is evident that local engineers in the different parts of the country have very different standards. One will take a project of a certain degree of importance that costs \$200,000 and send in a glowing report recommending it. Another will take a project four times as important, that costs only \$50,000, and he will send in a report saying it is not advisable. Now, we think the function of the local engineer should, measurably at least, be restricted to furnishing facts and figures, and that this board of review should, with all projects before them, make recommendations to Congress. It would make the recommendations somewhat similar to those pertaining to light-houses.

They are graded as desirable, necessary, and indispensable. Let us have more facts before us. We have been sitting here for weeks, holding daily sessions, with almost every member of the committee present. And I want to say to the House that if we have erred it has not been for lack of attention to this bill or study upon it, but with all the reports before us, bringing in engineers in many cases, I feel a great measure of doubt as to the desirability of some items included here, while probably some have been left out which perhaps ought to go in. But we have tried to do the best we could.

Mr. PUGH. Will the gentleman explain to us why the committee of which he is the distinguished chairman refused any aid whatever in furtherance of the project that has been for twenty-two years under way to give us slack-water navigation of the Big Sandy River and its tributaries in Kentucky and West Virginia?

Mr. BURTON. I will state that the committee thought where you have a main stream only partially improved, where great expense will be necessary, it is good business policy to finish that main stream before you go out and expend three, four, or five million dollars in improving a branch of it.

Another thing: The locating of a dam just below the mouth of the Big Sandy might render several of these dams absolutely unnecessary. The committee feel that they are entitled to credit for their course in that matter, and for their policy, as far as possible, of seeking not to scatter appropriations all over this country; improving the top of a stream before the bottom of it is improved, locating a dozen locks and dams scattered along a river where they can do no good; but we thought it best to adopt the policy of taking up those that are more important and finishing them. That is certainly the way an ordinary business concern would do, and we think this is only a business concern on a large scale, that should pursue a businesslike policy.

Mr. PUGH. Does not the gentleman know that the committee even refused the \$50,000 additional appropriation for the two locks and dams for which the committee on March 3, 1899, had on an erroneous estimate made an appropriation of \$450,000?

Mr. BURTON. That provision for one lock and dam was made under great pressure in this House; but another, however, was added in the Senate. Now I yield to the gentleman from Louisiana.

Mr. BREAZEALE. I find on page 55, \$100,000 for the improvement of the Red River in Arkansas and Indian Territory, continuing improvement. Is not that a decrease of the usual appropriation of \$150,000 per year heretofore made, and was not \$150,000 recommended by the engineer in charge?

Mr. BURTON. One hundred and thirty-five thousand was called for by the Chief of Engineers. One hundred thousand dollars was the amount last appropriated. This is exactly the same amount as the last appropriation—at least that is the sum shown in our Estimate Book.

Mr. BREAZEALE. Was not that increased in the Senate?

Mr. BURTON. If it was increased in the Senate, \$100,000 was the amount as it finally became law. We have appropriated the same sum.

Mr. BREAZEALE. One hundred and fifty thousand was the amount, the Chief of Engineers writes me.

Mr. BURTON. Now, I think the Chief of Engineers must be in error, because this Estimate Book is made up largely in his office. The amount last appropriated was \$100,000. The amount called for by the Chief of Engineers was \$135,000. I should like to see the letter if the gentleman has it in his possession. I think there is an error.

Mr. BREAZEALE. Very well.

Mr. PUGH. I notice that you refused the \$50,000 additional to complete the two locks between Louisa and the mouth of the Big Sandy River, although it has been recommended by the local engineer in charge and by Captain Hodges.

Mr. BURTON. And very much pressed by the member from that locality.

Mr. PUGH (continuing). Also recommended by Colonel Roberts, of the Engineer Corps, and by the Chief of Engineers, General Wilson himself.

Mr. BURTON. I do not think the gentleman has understood what I have already said on these projects. We have projects before us recommended by local engineers and by the division engineers aggregating \$300,000,000. Does not the gentleman see that, as a mere matter of computation, it is necessary to diminish that amount very materially? And he certainly can not expect that because a matter is recommended by the engineers it will go into this bill.

Mr. PUGH. What is there lacking in this matter to command it to the favorable recommendation of this committee, if all the engineers in charge of this project clearly show that as a business proposition, with a view to the best interests of the public, the aid necessary to the completion of this project should be given?

Mr. BURTON. Because there are other projects four, six, or ten times more important than it, and certainly the committee could not take into favorable consideration all their projects.

Mr. PUGH. By no means. But I should like to ask the gentleman what there is lacking in this matter to command it to equal consideration with other improvements, even in my own State?

Mr. BURTON. I think I must decline to yield further.

Mr. PUGH. I do not wish to get the gentleman into deep water, but rather would I invite his fair, equitable, and impartial consideration of the vast interests involved in this slack-water navigation matter.

Mr. BURTON. I do not think the gentleman can say anything that will get the committee into deep water or slack water. He is simply coming here and asking this committee to do an impossible and unjust thing—a thing that would be unjust to the House. If I could I would—

Mr. PUGH. I think a business House and business committees, when they look into the matter, would know that opening up the most valuable and extensive coal fields on the face of the globe would be a matter in which at least every citizen in each State bordering on the waters of the Ohio and the Mississippi below the mouth of Big Sandy River is deeply concerned.

Mr. BURTON. I am glad if the gentleman is through. The fact that he has continued as long as he has is an illustration of the difficulties under which this committee has labored during all this session. No man who had a project recommended by the engineers, whether it has behind it speculators, promoters not deserving of consideration, or whatever its merits, but has come to us with the idea that we must put his pet project into the bill.

Mr. PUGH. I want to say—

Mr. BURTON. I can not yield. The committee can judge some of the difficulties under which we have labored by what the gentleman says now.

Mr. PUGH. I desire to say that the gentleman knows—

Mr. BURTON. I decline to yield further. The committee will know something of the difficulties, with \$300,000,000 of projects, with persistent importuning, sometimes amounting to personal recrimination, we have had in framing this bill. I do not say

that this bill is free from defects. There are items in it that do not meet my individual approval; some of them are there because we are pursuing a policy that has been under way for years; some of them because we do not want to put the items entirely off the list that are near to completion, but we have certainly given close attention to these details.

We have tried to make our standard not what would make it equal between the different States of the Union or what would please members, but what would promote the commerce of this country, by selecting out great harbors and great and small rivers alike, with a view to stimulating the growing wealth and increasing the prosperity of the United States. [Applause.] We invite the fullest criticism. If there are items on this bill that any man regards as objectionable, let him rise in his seat. It is possible that in some cases, even with all the reports before us, we have not been able to form a correct judgment. But with its imperfections we submit this bill to the House, confident that it is a measure beneficial to all the people of the United States, one which will bring to them greater prosperity and aid in all the elements that give us greatness as a nation. [Applause.]

Mr. TONGUE. Mr. Chairman, I now yield twenty minutes of my time to the gentleman from Wyoming [Mr. MONDELL], and I reserve the balance of my time.

Mr. MONDELL. Mr. Chairman, in the limited time which has elapsed since the bill under discussion was reported to the House it has been impossible for members not on the committee to form an intelligent opinion as to the necessity for, or comparative importance of, the many projects provided for. I believe, however, that the committee, guided in its deliberations by its able chairman, has given careful, intelligent, and conscientious attention to the projects which have been presented to them, and I am inclined to accept the judgment of the committee with regard to the relative importance of the items contained in the bill.

My criticism of the committee in making up the bill is a criticism for acts of omission rather than of commission, and I am rather inclined to the opinion that failure on the part of the committee to act favorably in regard to certain matters in which the people of my section of the country are interested is due rather to a lack of knowledge of the importance of the great questions involved than from any disposition to ignore the proper claims of a great interest.

I appeared before the Committee on Rivers and Harbors when the bill now under consideration was being considered by them and requested the insertion in the bill of two items; one providing for the construction of reservoirs at the head of one of the tributaries of the Missouri River; the other containing provisions for surveys of reservoir sites in the arid and semi-arid States and Territories and reports thereon. The items are as follows:

Reservoirs at the head waters of the Missouri River: For construction along Piney Creek, Wyoming, of three reservoirs, in accordance with the recommendations submitted in House Document No. 141, Fifty-fifth Congress, second session, \$50,000: *Provided*, That the Secretary of War may enter into a contract or contracts for such work and materials as may be necessary for the completion of such reservoirs, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate \$105,000 exclusive of the amount herein appropriated: *Provided further*, That these reservoirs shall be emptied, as near as may be, each year between June 30 and September 30, the discharge of stored water to be under the direction of the State engineer or other State officer especially designated for the purpose by the State wherein such reservoirs are located; and beneficial use shall be the basis, the measure, and the limit of any right sought to be obtained to the use of any water so discharged.

The Secretary of War is hereby directed to cause preliminary surveys or examinations to be made of one or more reservoir sites in each arid and semi-arid State, and report upon the cost, practicability, and desirability of constructing such reservoirs and other works necessary for the storage and utilization of water to prevent floods, overflows, and erosion of river banks and levees, and for the reinforcement of the flow of streams and raising the water line therein during drought and low water, and to utilize the water so stored where practicable for irrigation, mining, or domestic purposes while it is in transit to replenish the streams during the season of low water, and the sum of \$50,000 is hereby appropriated to carry out the purposes of this section.

Mr. Chairman, I do not find these items in the bill as reported by the committee. I have been unable to learn just why they were not inserted, though in a somewhat indirect and unofficial manner I have been informed that some of the members of the committee did not consider the items germane to a river and harbor appropriation bill. If this constitutes the ground on which these items were ignored, then the committee must have overlooked the fact that there is abundant precedent for these items on a river and harbor appropriation bill, as similar items have heretofore had place on bills of this character, notably the bills of 1880, 1881, 1882, 1884, 1886, 1888, 1890, 1892, 1894, 1896, and 1899, which in the aggregate appropriated \$1,115,500 for reservoirs on the Upper Mississippi River, and the bill now under consideration contains an item of \$300,000 for the repair and renewal of these reservoirs.

As for the second item, a similar provision was contained in the river and harbor bill of 1896, and under this provision the reservoirs for which we now propose an appropriation were surveyed and exhaustively reported upon by Capt. H. M. Chittenden,

of the Corps of Engineers. So it seems that there is ample precedent for both of these items on a river and harbor bill.

Mr. KING. Will the gentleman from Wyoming allow me an interruption?

Mr. MONDELL. Certainly.

Mr. KING. Does the experience of the Government with respect to these reservoirs which he says have been constructed warrant appropriations for them?

Mr. MONDELL. I believe it does, Mr. Chairman. Engineers of the Government have reported that the construction of these reservoirs has resulted in increasing the navigable depth of the river 18 inches in time of low water for hundreds of miles below the reservoirs, and the gentleman will appreciate what a vast benefit to navigation that is.

There certainly could have been no valid objection to the items on the part of the committee on the ground that the expenditure would not result in accomplishing the objects sought, for no one will claim that these reservoirs would not serve highly beneficial public purposes.

Mr. Chairman, in the last twenty years the United States Government has spent approximately \$52,000,000 for the improvement of the Missouri and Mississippi rivers, and the bill now before us adds nearly \$12,000,000 to this sum. In the same period of time the various riparian States have expended for levee construction on the Lower Mississippi about \$20,000,000. Of the fifty-two millions which the Government has spent on these rivers, over fifteen millions have been for levee construction, making a total for levee construction alone in the past twenty years on the Lower Mississippi of upward of \$35,000,000. This in addition to the vast sums which were expended by the levee organizations of the various States bordering the Mississippi prior to 1882, an expenditure which amounted to many millions.

Of all this vast expenditure by the States and by the nation, amounting to over \$72,000,000 in less than twenty years, to be augmented if this bill becomes a law to eighty-four millions, the major portion has been expended to minimize and repair destruction by floods, to remove flood-formed obstructions to navigation, and to guard against flood inundations. The jetties themselves were built to remove the silt which the river brought down in its spring flood, to deposit where the mighty volume of the Gulf checked the onward rush of its turbid waters.

Each year vast expenditures were required to remove flood-built bars and shoals and flood-deposited snags, while the expenditure for levees is neither more nor less than an enormous outlay by the General Government for the protection of private property, for instead of permanently improving navigation, their effect is quite the contrary, as they confine the silt-laden waters within parallel banks, compelling the deposit of all solids within those narrow confines instead of allowing it to be deposited over the surrounding country as the waters spread.

A greater portion of this expenditure is not only ineffectual as a permanent remedy, but, in the case of dredging of flood-built bars, it must, under the present system, go on annually forever, and the building of levees, as is well understood, simply aggravates the situation, for as the flood-borne silt, held in its narrow channel, is annually deposited in the stream bed, the levees must, year after year, rise higher and higher in order to control the floods, postponing, but making more certain and terrible, the inevitable disasters of that fatal day when the mighty stream shall break the walls of its built-up channel and carry death and destruction in its wild rush to the sea.

Now, Mr. Chairman, I am not here to criticise the appropriations which have been made for the improvement of navigation or for the protection of private lands from inundation along the Mississippi and Missouri rivers, but rather for the purpose of calling the attention of this House to the fact that the appropriation which I have asked strikes at the root of the flood evil and tends to remove the cause, whereas the many millions which have already been spent have sought only to minimize the evil effects of the floods. While making these vast expenditures in an almost fruitless attempt to control the floods and repair their effects, why should not this Government, in the interest of navigation and in order to minimize flood destruction, hold back, at the sources and along the courses of the tributaries of the Mississippi and the Missouri, a portion, at least, of the waters that now go to swell these streams in time of flood?

The appropriation proposed is for certain reservoirs at the head waters of one of the tributaries of the Missouri, and this location is selected for the beginning of this important work owing to the fact that the proposed reservoirs have already been, in accordance with a provision in the river and harbor bill of 1896, surveyed and pronounced feasible by an officer of the Government, and their cost, as estimated by him, would be very low, considering the amount of water impounded. But it is proposed by the second item of the appropriation to have other surveys made and thereby provide for the storage of flood waters on other branches of these mighty rivers and on other streams.

Mr. Chairman, the present system of handling flood-built obstructions and protecting private property from inundation on the Mississippi and others of our navigable rivers is to a considerable extent confessedly but a makeshift, if not an aggravation of the evil. It seems to me, therefore, that it is high time that the River and Harbor Committee of this House and the House itself give some heed to a plan which gives promise of some permanent relief. That plan is the construction of reservoirs to hold back the flood waters—a plan which, it must be conceded, will, so far as it is carried out, be effective; for no man can deny that, to the extent of the waters impounded, the reservoiring of flood waters is a permanent and complete preventive of flood destruction.

It has come to me in a roundabout way that one objection made to the insertion of the items which I proposed in the river and harbor bill was on the ground that the waters impounded might be used for the purposes of irrigation. If such an objection should be offered in any quarter, it is scarcely necessary for me to say how wholly trifling and puerile and unworthy of a statesmanlike view of this great question such an objection would be. On the assumption that the water which it is proposed to reservoir shall be used in whole or in part for the purposes of irrigation, that fact, instead of being an objection, is one of the best reasons for the construction of these reservoirs in the arid regions, for there the reservoirs could be successively filled and discharged during the flood period and the discharged waters spread over the lands for irrigation purposes, from which they would slowly percolate into the streams, thus largely augmenting the volume of water stored.

If, in addition to serving the purposes of flood protection and providing a continuous flow of water during the dry season for navigation, the waters thus impounded could, at great cost and infinite labor on the part of the people themselves and without cost to the Government, be carried out upon the deserts to fructify them, to make the waste places blossom, the valleys and hill-sides, now barren, beautiful and fruitful, make possible the founding of homes, replace the howling of the coyote with the laughter of children and the music of the village bells, is there anyone so narrow, so biased, and churlish that he would withhold a Federal appropriation which will, beyond all question and cavil, serve the interests of navigation, simply because in the accomplishment of those objects these other and manifold blessings shall follow?

If there ever was a time when objections might reasonably be urged to appropriations of this character on the ground that the waters stored would be available for irrigation purposes, such an objection certainly is not valid at this time, if the party platforms count for anything, for each of the two great parties represented on this floor is pledged, in its last national platform, to promote the cause of irrigation.

The clause in the Republican platform is as follows:

In further pursuance of the constant policy of the Republican party to provide free homes on the public domain, we recommend adequate national legislation to reclaim the arid lands of the United States, reserving control of the distribution of water for irrigation to the respective States and Territories.

Our friends on the other side of the House also appreciated the importance of the question of irrigation, and in their national platform pronounce as follows:

We believe the National Government should lend every aid, encouragement, and assistance toward the reclamation of the arid lands of the United States, and to that end we are in favor of a comprehensive survey thereof and an immediate ascertainment of the water supply available for such reclamation, and we believe it to be the duty of the General Government to provide for the construction of storage reservoirs and irrigation works, so that the water supply of the arid region may be utilized to the greatest possible extent in the interests of the people while preserving all rights of the State.

We of the arid West now confidently expect that the members of both parties shall make good the declarations of their platforms by supporting appropriations for storage reservoirs in the arid region, particularly where the construction of such reservoirs comes within the legitimate scope of river and harbor appropriations for the control of flood waters and in the aid of navigation, and where, as in the appropriation which I propose, the aid to irrigation simply follows as an incident and as a valuable adjunct to the system of storage in aid of navigation.

I have understood that some hesitate on embarking in construction of the character proposed on the ground that it would be but the beginning of expenditures, the ultimate aggregate and limit of which they believe may not be accurately foreseen or calculated, but which, without giving the subject any particular study or investigation, they imagine may ultimately lead to the expenditure of enormous sums.

These fears, in my opinion, are not well grounded, and they arise largely from a misconception of the extent and character of the works which it is proposed the Government shall undertake. As an official announcement with regard to these matters, I quote the resolutions adopted by the National Irrigation Congress, which convened in Chicago last month, and which are as follows:

We hail with satisfaction the fact that both the great political parties of the nation in the last campaign declared in favor of the reclamation of arid

America in order that settlers might build homes on the public domain, and to that end we urge upon Congress that national appropriations commensurate with the magnitude of the problem should be made for the preservation of the forests and the reforestation of denuded areas as national storage reservoirs, and for the construction by the National Government as part of its policy of internal improvement of storage reservoirs and other works for flood protection, and to save for use in aid of navigation and irrigation the waters which now run to waste, and for the development of artesian and subterranean sources of water supply.

The water of all streams should forever remain subject to public control, and the right of use of water for irrigation should inhere in the land irrigated, and beneficial use be the basis of measure and limit of the right.

There have been widely divergent views held in the past by the people of the arid West relative to the scope and extent of works which the National Government should be asked to undertake, directly or indirectly, in the aid of irrigation, but this declaration of the Irrigation Congress represents the crystallized thought and opinion of the majority of those who have most carefully studied the subject.

Let it be clearly understood, then, that there is no general disposition to have the National Government embark in the enterprise of irrigating arid lands. Even those who believe that such a policy would be wise and beneficial, but who have given the subject careful study, appreciate the fact that Congress will authorize the inauguration of no such policy, and even if it were inclined to do so, there are grave doubts whether such a policy would be practicable or satisfactory for many reasons, but particularly owing to the divergent water laws and customs of the various States.

What we ask is that the National Government shall undertake the truly national work of storing and controlling flood waters by the construction of storage reservoirs, and in some instances by the diversion of the larger streams in the arid regions from their natural channels where such diversion would effect a conservation of the flood flow and the work is too stupendous to be undertaken by private capital. While asking that the Government shall store the floods, now an element of waste and destruction, we contend that it is no valid objection to this proper and effective expenditure by the General Government to say that after the waters have been discharged from the Government reservoirs and returned to the stream beds the people of the West may, at infinite labor and expense, divert these waters to the arid valleys and uplands, to make the desert fruitful and the waste places glad.

Keeping in mind, then, the fact that the work that the nation should undertake in the arid regions should be confined to enterprises of a public character and which can not properly be undertaken by the States or associations of individuals, the inauguration of such work by the National Government would open up no such wide avenue of expenditures as is popularly supposed. The number of eligible reservoir sites is unfortunately comparatively limited, and no one need be terrified with visions of large appropriations running into the indefinite future for this class of work.

On the other hand, consider the benefits which would flow from such expenditure in addition to the permanent aid to navigation and the lessening of destruction by floods.

If in the next twenty years we were to expend in the construction of storage reservoirs in the arid region the amount which has been spent in the past twenty years by the United States alone for levees on the Lower Mississippi and for the removal of flood-built obstructions to navigation on that stream and the Missouri River, we could build a comprehensive reservoir system at the head of every tributary of the Missouri and Mississippi in the arid and semiarid region.

We would thereby, to the extent of the waters reservoired and conserved, permanently and appreciably aid navigation and lessen flood destruction, and while thus accomplishing more permanent benefit than has resulted from the outlay I have referred to, in addition thereto, without the expenditure of a single additional dollar by the National Government, would make possible and certain, through the utilization of the impounded waters by private enterprise after it had served its public purpose and been released from the reservoirs, the reclamation by irrigation of millions of acres of lands now arid and barren; the development and growth of regions now comparatively undeveloped and desolate; the addition of millions to our population and of hundreds of millions to our wealth, affording an opportunity for the securing of homes by the rapidly accumulating homeless and landless among our citizens, and assuring an ever-growing and expanding market for our trade and our manufactures.

I am aware that certain interests in our country are short-sighted and narrow enough to oppose these appropriations for the very reason that the proposed work would, in addition to its benefits which lie within the aim and scope of the river and harbor appropriation, open new lands to settlement and cultivation and bring the products of these lands possibly into competition with the products of lands now under cultivation.

Objections of this class are entitled to as much weight as the objections of the citizens of a seaport town already having 25 feet of water on their bar to appropriations in aid of a feasible project to provide the same depth of water at another harbor on the ground that such a project might deprive them of a part of their

commerce would be; furthermore, the fears of this class of people are entirely unfounded. No matter what the Government may do; no matter how earnestly and energetically individual enterprise may go on developing irrigation projects and supplementing national expenditure, the additions to our arable lands in the future through reclamation by irrigation must, in comparison with the enormous additions by settlement in our humid region since the civil war, ever be lamentably insignificant.

We are now a nation of 76,000,000 souls, demanding to keep pace with our growth in population the addition of large areas to our arable lands yearly, but the National Government has not to-day, outside of some limited timber tracts, a single compact 160 acres in all its 500,000,000 acres of public lands upon which may be produced with reasonable certainty each year a good crop of wheat, corn, or cotton without artificial irrigation. The Eastern farmer need have no fear that the development of the arid West will be to his disadvantage by reason of the increased competition. With every possible agency at work we can not from now on increase our acreage of arable land by irrigation reclamation fast enough to keep pace with the increased consumption of our own population.

The prevention of flood-wrought obstructions to navigation and the increase and maintenance of a uniform depth of water in our navigable streams have always been important subjects for consideration in connection with a river and harbor bill. We now link with these subjects the important one of irrigation and insist that appropriations for the former purposes shall not be denied because they indirectly serve to aid in the accomplishment of the latter object, to the consummation of which both great parties stand solemnly pledged.

The irrigation of our arid domain is to-day the most important question of internal policy before the American people, and whatever their views may be as to the advisability of extending our control over lands beyond our continental borders, there can be no division of opinion as to the duty and responsibility of annexing arid America—one-third of our imperial domain on this continent—by assisting in the conquest of her irrigable deserts, making them fit for the uses of civilization, and thereby furnishing homes for the increasing millions of our population and an ever-expanding market for our manufactures.

I shall append hereto, as a part of my remarks, the very clear and forcible statement as to the necessity and advantages of Government aid in the construction of storage reservoirs, contained in the letter of Lieut. Gen. Nelson A. Miles to the Irrigation Congress held at Chicago last November:

My interest in the subject of irrigation began some three decades ago when, in the performance of official duty, I had occasion to explore more or less thoroughly that vast extent of sparsely settled or unoccupied land bounded on the east by the one-hundredth meridian, on the north by the forty-ninth parallel, on the south by the Rio Grande, and extending to the Sierra Nevada and Cascade ranges on the west.

The thought often occurred to me then, and the thought has grown into a conviction as the years have gone by, that it was not a part of the economy of nature to have this enormous expanse of land lie inert and waste. Millions of acres were apparently desert, where the coyote starved and only the cactus and sage brush could live: yet the soil held within itself the elements of productiveness, the air was pure as heaven, scenery as inspiring as a beautiful picture, the application of the vivifying water being the only thing lacking to arouse its rich potential energies.

Since those early days I have from time to time, with voice and pen, done what I could to advocate the conservation of the water supply of our arid lands and the preservation of the trees, which are the guardians of the fountains at the water's source. Ten years ago I responded to an invitation to express my views in public print on the subject of our unwatered empire. I would refer you to those views now, as I have had no reason to materially alter them.

Since the foundation of our Government the center of population has been steadily moving westward, the pioneer spirit of the East seeking homes and independence far away from the stifling atmosphere of the large overcrowded cities. This united desire of our people to own a home rather than to rent one—to be their own landlord rather than some landlord's tenants—assured the vitality of the great American Republic. The American is so sovereign to-day, and the dignity and independence engendered by his free environment, the healthfulness of his mind and body resulting from the pure air he breathes, the love of country which home owning stimulates, make him the preserver of those beneficial institutions under which we live.

It would be a sad day, full of evil portent to the Republic, if home building should become unpopular, if gravitation toward the cities should overcome the outward march into the expansive country, if tenantry in an overcrowded alley should be chosen in preference to a free quarter-section in valley or upland. Therefore, I say, the devising means whereby the public domain is made available for home seekers and the arid lands are made habitable and productive is now one of the most important lines of American endeavor. I reiterate the saying of the keen satirist and wise philosopher: "That whoever could make two ears of corn or two blades of grass to grow upon a spot of ground where only one grew before would deserve better of mankind and do more essential service to his country than the whole race of politicians put together."

The utility of irrigation ceased to be questioned thousands of years ago, and we have the records of successful methods which are as old as the first pages of written history itself. We have evidence that the aborigines of the Southwest had perfected a system of irrigation, and the natives of New Mexico and Arizona, who brought their methods from Mexico and Spain, handed down their skill to posterity. These methods are at once simple, inexpensive, and effective, and can easily be adapted to the needs of a large proportion of our great arid country.

I am not optimistic enough to believe that the ingenuity of men can encompass the redemption of the 600,000,000 acres which comprise the nation's vacant public lands; but if, as has been claimed, there is water enough for the irrigation of 100,000,000 acres, providing the supply is economically used,

I can easily imagine 10,000,000 good citizens finding homes on farms which are self-supporting. In the State of Texas there are still many millions of acres of unclaimed areas which would lend themselves readily to irrigation methods and become valuable to settlers.

The area of this great State may be appreciated by remembering the fact that if it were populated as densely as the State of Massachusetts there would be over ninety millions of souls within its borders. But it is the immense tracts that embrace a large part of Arizona, New Mexico, Utah, and Nevada, much of Wyoming, Colorado, California, and Oregon, and the basin of the Columbia in interior Washington, which comprise mainly the public domain the reclamation of which you are strenuously advocating. Whether this great work is to be left to private or corporate enterprise, whether it shall be turned over to the States in which the land is situated, for such treatment as is thought best by those most interested, or whether the National Government, the owner of this vast arid region, should perform the duty of reclamation, are questions which you are no doubt now ably discussing.

It appears that private or corporate enterprise can not be trusted to control the improvement with justice and equality for all concerned. The States themselves are, as yet, not financially strong enough to undertake the task. It seems to me, therefore, that the plan proposed by one of the members of your association is the most feasible and just. It is: "Let the Government build the storage reservoirs and the main-line canals, and the settlers provide the smaller distributing system by banding themselves together in cooperative organizations."

I believe that Congress is awakening to a sense of the importance and propriety of lending national aid to the movement. Already considerable sums have been appropriated for the purpose of investigating hydrographic conditions, measuring streams, making reservoir surveys, etc., and I believe that before long the policy of national aid in the building of storage reservoirs will be established.

The Government has spent over \$11,000,000 in improving the navigation of the Missouri River, and as its middle course is through an arid or semiarid region, and as the necessity for water transportation increases in direct ratio to the productiveness of the land through which the river flows, it seems logical and right that the attention of the Federal authority should now be given to the conservation, for irrigation purposes, of its surplus flood, which does such great damage along its lower course when, swelled by melting snows, its mighty volume bursts through its expensive confines.

The National Government has appropriated to June 30, 1900, for expenditure by the Mississippi River Commission \$37,647,780.17, of which \$15,403,901.87 was expended for levees. There must be added to this latter item over \$15,000,000 contributed by the States, making thirty and a half millions expended in efforts to confine the surplus wealth of vitalizing fluid contributed by mountains until it is lost in the great ocean. Think of the thousands of farms that could be made productive by the judicious expenditure of only a part of this great sum. There are able engineers who even question the wisdom of constructing artificial banks, claiming that sooner or later the resistless flood will break through, and when it does the damage will be a thousandfold greater than it would were the waters allowed to spread as nature permitted.

But there is no question as to the utility of storing up a portion of the flow of water that runs away in nonirrigation seasons, that it may be available for use during the growing periods. As a distinguished United States engineer, referring to the arid regions of the West, reports: "In no other part of the United States, nor anywhere else in the world, are there such potent and conclusive reasons of a public as well as a private nature for the construction of a comprehensive reservoir system."

I also present, as a most clear and forcible statement on the subject of Government aid in the construction of storage reservoirs, the address delivered by Capt. Hiram M. Chittenden, United States Corps of Engineers, before the Irrigation Congress held in Chicago last November.

The industrial growth of any country and its capacity for high civilization depend in an eminent degree upon its agricultural development. In the western portion of the United States this development is limited by the amount of running water available for irrigation. In the natural condition of the streams only a portion of their flow is so available, and it is imperative that another portion be held back in times of high water, in order that all may be used. The storage of the waste flow of its streams thus becomes an indispensable condition to the highest development of the Western country.

While public opinion, guided by an intelligent understanding of the conditions, is certain to be agreed upon this point, there will be less unanimity of opinion as to what is the proper agency for accomplishing the work. But the logic of the situation is steadily enforcing the conclusion that there is only one agency broad enough and powerful enough to handle so large a proposition in the way it should be handled. The benefits that flow from the storage of water cover a wide and diversified range. They extend to different communities and even to different States. They are interstate in character, and fall in the same category with those arising from works in aid of interstate commerce. The great cost of developing a comprehensive storage system, and the impossibility of controlling its benefits so as to derive a direct and tangible revenue from them, exclude private agencies, and even the individual States, from undertaking the work. The function clearly pertains to the General Government, that sovereignty which covers all the country and embraces the streams from their sources to the sea.

The truth has long been recognized by the National Irrigation Congress, and, thanks to its active and intelligent propaganda, as well as to that of the National Irrigation Association, it has now also been recognized by the two great parties in our national politics. Undoubtedly a campaign of education must yet be carried on before so important a policy becomes finally established, but all the arguments upon which it rests are thoroughly understood, and it seems unnecessary to go over them again here. In opening this discussion, therefore, I shall spend no time in considering propositions which we accept as already definitely settled, but shall take up a few of the practical questions that relate to the matter of inducing the Government to undertake these works.

As in the first stages of every new movement, there will be encountered in this the inertia of conservatism on the part of Congress. It was so in the early days of the Government in regard to works in aid of interstate commerce, and it will be so now. It is natural and right that Congress should insist on being convinced that the step is a proper one before it is taken. The difficulty will not be in demonstrating the necessity or importance of the works in themselves, but that the Government is the proper agency to undertake them. Now that both political parties are committed to this policy, it would seem that the battle is as good as won, provided that it be found practicable for the Government to undertake the work, and that it do not entail a burden of excessive magnitude nor inaugurate a policy which is contrary to the genius of our institutions.

As to the burden involved, if the work be limited strictly to reservoirs it will be a comparatively light one—a mere bagatelle compared with the cost of other river works now being carried on. The possible expansion of the

reservoir system of the West is in reality very limited—far more so, unfortunately, than one might wish it to be. The lack of good reservoir sites and the existence of other natural difficulties are going to restrict the work more than anyone can appreciate who has not traveled extensively through the Western country. One or two million dollars a year will carry on the work as fast as it will ever be needed, and after it is well under way its benefits will practically pay for what remains to be done. Congress, we may rest assured, will never reject a meritorious project so long as it involves no greater burden than that.

"But," some one will say, "even if the project is limited to reservoirs, there will be no end to applications for Government expenditure. Every community in the West will think that it must have a reservoir, and every creek and river in the mountains will demand attention." That is entirely true, but, after all, it is more of a bugaboo than a serious danger. If every demand had to be complied with, if every reservoir asked for had to be built, then indeed the Government would be in a bad way. But this matter will be treated exactly as a similar condition is treated in the river and harbor bill. When these projects come into Congress, as they now do in great numbers, preliminary examinations are ordered, and a separate provision is made for them in the bill. They are conducted at trifling expense and are reported upon at the ensuing session of Congress, so that no time is lost in securing consideration of them. It will surprise many to learn to what a great extent these preliminary examinations give the quietus to unworthy projects.

Out of a total of 1,230 examinations under the river and harbor bill down to 1897, only 570 were reported favorably, and of these only 407, or less than one-third, were reported favorably upon further survey. An adverse report ordinarily kills such a measure at the start. When a project is favorably reported it is in line for direct appropriation for construction. If it be of such magnitude or importance as to require detailed surveys and estimates before construction is begun, then an appropriation is first made for these surveys. When construction is ordered it has been usual in later years to provide an allowance which shall insure the completion of the work within a specified time.

This system of inaugurating and constructing public works is founded upon business principles and is the outgrowth of long experience. I believe it to be as well designed to protect the public from imposture and to secure a just return for their money as it is possible to devise. Its drawbacks are of a character which can not be avoided, for they arise from the nature of our Government and the power which rightly reposes in the hands of the people, whereby it will occasionally happen that local influence will force through measures against the reports based upon official investigation. In the case of reservoir construction, however, the liability to take up ill-advised projects will be even less than in the case of river and harbor works. I doubt if there is any other class of works in which the data for deciding the question of merit are of a character so definite and easily determined. So long as these projects have to pass the scrutiny of independent and nonpolitical investigation the public need have no fear that any very flagrant instance of unworthy expenditure will occur.

The crucial question upon which this matter will turn relates to the probable consequences of so radical a departure. If the Government takes up the construction of reservoirs in the arid regions, will it not commit itself to a general policy of reclaiming the arid lands, with the multitudinous details and the unlimited outlay which such a policy will entail? There will be a deep distrust of the movement, lest it drag the Government into the construction of irrigation works as such, and the establishment of laws and regulations governing the use of stored water. It is the dreaded ramification of such a system and the unseen lengths to which it may lead that will cause Congress to hesitate when asked to act upon this matter.

Now, there can be, in my judgment, no doubt in the minds of thinking men who carefully study the question that it would be exceedingly unwise for the Government to enter upon the business of irrigation, even on the unsettled public domain of the West. Consider what such a policy would mean. While the storage of water is essentially a thing of general concern, pertaining to streams that flow from one State to another, the irrigation ditch is essentially a local concern, pertaining to the land, and naturally subject to local State regulations. On this principle the irrigation system of the West has grown up. It is absolutely in the hands of the States. The irrigation laws differ materially in the different States, but under each vested rights have become established, judicial construction has crystallized into a powerful body of law, administrative regulations have reached a high state of perfection, and the whole business has developed into an elaborate and satisfactory system. There is no complaint in any quarter that it does not meet fairly well the necessities of the situation.

To permit or require the General Government to enter this same field would result in endless confusion and complication. It is not a practical proposition at this stage of irrigation development. Existing systems are too well established and vested rights too thoroughly entrenched to permit of it. Moreover, it would not be desirable, even if practicable. It is contrary to the theory and spirit of our institutions for the General Government to take control of matters which are essentially local in character. It would involve the Government in the multitudinous and complex details of a vast industrial system where these details can be managed more satisfactorily by the local authorities. So far does the business of irrigation enter the very life of the Western people, and so large a part of the local law relates to this subject that if the General Government were to enter the field, it would virtually replace local government over a vast portion of the national domain.

That these are certain to be the views of Congress when the question again comes up for consideration may be seen in the expressions which have already emanated from that body. Let those who would get at the pith of this matter study the CONGRESSIONAL RECORD for the latter part of the third session of the Fifty-fifth Congress, when the debate took place in the Senate upon the Warren amendment to the river and harbor bill providing for the construction of two reservoirs in the arid regions. This debate makes it very clear that it is not the principle of Government construction of reservoirs, nor even the cost of the work, that will find opposition in Congress, but the fear that such a policy will lead to the inauguration of a Government system of irrigation works in the West and to an interference with existing systems established by the States.

Senator STEWART, of Nevada, who favored the amendment, insisted that it must be so drawn that the proposed works should not interfere with the State system. Otherwise the proposed law, he said, "would be utterly destructive" and impossible of administration.

Mr. RAWLINS, of Utah, was also favorably disposed to the proposition, but with this reservation: "If these moneys are expended by the Government, it must be with the distinct understanding that the reservoirs are to be created, first, subject to all the rights to the use of the water already accrued, and, secondly, to the control of the States themselves in respect to the management and disposition of the waters thus impounded."

Senator TELLER said: "I do not know whether it is a wise thing to do or not. If the General Government should attempt at any time to assert control over the water, I should say it was an exceedingly unwise thing. I am sure that the State which I in part represent, if called upon to grant the Government the right to build a reservoir on its soil, would insist that the Government should not control the water in the slightest degree; that while

it may impound the water for a time, it should certainly let the water loose when the time comes for irrigating use in the State."

Among the Eastern members who discussed the measure, Senator SPOONER, of Wisconsin, gave it the most thorough and searching examination. The burden of his remarks was that he feared that the policy of building storage reservoirs would be a stepping stone to that of building ditches and other irrigation works, and that he considered it not only wrong in principle, but contrary to the Constitution. He said in part:

"If this were the end of the proposition, even if it involved a vastly larger sum, I should not object to it; but I believe it is only the beginning. I can see no reason why this appropriation should be made to construct a reservoir for irrigation purposes in one State and not made from time to time in all the States, and in all the places in all the States where irrigation may require the construction of similar reservoirs. What I dread about this business is that it is the committal of the Government to a principle which I believe to be paternalistic and wrong, and which will involve the expenditure of countless millions of dollars before we are through with it."

It is evident from these expressions that Congress will not be unfavorably disposed toward the Government construction of reservoirs, but will be absolutely opposed to going into the irrigation business. Here, then, is one rock which we should try to avoid lest it cause us shipwreck. The reservoir question must be divorced from the irrigation question so far as active aid from the General Government is concerned. But is it possible to do this? Entirely so.

The reservoir question is a question by itself. The conservation of the waste flow of our streams does not pertain exclusively to irrigation, but to all the uses that are made of running water and to the dangers that arise from floods. Their purpose is to regulate the flow of streams so that they may more fully serve the purposes of man. There is no obligation whatever that the builders should follow the course of these streams and see that the water is used thus and so. Forests are being preserved by the Government in part because of their supposed influence in regulating stream flow, but does that give the Government any right to control the local use of the waters that flow from them? Several years ago there was a great craze on the subject of rain making, and many unstable minds actually believed that some alchemic formula would be discovered to extract from the atmosphere the golden moisture that was not there.

But suppose that this impossible scheme had succeeded and that the Government had gone into the shower business on a large scale, would that have justified it in attempting to control the local uses of the increased flow of the streams? Now, the case of the reservoir is exactly the same. Its purpose is to give the streams more water at certain seasons than they had before—to enlarge the resources of nature. It is not in any way incumbent upon the Government to regulate the use of this water after it leaves the reservoir. The laws, regulations, and administration which were good enough for the stream in its natural condition will be good enough for it in its enlarged condition.

To show how this principle could be given practical effect, suppose that the Government were to build a reservoir somewhere in the arid regions. It would require title and jurisdiction to all the land in any way essential to its construction and maintenance, and such other rights as were necessary or important. Having constructed the work, it would control its management under regulations designed to make the stored waters serve the greatest good to the community at large; that is, it would regulate the overflow as nearly as possible to meet the natural demand for the water. This would be an easy matter to determine, and there should never be any difficulty about it.

There would, in my opinion, be no necessity for even consulting the local State authorities, for all the data are well known and the Government could have no object in controlling the water otherwise than for the general good. The moment the released waters leave the Government property, they should pass absolutely to the same local control which governs the stream in its natural condition. All questions relating to the use of this water should remain exactly as at present. In this way the Government would avoid all interference in irrigation matters and all the complications and burdens which would result from such interference.

In thus making the waters of the reservoir free to the people, as are those of the stream in its natural state, a difficulty arises in the minds of many persons who can not get rid of the idea that the Government should collect a toll or tax for the water stored. Accustomed as they are to pay such a tax for the use of the waters stored by other agencies, they have come to look upon the levy as an inherent condition in the construction of such works, and can not understand how the Government can get its money back in any other way. If it makes no charge, then its work looks like a free gift—an expenditure of so much of the people's money for the gratuitous benefit of particular localities.

This is an entirely erroneous view, and until it is thoroughly eradicated the true scope and character of Government works can not be understood. When a farmer lays out a sum of money to dig a well on his farm, he does not charge himself so much a pailful for all the water he draws from it. That would be simply taking money out of one pocket and putting it into another. But he gets a return for his outlay none the less surely in the greater facility with which his business is carried on and in the resulting increase in the value of his property.

So it is with Government work. Take the great lock at Sault Ste. Marie, through which there now passes a commerce whose magnitude the mind can hardly comprehend. Would the Government be any better off if it should charge a toll on this commerce, and go into the always vexatious and troublesome business of collecting it? Does not it already derive a greater revenue in a far less expensive and disagreeable way? The reduction in freights, which this canal makes possible, reduces the cost of living and increases the general wealth all over the United States. The Government, whose revenue comes from various taxes upon articles of daily life, finds this revenue increased in proportion with the increase of wealth, and everything which it can do to augment the wealth of its people will operate to augment its own income.

Of no class of public works will this be more certainly true than of reservoirs. The uses of the impounded waters reach so far and affect so many interests that their benefits to the Government would be far greater than any revenue which it could derive from a tax on the use of the water.

Let these two principles, then, be given corporate form in the resolutions which this congress may present to the National Congress in asking for Government aid in the construction of storage reservoirs:

1. That the water so stored shall be for the free use of the people, subject only to such laws and regulations as may be in force in the States through which they flow; and

2. That, in thus advocating the construction of reservoirs by the Federal Government to conserve the waste waters of the arid regions, this Congress disclaims any purpose of drawing the Government into a policy of constructing irrigation works, or of enacting legislation for the control of the waters used in irrigation, as in its judgment such matters should be left exclusively to the States as at present.

And in proposing a law for the appropriation of money to build any reservoir, particularly the first which may be built, it should contain the following provisions:

1. That the waters so stored shall be for the free use of the people and shall

be released under regulations to be established by the Secretary of War (or the Interior, as the case may be).

2. That the waters so released shall, after flowing off the Government reservoir property, become a part of the stream in its natural condition, and be subject to the laws and regulations of the State or States through which they flow.

3. That the construction of this reservoir, or of any other that may hereafter be built, shall not in any way commit the Government to a policy of constructing irrigation works, nor of controlling the distribution of the waters which flow from such reservoirs.

With a clear understanding upon the foregoing points, I do not believe that there will be any insuperable obstacle in the way of securing appropriations from Congress. The question of the lack of constitutional authority to build these works was most effectually disposed of by Senator GALLINGER in the debate on the Warren amendment. His remarks were so pertinent, and so full of hope and encouragement to the movement which this congress and association represent, that they will justify repetition here. He said:

"Mr. President, the people of the great West, where the rainfall is deficient, are here and in this river and harbor bill ask for a very small appropriation to make an experiment in the matter of building reservoirs, which they contend are primarily for the promotion of commerce, but which, to my mind, are very much in the same position that the reservoirs are at the head waters of the Mississippi and the levees that line the banks of that stream. We are solicitous sometimes about the Constitution, and we are not solicitous about it at other times. I think we have transgressed the letter of that instrument, and perhaps the spirit of it, over and over again, and it may be that we are trenching upon it somewhat in adopting these amendments."

"But, Mr. President, it has been the tenet of my faith since I have been a member of this body to vote for almost every proposition that those great Western States have asked at the hands of Congress. I do not think they share in the benefactions of this Government in the same degree that the Eastern and Middle States share them, and for my part I am willing to take a little chance regarding the constitutionality of any measure that the Senators representing those States ask for at our hands, and I am willing to take that chance to-day."

"I rose, Mr. President, simply to say that this is certainly no greater transgression of the Constitution than when we are voting away the people's money to build along the Mississippi and Missouri rivers what are called harbor improvements. That money is voted simply for the purpose of protecting the towns and railroads that lie on the banks of the river, and for no other purpose on earth. We say it is designed to improve commerce, but as a matter of fact it is designed to protect the property of the citizens, which, if we did not make these appropriations, would be swept away, and they would be reduced to the condition of abject poverty and of suffering. I vote for these appropriations. I vote for them cheerfully, and upon the same line of argument I shall give what little influence I have and my vote in support of these amendments."

That is the whole question of constitutionality in a nutshell. The reservoirs at the head waters of the Mississippi would never have been built if the improvement of the navigation of that river had been the real motive behind them. More powerful than the interests of navigation were those of the logging business of northern Minnesota and of the great water powers at St. Anthony Falls. The levees of the Mississippi would never be built if they were being built for navigation. The primary, if not the only, purpose of levee construction is the protection of private property from floods.

The works now being constructed along the Missouri River from its mouth to its source are primarily for the protection of private property, whatever the official statement of their purpose may be. All these motives are worthy, and the works justifiable, but the interests of navigation are in every case a secondary or incidental consideration. Congress understands this perfectly well, but it still does not come out directly and support these measures on their merits. It disguises the true purpose under a purpose which is not the true one, and in so doing deals unfairly with the public.

As Senator Gray said in the debate already quoted from: "We ought not in legislation play tricks upon our own understandings;" and it would be a more frank and open course for Congress to specify the true purpose of these expenditures. If they are constitutional, then the storage of water for the primary purpose of irrigation is constitutional. There is nothing in the Constitution or out of it that will justify the storing of water for the mills at St. Anthony Falls or the building of levees to protect the Mississippi bottoms that will not justify the construction of reservoirs in the arid regions whereby the barren desert may be made productive and homes be provided where are now only cactus and sagebrush.

In citing the class of expenditures commonly called the river and harbor bill the purpose is to call attention to the results of experience in a system of public works which has itself evolved the greatest artificial reservoir system in the world, and which furnishes us the best guide we now have in regard to future works of this character. It is a public measure which receives its full share of ridicule, and yet no public measure has a more persistent lease of life. It has no official propaganda, for the Department in whose charge it rests holds absolutely aloof from advocacy of any of its measures.

It rests with the people, originates with them, and is in the fullest sense a popular measure. The slurs often cast upon it arise mainly from the fact that many people draw their conclusions from trifles instead of essentials. The vast sums spent on the great harbors and other important works they readily admit to be properly spent there, but they condemn the bill because it wastes a thousand or two on this or that waterless stream out West somewhere.

In other words, they anathematize a great measure simply because it contains a few unworthy projects. Now, this same difficulty will be encountered whenever the reservoir project is taken up. There will be some unworthy measures without question. It is part of the price which we have to pay in a popular Government for the support of other measures which are truly of great importance.

It is no more than justice to those States which receive no portion of the public expenditures on rivers and harbors, yet contribute to pay for them, that some consideration should be given to the streams in their own section. The carrying of a boat or raft is not the only public use to which a stream may be put, and many of the streams of the far West will yet be turned to as much account as are to-day the navigable waters of the Ohio and the Mississippi.

In the two years 1850 and 1857 there was appropriated for the improvement of rivers and harbors the sum of nearly \$40,000,000, most of it for important work, but some, no doubt, for work of questionable importance. This expenditure was well distributed throughout the country, extending even to Alaska and Hawaii, and including every State and Territory except Arizona, Colorado, Nevada, New Mexico, Utah, and Wyoming. It is not intended to assert that a general distribution of the expenditures under this bill is in itself a desirable thing, but merely to call attention to a fact. So far as this distribution arises from the practice of "logrolling" in Congress, not much can be said for it.

But this is so far from being the sole motive. Apart from the value of a work in itself after completion—that is, apart from the ultimate purpose for which it is undertaken—there is always an important local advantage arising

from the progress of the work during construction and from its presence in a locality after it is constructed. What community but would be proud to boast the presence of a work like the great lock at Sault Ste. Marie, or a great reservoir dam such as will yet be built in the West? Not only is it a perpetual source of gratification and local pride, but it is a source of income as well, on account of the expenditures required for its maintenance. Again, in works of great magnitude the expenditure during construction is often such as to develop important industries for a number of years and yield great benefit to the communities where they occur.

There are thus ample reasons why the people view a general distribution of public expenditures as no more than a matter of justice. If, as often alleged, members of Congress occasionally recommend unworthy measures simply to enhance their popularity among their constituents, that fact should not be permitted to discredit the entire system. The desideratum in all such matters is, not that the distribution of expenditures be more restricted, but that their character be raised by eliminating those that are unworthy.

If, for example, Montana must have a slice of the river and harbor bill as the price of her support of important public works outside of her limits, how much better it would be to use that slice in constructing reservoirs on the tributaries of the Missouri than in improving the stream for a navigation which has almost entirely passed away. If the committees of Congress upon rivers and harbors would devote more of their energies to a thorough consideration of these obvious improvements in a great public measure and less to phantom fears of the possible consequences of doing something out of the ordinary line, they would render a greater service to their country.

The CHAIRMAN. The gentleman from Florida [Mr. SPARKMAN] is recognized.

Mr. SPARKMAN. I yield twenty minutes to the gentleman from Colorado [Mr. BELL].

Mr. BELL. Mr. Chairman, I desire to offer an amendment, to be considered as pending subject to a point of order, which amendment I ask the Clerk to read.

The CHAIRMAN. The gentleman from Colorado offers the following amendment, to be considered as pending:

The Clerk read as follows:

Add after the word "dollars," at the end of line 11, at page 70, the following words: "And \$300,000 for the building of reservoirs near the head waters of the Platte and Arkansas rivers, in the State of Colorado, and for channels diverting the high spring flows into the same, and for holding the same for the purpose of relieving the banks during the spring freshet of the Missouri and the Mississippi rivers; and that the navigable waters of said last-named streams may be increased during low water."

Mr. BELL. Mr. Chairman, during the recent conventions of both political parties the representatives of the Western States went before them and the Republican party declared that it would enter upon a policy of reclaiming the arid domain of the United States, as follows:

REPUBLICAN PLATFORM.

In further pursuance of the constant policy of the Republican party to provide free homes on the public domain, we recommend adequate national legislation to reclaim the arid lands of the United States, reserving control of the distribution of water for irrigation to the respective States and Territories.

Representatives of the same States went before the Democratic convention, and it announced in its platform that it would enter upon the reclamation by the Government of the arid domain if put into power.

DEMOCRATIC PLATFORM.

We favor an intelligent system of improving the arid lands of the West, storing the waters for purposes of irrigation, and the holding of such lands for actual settlers.

In the campaign in all the arid States the Republican speakers and the Democratic speakers vied with one another, read and re-read their platforms, each insisting that if their candidate should be elected they would more vigorously enter upon the performance of this promise than the other. In the State of Colorado, Senator WOLCOTT, on every stump, declared to the people that if Mr. McKinley and a legislature for his return should be elected they would enter upon this reclamation at once. Now, I say both parties have pledged themselves to enter upon the reclamation of the arid domain. Now, seeing this is true, as evidenced by both platforms, I want to state some conditions of the country through which these streams run.

Early in the spring, when the snows melt, the Platte River and the Arkansas River are flooding the entire country near their head waters, and flow into the Missouri and into the Mississippi, and the Government is spending untold millions every year to hold those waters within the banks of the Missouri and the Mississippi. Now, what we ask in this case is, that instead of spending all of this money for the purpose of holding the waters within the banks of the Missouri and the Mississippi, the Government enter upon the reservoir sites selected by it and set apart and expend some of this money in diverting the spring flow into these great reservoirs and holding it back to the relief of the streams below. And when they are holding it back from the Missouri and the Mississippi during the high tide they can well permit the farmer to use it there. It will percolate back to the streams by the time the water becomes low; then it will serve the purpose of raising the water during the low water.

Not only this, but it reclaims the public domain, permits the Government to sell it, puts it upon the market, and makes homes for the people of the United States. The arid-land States are perfectly willing that the price of the public domain with water may be increased. We do not ask the Government to run these reservoirs. We do not ask the Government to operate our system of

irrigation. All we want the Government to do is to reclaim its own lands. And while reclaiming its own lands on streams like the Arkansas and like the Platte and like the Rio Grande it will not cost it a dollar, because it is putting the same money on levees below for the purpose of holding these waters, during freshets, within their banks.

Little do the people of the East know of the great possibilities of the great arid domain. Colorado last year produced in live stock and produce upon the farm more than \$75,000,000 in values. The minerals in these mountain waters and the earth brought down in the muddy water acts as a daily fertilizer. The glaring light and the almost unbroken sunshine gives a flavor to fruits, melons, and many cereals not found in the humid climates. The saccharine matter in the sugar beet ranges from 17 to 23 per cent.

The great San Luis Valley, as large as the State of Massachusetts, and almost as level as a billiard table and as fertile as the valley of the Nile, is dependent on the Rio Grande, and the cultivation but fringes its margin, because the crop must be gauged by the supply of water in the low flow of August and September. Under these adverse conditions this great valley produces from a million to a million and a half bushels of wheat, and other crops in proportion. Enough water flows away unused in May and June to water every acre in the valley. Great basins are there, which would hold it till August and September if the outlet was closed, and this would enlarge the production of this great valley to from three to five million bushels of wheat and other crops in proportion and would relieve the overflow of the Rio Grande below.

The luscious fruits of the Uncompahgre, Gunnison, and Grand valleys have a national reputation. By taking the water from the Gunnison and Grand rivers and spreading it over these dry, parched valleys we would not only reclaim hundreds of thousands of acres of valuable public domain and make ideal homes for many of our homeless people choked up in the great cities, but would relieve the banks of the sluggish streams down near the Gulf at the same time.

The broad alfalfa fields and sugar production of the matchless Arkansas Valley would be more than quadrupled by storing the Arkansas, and the levees of the Missouri and Mississippi would be relieved, and the Government would sell hundreds of thousands of acres of land. Thousands of new American homes would be established in this fertile valley as an auxiliary to our great scheme of self-government.

The arid region of the West is unquestionably the greatest piece of territory on the American continent. There is nothing else like it, in my judgment, in this country. When I was going home a few months ago I found myself in the car with Booth Tucker going out to Colorado for the purpose of planting a colony from the State of New York. I said to him, "Why do you go from the State of New York? Why do you go from a country that is renowned the world over for its agricultural and horticultural possibilities to the dry, thirsty lands of the arid West to plant a colony?" He said, "I spent many of my early years in India. I found in India, from actual experience, that 1 acre of irrigable land with plenty of water was worth 4 to 5 acres of land in the humid climate with your chance rainfall." He added, "My object is to plant a colony where the individuals can be kept close together; that they can have common schools; they can have common halls; they can have their irrigating water in common. I can concentrate them better in Colorado under an irrigation system than I can in any spot in America where you depend upon haphazard rainfall." He told me of his plan. He told me at that time he was going to that colony for the purpose of giving them, or selling to them, 100 milch cows. He said, "We do not give them one cent. We sell to them; we give them an opportunity to work out their own salvation. We take them to these agricultural colonies that their families may not be separated, and we propose to make them self-sustaining, and we thereby relieve the overpopulated cities." I went last fall to Amity Colony, Colo., where they have abundance of water, and found numbers of these men there from the poverty-stricken districts of New York City, at that time owning 10 and 20 acres; some of them out of debt, with from 15 to 20 acres of land with a water right, that is worth at least \$50 per acre. They have planted trees; they have planted gardens; they have planted fruit patches, and they are becoming absolutely independent. From the Arkansas to-day there is a little narrow strip of ground on both sides, only large enough to consume the water in the low flows; they can not afford to plant any more, and this among the richest grounds in America. I was there last year when they were building two sugar plants, and they produced over a million and a quarter dollars' worth of sugar in the first year. I was at Rocky Ford while these sugar plants were running an average of 1,000 tons of sugar beets every day. Around Rocky Ford is grown every year 7,500 acres of cantaloupes and watermelons. The Rocky Ford melon is known in London, the Greeley potato is known in London, Colorado apples are known across the water, the Colorado peach is known all over the United States, and we can grow everything in great

abundance on this soil wherever water can be obtained. But I wish to say that the individual can not reclaim it. He can only plant on the river banks at such places as the water during the low flow will supply. But if the Government had these reservoirs, instead of selling the public land on the river banks, it would sell it all over the arid domain. We would sell it everywhere; we could, if need be, sell it for a higher price than it now brings. I do not care if you double it, if you think that justice would be done, so long as you reclaim this soil. It is worthless as it is. This is a part of the great scheme of handling this water. It will cost the Government but little; it will relieve the banks of the Mississippi; it will relieve the levees, and it will reclaim arid America.

Now, I say both parties have agreed to this in their national platforms. You Republicans pledged the people of the arid States that if you got their votes, you would enter upon this reclamation, and your orators from the East—because you were there, or the best of you [laughter]—and your orators of the West said on every stump in Colorado, “If McKinley is elected, we will enter upon the reclamation of the arid lands.” Every Democrat that came to that State read the Democratic platform and said, “Bryan is a better reclamation man than McKinley, and if you vote for Bryan and he is elected, he will insist upon entering upon a systematic reclamation of the public domain.”

I ask both parties to keep that pledge, and you can keep it. Now, so far as the Arkansas River and the Platte rivers are concerned, that proposition would not cost us a dollar, as what we put on the reservoirs above we would save from the expense of the levees below. We have the reservoirs surveyed at public expense. We have them set apart at public expense. We own the ground. All we ask of you is to build the channels, establish and strengthen the reservoirs, all of which can be done at a comparatively small expense, and we will reclaim our own soil and make homes for the homeless in this country, and we will add more to the wealth of the United States than we can do in any other possible way.

Mr. HILL. Will the gentleman from Colorado allow me a question?

Mr. BELL. Certainly.

Mr. HILL. Does not the gentleman think that it would be better for the United States Government to give the States the arid lands and let them do what they please with them?

Mr. BELL. We do not want them.

Mr. HILL. Why not?

Mr. BELL. Because whenever you turn the lands over to the poor States now struggling to raise money for ordinary expenses they will not be able to do anything with them in the way of irrigation.

Mr. HILL. But the gentleman says it is not going to cost anything; that the returns will be far greater than the outlay.

Mr. BELL. The States are not taking care of the Mississippi or the Missouri River.

Mr. HILL. Oh, no; but this is a speculation on a large scale to improve arid lands and make them tillable; and if it is going to be a profitable speculation, why not let the States make the money out of it instead of the Federal Government?

Mr. BELL. The trouble is, the States are too poor to do it.

Mr. HILL. But they will get rich under this speculation, according to the gentleman's argument.

Mr. BELL. Will the gentleman from Connecticut wait until I get through? In the second place, the people of these new States are not willing to have the public domain of these States put into the local legislature, and put into politics in the different States. They want one grand system of reclaiming the arid lands, and let it be common to every part of the United States, and let the Government manage it as it has managed the improvement of rivers and harbors.

Mr. HILL. I do not want to interrupt the gentleman, but does the gentleman mean to say that he can not trust the legislature of his own State and the legislatures of other States? Does he mean to say that they can not be trusted to handle the arid lands?

Mr. BELL. I mean to say this: That whenever you leave this to the States you will not be sure of the improvements being carried out. Here is Wyoming, that is not able to build a ditch; Colorado is not in a situation financially to advance the money. Then, again, you will have one land system in Wyoming, another in Colorado, a different one in Utah, a different one in Arizona, and there will be no harmony about it. Besides, if it is the governmental function to look out for the rivers and harbors of Connecticut and of the Mississippi Valley, to save it from overflows where they have a superabundance of water, it is a governmental function to look after the dry and thirsty soil of the great arid domain that is perishing for the want of water.

Mr. HILL. If the gentleman will excuse me for again interrupting, would not the same argument lead the United States Government to go into Connecticut and rake off the cobblestones from the farm lands?

Mr. BELL. No, sir; not by any means. Here is a Government that owns a majority of the land in these arid-land States. In Spain, China, India, France, Italy, Egypt, and all over the arid regions of Europe, and I do not know of a case in history where any great government having such arid lands has failed to take up the irrigation of such lands or aid in the construction of canals, and many of these canals costing millions of dollars; and then they reaped the benefit from the thrift and the success of their citizens through the common use of that water.

Not only that, but your party promised to reclaim the arid lands. You claim now, and insist on your party avoiding its promise by turning the lands over to the different States. Is that your idea?

Mr. HILL. I asked the question as a matter of information. If this is going to be a profitable enterprise for the United States Government, if the Government can make money out of this by reclaiming these lands and selling them at an increased price, why can not the States themselves do it? I think the gentleman from Colorado is mistaken in regard to irrigation in foreign countries. Irrigation in Egypt and Italy is by private enterprise. It is a joint-stock enterprise and not a government enterprise. I know of no country where they have taken up the irrigation of arid land by the government.

Mr. BELL. Some places may be by private enterprise, but the most of them have had government aid.

Mr. HILL. There is a law passed by Congress three or four years ago allowing joint-stock companies to organize under certain conditions to irrigate arid lands.

Mr. BELL. Yes; the Casey law permitted the States to reclaim a million acres; but the land will never be reclaimed under that law.

Mr. HILL. I think the gentleman from Colorado voted for it.

Mr. BELL. Well, I would vote for anything that will reclaim or tend to reclaim these arid lands. The trouble is, the gentleman from Connecticut does not understand the situation and the Eastern people do not understand the conditions or importance of the subject. I hope, however, that the Democrats and Republicans on this floor will read their respective platforms and that the Democrats will read Mr. Bryan's letter of acceptance before they cast a vote against this amendment.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. GARDNER of New Jersey having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. CUNNINGHAM, one of its clerks, announced that the Senate had passed without amendment the bill (H. R. 10785) granting a pension to Thomas White.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 11820) to ratify and confirm an agreement with the Cherokee tribe of Indians, and for other purposes, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. THURSTON, Mr. PLATT of Connecticut, and Mr. JONES of Arkansas as the conferees on the part of the Senate.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 11821) to ratify and confirm an agreement with the Muscogee or Creek tribe of Indians, and for other purposes, disagreed to by the House of Representatives, had agreed to the conference asked by the House of Representatives on the disagreeing votes of the two Houses thereon, and had appointed Mr. THURSTON, Mr. PLATT of Connecticut, and Mr. JONES of Arkansas as the conferees on the part of the Senate.

The message also announced that the Senate had passed bill and joint resolution of the following titles; in which the concurrence of the House of Representatives was requested:

S. 4208. An act for the relief of George K. Bowen; and

S. R. 149. Joint resolution providing for the distribution of compiled statutes of the District of Columbia to judges of United States courts.

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

Senate concurrent resolution 80.

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, directed to furnish Congress with a report showing the present condition of the breakwater at Burlington, Vt., with an estimate of cost for its proper repair and completion.

Senate concurrent resolution 90.

Resolved by the Senate (the House of Representatives concurring), That the President be requested to return to the Senate the bill of the Senate No. 1226, granting an increase of pension to George G. Kemp.

RIVER AND HARBOR APPROPRIATION BILL.

The committee resumed its session.

Mr. SPARKMAN. Mr. Chairman, I now yield to the gentleman from Arkansas [Mr. McRAE] thirty minutes, and I reserve the balance of my time.

Mr. MCRAE. Mr. Chairman, I do not rise to oppose the passage of this bill. I am in favor of river and harbor improvement, and if I have criticism for the committee it is not for what it has recommended, but for its failure to adopt at least one important and meritorious project that I think should be in the bill. I refer to the Ouachita River and tributaries. I shall at the proper time offer the following amendment, and hope that it will be adopted:

Insert between lines 21 and 22, on page 58, the following:

"Improving Ouachita and Black rivers, Arkansas and Louisiana: For the construction of two locks and dams, one below Monroe, La., and the other below Camden, Ark., according to the project, plans, and specifications submitted in Part IV of the Report of the Chief of Engineers, printed in House Document No. 2, second session Fifty-sixth Congress, to complete said locks and dams, \$550,000; and the Secretary of War shall construct said locks and dams at two of such of the sites selected by said plan as will in his judgment most effectually lengthen the navigation of said rivers, and he may have said work performed by contract or otherwise, as in his judgment may be most economical and advantageous to the Government."

Mr. Chairman, Ouachita River flows for 500 miles in a south-easterly direction through Arkansas and Louisiana until joined by Tensas and Little rivers at Trinity, La. Below this for 60 miles it is called Black River, and enters Red River 35 miles above its mouth. The tributaries are Little River, which enters on the west at Trinity; Tensas and Macon, which unite and enter above Trinity, giving 250 miles of high-water navigation; Bœuf River, which enters from the east at Stafford Point and gives a high-water navigation of about 150 miles; Bayou d'Arbonne, which enters from the west above Monroe and gives a high-water navigation for 40 miles; Bayou Bartholomew, which enters from the east, 25 miles above Monroe, and gives navigation at high-water stages for 125 miles; Saline River, which enters from the same side, about 100 miles below Camden, is navigable at high-water stages for nearly 50 miles.

The main river and its tributaries combined afford over 1,000 miles of navigation at high-water stages, which exist on an average for six months in the year.

The people of the valley earnestly desire that the main river and its tributaries be so improved by a system of locks and dams as to continue this half-year navigation all the year.

CAN IT BE DONE?

Thirty years ago an examination of the Ouachita River was made and a project submitted for temporary improvement by the removal of snags and dredging the worst bars, and this work was commenced in 1871.

Since then a number of examinations and surveys have been made to ascertain the feasibility of improving the navigation upon some comprehensive plan.

In 1872 the engineer in charge recommended the improvement of it by locks and dams from Camden, Ark., to Trinity, La. This examination was made in less than three months, and the plan reported contemplated five locks and dams, 49 by 250 feet, with an average lift of 14 feet, at a cost of \$1,163,088. In 1873 the maps and notes of the survey were reviewed by a board of engineers appointed for that purpose, and upon a full examination it was deemed necessary to resurvey the river to determine definitely certain questionable points that had not been sufficiently considered in the hurried examination.

The second survey was made in about six weeks, under explicit instructions to search for and connect with marks of the first and to utilize all of it that was found to be good.

In 1874 Captain Benyaurd reported that the plan of improvement by locks and dams was the only one that would give permanent and uninterrupted navigation throughout the entire year, but that the project as approved by the Department required revision on account of faulty location of dams, and because, if completed, it would only accommodate the very smallest of boats. For these good reasons the project for locks and dams was abandoned in 1874, and since then appropriations have been made only for removing wrecks, logs, snags, and at Catahoula Shoals a small amount of dredging has been done.

The river and harbor act of 1894 directed the Secretary of War to submit plans and estimates for the improvement of these rivers by locks and dams, to give slack-water navigation as far above the mouth of the river as, in his judgment, such improvement is practicable. Maj. J. H. Willard, the engineer in charge at that time, reported that, with the small amount of available funds on hand for that purpose, an exhaustive and correct survey of the river and the valley could not be made, and asked for \$120,000 additional appropriation, making in all \$150,000, to complete it. This was made, the project for further survey was approved, and since then the work has been prosecuted on an extensive scientific scale, that embraces all the features necessary to a clear understanding of every phase, considered from an engineering standpoint, such as a traverse line, precise levels, ordinary levels, topography, hydrography, temporary and permanent gauges, dis-

charge measurements, overflow, sediment observations, and profiles.

Although not completed, the work has progressed so far as to convince the engineer in charge, Major Casey, that the work is entirely feasible, and he has furnished us a plan for the canalization of the beds of said rivers and tributaries at times of low water by the construction of 18 locks and movable dams, each lock to have 5.6 feet lift, with guard of 3.2 feet, and to be 49.2 feet wide and 394 feet long between quoins, and to cost per lock and dam, including site, lock house, miscellaneous and contingent expenses, \$275,000, or a total for the whole river and tributaries of \$3,575,000; and he adds "that any revision of the estimate will be in the direction to lessen cost." The water supply is four times greater than the greatest demand.

Captain Marshall, in his report on the physical condition of the Ouachita, says:

The fall from Camden, Ark., to mouth of Black River at time of low water, 73.8 feet, gives a gentle average slope for the 350 miles, of course not uniform, being steeper in the upper and flatter in the lower part; besides that, it is more or less concentrated at the shoals, with depths as small as 0.6 foot, and long, almost level pools, with depths as great as 85 feet; the depth generally averages from 6.5 feet in the upper end to 16 feet in the lower; the width at low water varies from 65 feet to 541 feet, and bed measured between top banks from 295 feet to 820 feet; the width at canal water line would be from 262 feet to 656 feet; the banks are low in some localities, but generally they are above overflow, except when flooded by water from the Mississippi; they are usually composed of clay, and do not cave; the water carries from 21 to 130 grains of sediment in a million grains of water, being usually very clear; the material en train is sand and gravel on the shoals and mud in the pools; some of the shoals are rocky; these are almost ideal features for a canalized river.

I risk nothing in saying that the Government has undertaken no public improvement that has been more thoroughly considered than this one. The engineer who made the first survey in 1871, the board of engineers that reviewed the work, Captain Benyaurd, who made the resurvey; Major Willard, who seven years ago commenced the last survey; Major Casey, who now has the work in charge, and the Chief of Engineers all agree that the river can be made continuously navigable by locks and dams.

The time and money spent in making the plans and estimates and the ability, character, and standing of the engineers who have worked them out leave no doubt as to the practicability of the project, and so we answer upon the authority of these distinguished engineers that the improvement can be made.

From the standpoint of benefits to accrue to the commerce of the valley, let us see if

THE IMPROVEMENT SHOULD BE MADE.

This beautiful and ideal river and its tributaries affect 10 counties in South Arkansas and 11 parishes in North Louisiana, with an area of nearly 16,000 square miles, an extent of territory nearly twice as large as Massachusetts, and upon which there is a population of nearly 400,000. With less than one-tenth of the land in cultivation, the farmers residing there produced last year 200,000,000 pounds of cotton for export and 400,000,000 pounds of cotton seed, nearly all of which must be hauled to railroads and then shipped at low-water railroad rates.

It is estimated that in cotton and cotton seed the shippers of that valley pay annually \$550,000 for outgoing freight—more than they would have to pay with the proposed improvement completed. This valley is indeed one of the richest cotton-growing countries in the world. It produces the longest staple cotton of which we have any knowledge, except the sea island, and is eagerly sought after by the New England and other spinners for the manufacture of fine goods.

There are located on these rivers and in the counties affected by this improvement about 50 of the most progressive, thorough-going towns of from 1,000 to 5,000 population, with an aggregate active business capital of over \$7,000,000, and of an annual commercial business of over \$20,000,000, to carry on which business the incoming freight charges are estimated to be over \$1,700,000. With this improvement these charges would be reduced at least one-third.

The engineer's report shows that there are 36 steamboats, with tonnages from 665 tons down and with drafts when loaded from 5 to 2 feet, plying said river, which for five years past have carried an annual commerce of over \$5,000,000.

This commerce consists of merchandise coming in from New York, Boston, Philadelphia, Baltimore, and New Orleans, and of cotton and lumber going out.

We are not asking for the improvement of rivers not navigable and upon which there is no commerce.

I am prepared to demonstrate by difference in railroad freight charges during low and high water periods the advantages to the shippers of that great valley.

I present here a table made up from freight bills actually paid last year at Camden, showing this difference and the saving per hundredweight when the river is navigable.

Comparative table of railroad and water rates.

Point of shipping.	Kind of goods.	Destination.	Railroad rates.	Water rates.	Saved by water transport.
South Ashburnham, Mass.	Fur	Camden, Ark.	*\$1.65	*\$0.65	\$1.00
Boston, Mass.	Shoes	do	*2.02	*.79	1.23
Baltimore, Md.	Cotton overalls	do	*1.56	*.79	.77
New Orleans, La.	Domestics	do	*1.18	*.51	.67
Do	Staple groceries	do	*.70	*.30	.40
Do	Sugar, molasses, and rice.	do	*.70	*.25	.45
Do	General dry goods.	do	*1.15	*.50	.65
New York, N. Y.	Rope and binders' twine.	do	*1.10	*.50	.60
New Orleans, La.	Cotton goods	do	*3.70	*1.00	2.70
Camden, Ark.	Cotton	New Orleans	*3.10	*1.50	1.60
St. Louis, Mo.	Flour	Camden, Ark	*.75	*.35	.40

*Per hundredweight.

†Per bale.

‡Per barrel.

It shows that the saving by water per hundredweight from Boston to Camden on shoes is \$1.23; from Baltimore on cotton goods, 77 cents; from New York on rope and twine, 60 cents; from New Orleans on cotton goods, \$2.70, and from St. Louis on flour, 40 cents per barrel.

It also shows that the freight charges on cotton from Camden to New Orleans, our natural cotton market, by water is less than half of the railroad charges, or a saving of \$1.60 per bale when the river is low.

When the river is navigable the railroads meet the water rates and the people get the benefits that come from low rates whether the commerce is by water or rail.

The manufacturers of yellow pine and hard woods in this valley, about equally divided between natives and those who have come from Northern States, shipped out last year 800,000,000 feet of manufactured lumber at a cost to the consumer of at least \$800,000 more than it would cost if they had permanent navigation on these rivers. There is no section of our great and growing country where there are more progressive, wideawake, intelligent, and deserving people than the lumbermen of Ouachita Valley, and no part of the country with greater possibilities.

It is known that in these 21 counties and parishes there yet remains to be cut over 40,000,000,000 feet of the very choicest timber. Give us this improvement and thus enable the manufacturers to ship down these rivers to the Mississippi and then up that great river and its tributaries, and lumber will be reduced at least \$1 per thousand in every lumber yard in the great Central West.

Nay, more, if you will permanently open these waterways to the sea they will undersell all other foreign countries in every country to the south of us or that can be reached by water, now or when the Nicaragua Canal has been completed. I have only spoken briefly of what has been done in a country that at the close of the civil war was absolutely bankrupt in purse, broken in spirit, with want, widowhood, and orphanage around every fireside, and yet the development and progress made even under these adverse conditions show that the savings that would come to the people even now residing there in freight charges for two years would complete the proposed improvement.

But, Mr. Chairman, we have not the one-fifth of the people or business that we will have before this enterprise can be completed, even if commenced at once and pushed as fast as we could expect.

Since locking and damming was first recommended for the Ouachita River this valley has doubled its population and quadrupled its business. Then it had no lumber mills except for the small local trade; now it has more than any territory of the same size in the United States.

While the Government has been investigating whether this great work should be undertaken private capital has built, at many times the cost of this improvement, two north-and-south railroads, one on either side of the river; and three east-and-west roads, one crossing at Arkadelphia, one at Camden, and the other at Monroe; and there are others in course of construction. And yet the hearings before the committee show that the railroads can not move the present tonnage in the valley.

On this river there are mountains of building stone and inexhaustible fields of coal and clay, as valuable as any known in the world.

I call attention to an analysis of the coal made by the United States Geological Survey.

TECHNICAL ANALYSIS.

In order to ascertain the gas-producing qualities of the Camden coal a quantity of it was shipped to the Pittsburg Testing Laboratory, Limited, of Pittsburg, Pa., for testing.

The test was run under the direction of a man familiar with practical gas manufacture.

The quantity of gas obtained per ton of 2,000 pounds of coal was 11,386 cubic feet of 22.3 candlepower.

The following table enables a comparison to be made between the Camden coal and other standard gas coals. The first six coals in the table were tested by the same apparatus under similar conditions, and the results are, therefore, strictly comparable:

No.	Character of coal.	Source of coal.	Cubic feet of gas per ton of coal.	Candle-power of gas.
1	Lignite	Camden, Ark.	11,386	22.3
2	Bituminous	Washington County, Pa.	9,880	16.9
3	do	do	9,920	16.1
4	do	do	10,120	18.36
5	Cannel	Beaver County, Pa.	10,160	22.5
6	do	Kentucky	12,540	30.53
7	Bituminous	Upper Monongahela River (Pittsburg Gas Co.)	9,500-10,000	16
*8	do	Silkstone Seam, Yorkshire, England	10,000-10,000	15-17
*9	do	Newcastle, England (average 3 typical coals)	10,760	16.3
*10	do	South Yorkshire, England	11,000	17
*11	do	Derbyshire, England	10,500	15
*12	Cannel	Scotch cannel	12,350	31

* Thorpe Dictionary of Applied Chemistry, Vol. II.

It will be seen from this table that the Camden lignite is superior, both in yield and candlepower of gas, to the standard bituminous coals of Pennsylvania and England, and is inferior as a gas producer only to the best cannel coals.

These vast beds of coal and clay lying in juxtaposition are owned by capitalists from New Jersey, New York, and Pennsylvania, who are waiting for this improvement to begin extensive operations in the mining of coal and the manufacture of ornamental and vitrified brick.

Give them this improvement and they can reduce the price of coal and gas in every city on the Mississippi River or its tributaries.

So, Mr. Chairman, upon this showing of present and prospective commerce, I answer that it would be a good investment for the Government, and that the improvement should be made.

The proposition involved in my amendment does not appropriate for the whole improvement, nor does it commit the Government to the completion of the work, but is in line with the suggestion of the engineer in charge when he says:

There would seem at least little to be urged against the construction of a few of the dams and locks, which would extend the low-water navigation some distance above its present upper limit in the river and afford a satisfactory test of the ultimate benefits to be derived.

In behalf of every waterways convention for seven years past, every commercial and legislative body of this great valley, I appeal to this committee to adopt this amendment and begin an improvement that, when completed, will free the farmers, merchants, miners, and manufacturers of a deserving section of our country from the extortion of railroads that they must submit to under present conditions. [Loud applause.]

Mr. CORLISS addressed the Chair.

The CHAIRMAN. The gentleman from Michigan [Mr. CORLISS] is recognized in his own right for one hour.

Mr. CORLISS. Mr. Chairman, I represent a district that is more deeply interested in the navigation of the Great Lakes and other points on the coast than any other district in this country; yet we have no part of the "animal" embraced in the provisions of this great bill. Nature has supplied us with our necessities, and we can therefore look upon this subject from the standpoint of the impartial legislator, working for the best interests of the country.

It was not intended by our forefathers that the money belonging to the people, derived from taxation, should be distributed for the benefit of local interests. Any appropriation made for the advancement of commerce—beneficial to the people of the country—is wise and justifiable; but when you attempt, as has been done in this bill, and as has been done repeatedly in measures of this character for many years, to appropriate large sums of money for the upbuilding of some local interest, it is wrong, and such a system or method should stop.

As a neophyte on this floor, when I first observed these measures and regarded the wisdom that seemed to be displayed by the committee in charge thereof and the leaders upon the floor, I voted for such measures; and when I became convinced that the methods by which they were appropriating money was wrong and the distribution thereof unwise made, I hesitated to take the stand I now do because my colleagues and the State that I have the honor in part to represent are deeply interested in this measure. No State in this Union has been benefited more than Michigan by such appropriation measures. They have enabled the commerce of the Great Lakes to be developed until the Detroit River carries the greatest tonnage that passes at any point of navigation in the world.

What I complain of, Mr. Chairman, is that instead of legislating and appropriating for the benefit of the commerce of our country exclusively you attempt in this measure to benefit local interests.

As the chairman of the committee said, the committee has evidently taken into consideration all of the local interests in distributing the appropriations made in the measure. In looking it over, it seems to me that this bill, aside from some great appropriations which are necessary, ought to be called "the liver and light bill," because I find more livers and lights exhibited than any other part of the animal.

Mr. Chairman, when an appropriation is made from the funds belonging to the people, it should be for the benefit of the people. I want to call attention to some of the items of this bill to illustrate the idea I wish to present and the criticism I desire to make. I wish to make no invidious distinctions; and I will call attention to the item of appropriation for the benefit of the Erie Basin at Buffalo—a purely local matter, of no benefit to the great commerce of the country. The people around that little basin will derive the entire benefit from the appropriation.

Two years ago \$50,000 was appropriated to make a survey of the Erie basin at Buffalo. The survey was made and an estimate submitted showing the probable expense of making the improvement desired by the local interests in this basin. The estimate was less than \$200,000. I have the estimate before me. The money was appropriated—the entire amount mentioned in the estimate of the engineer. Now, we must assume that the engineers making these estimates in the first instance knew what they were doing. But I find in this bill, on page 12, an additional appropriation of \$200,000 and an authorization of a continuing contract for \$614,643 in addition, carrying altogether nearly a million dollars for a local improvement for the express benefit of local interests.

That is one of the "important" improvements. Some members here, probably the members of the committee, regard that improvement as beneficial to the country because it is located at the end of navigation; but I desire to call attention to the fact that the harbor of Buffalo is amply sufficient outside of this basin for the great navigation and navigating interests of the lakes and rivers.

Permit me also to call attention to another item of this bill—an item found on page 10—for what is called the Buttermilk Channel, adjacent to New York City. We all know the vast sums of money that have been appropriated from time to time for improvements in that locality. Until New York Harbor is capable of taking care of the interests of our navigation at that great point, I would not object to our appropriating anything that contained a little cream for the people; but when it gets down to buttermilk it seems to me it is time to call a halt.

Now, what is Buttermilk Channel, as it is called in the bill? Mr. Chairman, this improvement is for the benefit of the property holders along the water front of Brooklyn, for the express benefit of their interests, and of no interest to the people at large in this country.

These are large items. It is better to take them for illustration and argument than to pick out some little appropriation for some little river that will not become a navigable stream during the life of this nation.

A few years ago, Mr. Chairman, looking to the interests of our country, Congress wisely passed a measure authorizing the President of the United States to appoint a commission of engineers to survey the Great Lakes and waterways from Duluth to New York, and a very large sum of money was appropriated for that purpose. Three of the most eminent engineers in this country were appointed to perform that work. Their reports are a part of the records of Congress, and it will appear, by an examination of them and of the act by which they were appointed, that the President was given power to secure, by diplomatic agreement, the right to establish the level of the water upon Lake Erie and tributary waters.

The Deep Waterway Commission, at the request of the Secretary of War, filed a preliminary report, which I have in my hand, which is Document No. 200, Fifty-sixth Congress, first session. In that they reported that in order to maintain the level of Lake Erie and tributary waters and secure a sufficient depth for navigation a regulating dam should be placed at the foot of Lake Erie. They submitted maps and estimates showing the cost thereof and the importance to navigation. It will appear upon an examination of these maps and estimates that the entire cost of this regulating dam will not exceed \$1,000,000. It can be constructed within a year. It will not interfere in the slightest degree with the navigation above or below the dam. There is very little, if any, navigation below the proposed dam. The commissioners show conclusively that at least \$1,000,000 of the money already appropriated by Congress would be saved to the people if the dam was built. Notwithstanding this report, disregarding the economy that might be secured thereby, the River and Harbor Committee, at the last session, appropriated additional money for the purpose of digging out the highway of commerce through the lakes, Lake Erie and its harbors, and the Detroit River.

Mr. Chairman, you can not raise the level of water by excavating

from the bottom of the basin. That has been going on for many years, and at each excavation the natural level of the water has been lowered, until any engineer of ability who is familiar with the subject will admit that the only economical way to maintain the level of Lake Erie and assist navigation in the future is to raise the level by damming the water. If that is done, \$1,000,000 appropriated in this bill is unnecessary. Why waste the money of the people in excavating where it is absolutely unnecessary when you adopt the regulating dam that is necessary to maintain the proper level for navigation in the future?

The committee have inserted, at page 84 of the bill, a paragraph to which I desire to call special attention. It is very short. I will read it.

Sec. 4. That the President of the United States is authorized, by diplomatic negotiation or otherwise, to enter into such agreements as will secure as far as possible the maintenance of suitable levels in the Great Lakes and connecting waters between the United States and Canada.

What does that mean? I should like to have the chairman of the Committee on Rivers and Harbors [Mr. BURTON] enlighten us. Does he not know that that law was passed by this Congress more than three years ago in the bill creating the Deep Waterways Commission? Does he not know that this provision is mere claptrap and does not amount to anything, and will not authorize the President to accomplish the object desired?

Can he secure an agreement with Canada by diplomatic correspondence that will affect the level of the great waterways of this country? If the chairman of the committee or the committee itself were sincere in desiring to carry out the wishes of these great engineers and the demands of commerce, they would put a provision in the bill that would authorize the President of the United States to call engineers to his aid and cooperate with like engineers of Canada, who are ready and anxious to secure a level that will benefit them as well as us in Lake Erie and the rivers tributary thereto. If you will raise the level of Lake Erie as is proposed by these engineers, one-half the appropriation now made in this bill for the harbor of Cleveland will be saved to the public purse. I can not understand such methods. Why will this committee go on and appropriate money to excavate where it is inevitable, if we can rely upon the testimony of the best engineers of the country, that such excavations will become unnecessary when a dam is erected?

Permit me again to call attention to the Detroit River, the fairest stream in the world, upon the banks of which I reside. The people of Detroit are deeply interested in navigation. Just below the city of Detroit, running across the bottom of the river, is a ledge of limestone rock, which makes what is known as the Limekiln Crossing, and a very large sum of money has been expended in excavating there. Yet the channel is only about 400 feet wide and very crooked. It ought to be widened, and an appropriation has been made to widen it; but if this dam is constructed, further excavations in the river at the Limekiln Crossing will be unnecessary. The water at that dangerous crossing will be raised 2 feet, and the necessary depth will be given to serve the interests of navigation. Every year we have harbored about the city of Detroit the great transportation steamers that traverse the lakes, which wait there because they can not cross the Limekiln Crossing in consequence of the fluctuation of the water from the effect of the winds. This regulating dam at the foot of Lake Erie will do away with that without any injury to anybody, and will save a million dollars already appropriated for the proposed improvement of this river.

Mr. HENRY C. SMITH. Will the gentleman permit a question? Mr. CORLISS. Yes.

Mr. HENRY C. SMITH. How much will your proposed dam raise the water at Wyandotte and Trenton?

Mr. CORLISS. The water at Wyandotte would be raised about 18 inches above low-water mark, but would not be raised a particle above high-water mark.

Mr. HENRY C. SMITH. That would flood much of that territory there, would it not?

Mr. CORLISS. The gentleman did not understand my proposition. The opinion of these engineers can not be questioned either by the gentleman or myself, and their statement is that this dam will raise the mean level of the water 2 feet above low-water mark and maintain it there without raising high-water mark an inch. Consequently the high-water mark at Wyandotte after the construction of the dam will not be one particle higher than it is now without the dam.

Mr. HENRY C. SMITH. Is it not a fact that at high-water mark a good deal of that country is under water?

Mr. CORLISS. At high-water mark some portions of the land along the Detroit River and on Lake Erie are under water. But that condition of affairs has existed ever since white men have lived on the shores of those waters, and that condition of affairs will continue for all time. It is proposed by this dam so to regulate it as not to allow the water to overflow any more than it now does at high water, but the mean level would be maintained 2 feet higher than low-water mark now.

Mr. HENRY C. SMITH. Do you not think that all the riparian owners between Buffalo and Chicago would have a claim against the Government for flooding their property?

Mr. CORLISS. On the contrary, if the water is not raised above what it now is at high water, how can they make any claim? And the engineers state, and give reasons that are absolutely conclusive to any man who will read them, that they will not raise the high-water mark a particle upon any of the waters that they propose to affect. I understand, Mr. Chairman, how it appears to a man who has not studied the question. It seems probable that if you raise the mean level of a body of water you would affect its high-water mark; but when you understand the proposition made by these eminent engineers, which no man with a knowledge of the subject has ever dared to question, you will understand that high-water mark will not be raised a particle. Therefore it does not affect the riparian interest in the slightest degree.

Mr. HENRY C. SMITH. Will the gentleman permit another question?

Mr. CORLISS. Certainly.

Mr. HENRY C. SMITH. As a legal proposition, do you not think that the riparian owner has the right to have the low-water mark maintained during the season of low water?

Mr. CORLISS. I think not, where for a century it has been a well-known fact that these fluctuations have been going on, and the rights of the riparian owner have been acquired since the course of nature was established. A man has no legal right to demand the control of nature, and this does not propose to affect that in the slightest degree.

Mr. HENRY C. SMITH. Is not the legal proposition this, that a man's riparian rights follow the advancing shore?

Mr. CORLISS. The gentleman is trying to discuss a proposition which is not involved in this question, and he either does not understand the position taken by the engineers or does not wish to comprehend the proposition that I have made.

Mr. BISHOP. I should like to ask the gentleman a question.

Mr. CORLISS. Let me answer my colleague [Mr. HENRY C. SMITH] first. I have simply stated that the regulating dam proposed will raise the level of the water on Lake Erie 2 feet above low-water mark and maintain that depth for navigable purposes. It will affect Lake Erie and the harbors of the Detroit River and Lake Huron and Lake Michigan in proportion to the stemming of the tide that flows down and the volume of the water that is necessary to regulate its height. It will not affect any property interests, because it will not raise the water at its highest period in the year in the slightest degree. Now I will yield to my colleague [Mr. BISHOP].

Mr. BISHOP. To what height do you propose to raise the water? I understand you to say 2 feet.

Mr. CORLISS. The engineers have recommended that an increase of 2 feet above low-water mark could be very wisely established for the benefit of navigation without interfering with riparian or other rights.

Mr. BISHOP. That would raise the entire surface of Lake Erie, would it not?

Mr. CORLISS. It would raise it, but not up to high-water mark. Lake Erie and the Detroit River at high-water mark are deep enough now, and this appropriation would be unnecessary if the depth of the water at the Limekiln crossing was always maintained at high-water mark.

Mr. BISHOP. Do you mean to be understood by the House as advocating a plan to raise the level of Lake Erie 2 feet?

Mr. CORLISS. Above low-water mark.

Mr. BISHOP. Above low-water mark, and maintain it there during the time of flood without raising it beyond that mark?

Mr. CORLISS. My dear man, if they have regulating dams they do not maintain it when the natural volume of water is great enough to raise it without artificial assistance.

Mr. BISHOP. Does not the gentleman understand it will take at least thirty days to reduce the head water in Lake Erie, in spite of his waste dams, during the time of high water?

Mr. CORLISS. I am surprised that a gentleman occupying the position he does on the Committee of Rivers and Harbors has not evidently read the voluminous reports that have been filed by the Deep Waterway Commission and the hearings that have been had before his own committee. He would not ask that question if he did understand the proposition made by the engineers.

Mr. BISHOP. If the gentleman wishes to get off on that point, all right. I can assure him that I have spent more time in reading that report than he has, and have heard all the arguments.

Mr. CORLISS. Possibly; and if you deemed it of the great importance that the best engineers of this country and navigable interests do, you would be advocating some provision in this bill that would give the navigable interests of the lakes an opportunity to secure an international agreement that would enable us to maintain the level of the lakes, and thereby advance the interests of commerce. But instead of that you appropriate money to still

dig out from the harbor and the river that are rendered unnecessary, and would be absolutely unnecessary if this regulating dam was erected.

At the proper time, Mr. Chairman, I shall offer an amendment that will authorize the President of the United States to secure by international agreement some definite understanding by which the level of these waters can be established, and give him authority to use the information that has been acquired and confer with the engineers of Canada and our own engineers, so as to arrive at a definite conclusion and permit this great public work to go on.

Now, Mr. Chairman, permit me to call attention to one or two other items in this bill. I find on page 92 authority granted for the engineers to survey a part of the Hudson River—I assume for the purpose of advancing the commerce of our country. It does not explain or give any details or appropriate any money. It simply authorizes the expenditure of an unlimited amount, in the discretion of the Department, for this survey. The Hudson River at the point described has already been surveyed by the Deep Waterway Commission, and it is now before Congress as a document, showing just exactly what is asked for or can possibly be secured by this legislation.

This is simply a duplication of work already done by the Deep Waterway Commission. It is a scheme on the part of some one to ask the Government of the United States to assume a burden that is now being carried by the State of New York in her Erie Canal. It is an entering wedge that will finally end in fabulous appropriations by the Government for the benefit of local interests that are now controlled by the State of New York. It ought not to be permitted. Why? First, because the project is not of a national character, purely local; and second, the information desired is here for the examination of this body, by more eminent engineers than belong to the Army (and this is no disrespect to them), because this survey was made by Mr. Noble, of Chicago, Mr. Raymond, of the War Department, and Mr. Wisner, who has probably had greater experience with reference to the water of the lakes than any other civil engineer living. Their opinions can not be questioned and will not be questioned by any man who knows the subject. Therefore I say that item is wrong. It is a duplication, it is local in its character, and it ought not to be made.

I find another ingenious provision on page 69, where an appropriation is made of \$200,000 for the purpose of making surveys or investigations to determine the feasibility of improving the navigable water to the depth of 14 feet from Lockport, Ill., to the mouth of the Illinois River. Another entering wedge into the public Treasury for the benefit of a local interest, in which the people can never become interested, because you can never improve that highway so as to make it of any advantage to the commerce of this country; and when built, if it ever is, all of the products that would go down that narrow shallow way could be transported by rail for the interest upon the original cost of the enterprise.

It is wrong, because it attempts to impose upon the Government a private enterprise, not public in its character, of no earthly benefit to the general public, and, when once adopted, surveys come in, other appropriations are made, and millions of dollars—yes, hundreds of millions—would be necessary to make that project a success. Therefore I say, Mr. Chairman, these are a few of the glaring and more prominent mistakes in this measure. I do not expect that my remarks will have any effect. The liver and the lights have been properly distributed: Michigan, my Michigan, has got her part. Thank God for that! I really think that she has part of the ham, and hardly any of it is not wise from the standpoint of a Representative of Michigan.

I have tried to locate the different interests as I have read this measure, and I have endeavored not to point out any little appropriation that is simply permitted for the gratification of the member without benefiting the public, because I do not wish to make any invidious distinction, and I have located the point at Buffalo in which my friend here is interested because it is a large enterprise and he can justify it upon the ground of the Pan-American Exposition; that is some justification for the expenditure of this money. I have referred to the Buttermilk Channel because I know the great power of the Representatives of that State in reference thereto, and it will have no effect.

Mr. Chairman, there are other points I desire to make. No other country in this world appropriates from the public funds money for the benefit of local interests. Take England as an example. We all know of the Manchester Canal, where it is located, and that it cost \$75,000,000. Not one dollar was appropriated out of the general fund of England. It was all paid by the local taxation upon the city of Manchester and her people. Take the river Clyde, which was a narrow stream, like many we are improving, and is now excavated at an enormous expense, so as to permit of the great freighters entering the city of Glasgow. Not one dollar of it was contributed by the Government. Every cent of it came from local assessment and taxation. How long will the people permit this pernicious system to go on?

Now, one other point. I find here a very wise provision appropriating a considerable sum of money for the improvement of the Sault Ste. Marie River. I think the appropriation and authorization by contract amounts to about \$4,500,000. The chairman of this committee knows that the estimate made necessary to improve that river amounts to nearly \$9,000,000; and it is important to the great public interests of this nation that it be made, that the improvement go forward, and that the improvement be made speedily. Why bite the cherry in two?

Mr. BURTON. Will the gentleman from Michigan permit an interruption?

Mr. CORLISS. Yes, sir.

Mr. BURTON. Has the gentleman any information whatever as to how long it will require to complete that improvement?

Mr. CORLISS. Not positively.

Mr. BURTON. Has he investigated the subject of the time required to complete the contemplated improvement?

Mr. CORLISS. Somewhat.

Mr. BURTON. Would the gentleman favor carrying on the bill an appropriation or authorization beyond that which can be expended in four years?

Mr. CORLISS. I would appropriate in this bill and authorize whatever may be necessary to complete the enterprise by one contract, and thereby save a million dollars to the taxpayers. The chairman of this committee, if he will pardon me, knows that large sums of money are lost to the public because the contracts are not made covering the entire project at once.

Mr. BURTON. Does the gentleman think that if \$4,500,000 is available for this work economical results can not be obtained?

Mr. CORLISS. I think the \$4,500,000 might be economically expended, but it will not complete the work, and in order to do it you must pay a premium for additional contracts to complete it.

Mr. BURTON. Does the gentleman know that the War Department has expressly commended this course of not including the whole amount, in order that necessary modifications may be made when the contract is partly done, if on considering that part of the work it is thought desirable?

Mr. CORLISS. I know that the engineers of the Department have peculiar methods, some of which are most bitterly condemned by the best engineers of the country.

Mr. BURTON. In brief, is not the gentleman from Michigan speaking of something about which he is not very well posted?

Mr. CORLISS. If the chairman of the committee wishes to criticise the statement I am making, I am willing that he should. I am stating this as a general proposition, that when you have a public work involving the appropriation of millions of dollars, which will take two or three years to perform, it is wise to authorize the contract for the entire completion of that work based upon the estimate made.

Mr. BURTON. Is not the gentleman aware that he is in error in stating that these improvements will cost \$9,000,000, when the fact is that the estimate amounts to only \$5,750,000?

Mr. CORLISS. I have before me a communication signed by Colonel Lydecker, and I want to read the last paragraph, in order to show to my friend where I got my information:

Summarizing the above, it appears that the total cost of securing such safe and convenient channel as is indicated by Congress will be in the neighborhood of \$9,000,000, according to either of the projects herein suggested, and it is believed that no less radical improvement will meet the demands of the St. Marys River commerce. The estimated cost is to be taken as a maximum, and it is not unlikely that it may be materially reduced by further study of the complicated questions involved in the best final solution of the problem.

Mr. BURTON. Does not the gentleman from Michigan know that that involves a new lock at the Soo and the improvements of the channel above the Soo?

Mr. CORLISS. It does include a lock, which ought never to be built, because we have sufficient lock facilities, and by agreement with Canada we can use hers. I think there are expenses included there that ought not to go in.

Mr. BURTON. Then the gentleman from Michigan should revise his estimate of the total cost if he says there is included there something which ought not to be.

Mr. CORLISS. But the estimate is \$5,750,000 for this improvement alone. Why leave a million dollars and more for some future time when this is one of the greatest improvements that could possibly be suggested for the advancement of the commerce of the country?

I call attention to these items because we are interested in advancing that character of legislation which benefits the State and the nation. It is not local in its character. It is national, and I submit that when legislation of that character is proposed you should not go halfway. You should appropriate for the entire project under one contract and thereby get the advantage of competition for the entire project.

Mr. Chairman, I have referred to this measure as the liver and lights bill with no intention of wounding the feelings of any member. I have not attempted to condemn any member's piece of liver, but think that some of them are salted unjustly and

unwisely with the funds paid into the Treasury by the people. I have called attention to the glaring defects in the method, because I believe the time has come when we should change them.

Mr. Chairman, I will reserve the balance of my time.

Mr. BISHOP obtained the floor and said: Mr. Chairman, after occupying a few minutes I will reserve the remainder of my time.

Mr. Chairman, I did not intend and did not think it necessary for me to say anything in regard to this bill, thinking that the bill was so wise in its provisions that it would need no defense, particularly from a Michigan member. But since the gentleman representing the Detroit district [Mr. CORLISS] has seen fit upon this floor to attack the bill as well as to attack the motives of the gentlemen who framed it, it seems to me that it demands at least from a Michigan man a few words in reply.

It has seemed to me that among all the Michigan members or among all the members on this floor he should be the last to rise in his place and criticise this bill or criticise even the methods of creating it. I wish to say that while I have been on the Committee on Rivers and Harbors we have never sought at any time to favor any section or any State or any private enterprise. The only object and purpose of that committee from the very first has been to do absolute justice to the commerce of the country—noting else.

Mr. CORLISS. Will the gentleman permit a question?

Mr. BISHOP. Yes, sir.

Mr. CORLISS. Do you think that the improvement of a small river—an inland stream having, perhaps, a depth of 5 or 10 feet, that might possibly be raised to 14 feet in order to reach an inland town—is a benefit to the public at large?

Mr. BISHOP. State your proposition.

Mr. CORLISS. Answer the question.

Mr. BISHOP. Name some particular stream where we have done that particular kind of work.

Mr. CORLISS. I am not particularizing.

Mr. BISHOP. The gentleman can not particularize.

Mr. CORLISS. I am asking a hypothetical question.

Mr. BISHOP. It is easy for a member on this floor to get up and scold, when he has his motives in the failure to get something in the bill that he may have wanted; but when the gentleman will come down and particularize as regarding some particular stream where we have been unjust to him or to any locality, or have made an appropriation which we ought not to have made, then we shall have an opportunity of correcting it, but not when he makes a general statement or puts a hypothetical question.

Mr. CORLISS. Will the gentleman permit another question?

Mr. BISHOP. Yes; certainly.

Mr. CORLISS. Have I suggested any appropriation for my district?

Mr. BISHOP. The gentleman has not asked for an appropriation for his district, because he has no navigable stream within it; but he has one of the finest streams in the United States running by it, which has done more than any other one thing to build up the city of Detroit.

Mr. CORLISS. That is right.

Mr. BISHOP. It has done more than any other one thing to add to her industries and her wealth, and the gentleman should be on the floor defending the bill rather than criticising it. He does not represent the interests of Detroit in saying what he has said about it. I do not believe the good people of Detroit will commend his action or commend his words. I know that there are great shipping interests in Detroit, and the people of that city are proud that Michigan stands among the foremost to-day in the great industries of this country and foremost in the great commerce that is now carried on her lakes, and I believe he is the only gentleman from Michigan who seeks to criticise the bill or will vote against it.

The animus, as I said a moment ago, undoubtedly comes from the fact that he has failed to get something in the bill that was a pet scheme of his; and judging from his remarks I should say it is the lake levels. Now, Mr. Chairman, it is true that a proposition of that kind was made to the committee, and fairly made. It was carefully considered, but it did not come to us in such a shape that an appropriation could be made in the present bill. As a matter of fact, when the question was considered by the committee, it was ascertained that by raising the waters of Lake Erie 2 feet very much of the adjacent country would be flooded; and there is not a lawyer or layman upon this floor who does not know that by so doing we would render the United States subject to damage suits to an extent almost unheard of. And until that matter can be disposed of we thought it not wise for the Committee on Rivers and Harbors to put the United States Government in the position of a defendant.

Mr. CORLISS. Will the gentleman permit another interruption?

Mr. BISHOP. Oh, certainly.

Mr. CORLISS. Why, then, did you not insert in this bill some provision that would give the President the right and clothe him

with the authority to secure a diplomatic agreement, and not put in the bill just what has already been passed by Congress before, without giving him authority to act?

Mr. BISHOP. We think section 4 of the bill gives ample power to the President to appoint any such commission as he may desire.

Mr. CORLISS. Do you not know that the same thing is in the act passed three years ago creating the Deep Waterways Commission?

Mr. BISHOP. If the gentleman is not satisfied with the provision in section 4, let him prepare his amendment and let the committee vote upon it. The Committee on Rivers and Harbors have acted toward him in good faith. They have sought to carry out his wishes, and if they have failed he can appeal to the members of this House to correct the committee.

There is another thing in the gentleman's remarks that strikes me as very harsh. The gentleman calls it facetiousness. Now, that may be a very kindly thought of his, and very courteous to the committee, when he talks about liver and pork. I hardly think it necessary for me to attempt to defend the Committee on Rivers and Harbors before this House. Members of this House know the make-up of that committee, and so I do not feel called upon to say a word in defense of the committee against a slur of that kind. This bill is not made up in the way the gentleman seems to intimate. It is not made up on the idea of favoritism either to the members of the committee or to any section of the country.

The gentleman can go outside in the lobby and find the figures there presented by some other member of the House attempting to cast reflections on the committee, first by showing that the States represented by membership on that committee have received more of the appropriations than other States; but there is no member of the House who does not know that the Speaker in making up this committee selected its membership from the great States that are largely interested in commerce and transportation. That being true, it is quite necessary that we should make appropriations to the States that have the commerce. That is true of the great State of New York, with the harbors of New York and Buffalo, and the great rivers of that State. It is true of Michigan, with more than 1,500 miles of lake coast and more than 30 great ports. It is true of Michigan, because those lakes carry a commerce greater than that of any three of the great ports of Europe. We, of course, must take care of that commerce, and we have taken care of it only by making reasonable appropriations. Although the gentleman may seek to reflect upon that committee, the membership of this House will understand that we make appropriations where commerce is, and not where commerce is not.

Now, Mr. Chairman, it hardly seems to me as though it was necessary for me to speak regarding the level of Lake Erie, of which the gentleman from the Detroit district [Mr. CORLISS] has so bitterly complained. He proposes to raise the level of Lake Erie 2 feet. He thinks that will raise the water on the Limekiln Crossing, and thereby avoid the necessity of digging the channel deeper. The question asked by my colleague [Mr. HENRY C. SMITH] was very pertinent and to the point. Many of the great industries along the Detroit River would be flooded by any such action as the building of that dam. But the gentleman from the Detroit district [Mr. CORLISS] would have an automatic dam. There is to be plenty of water when you need it and less water when you do not need it. That is the gentleman's idea.

The gentleman should understand that if we build restraining works and raise the level of the lake we can not dispose of that water in a brief period of time. It will take a month to lower the level of Lake Erie with all the gates in the dam open. In the meantime a flood may come and do untold injury to the people living along the flat shores of the lake, and great industries whose plants are situated just outside of the First Congressional district and which are in the district of my friend to the south of him [Mr. HENRY C. SMITH] may be destroyed.

Mr. CORLISS. Will the gentleman permit a question?

Mr. BISHOP. Yes; certainly.

Mr. CORLISS. Is it not true that the engineers to whom I have referred, one of whom, at least, appeared before the committee, stated that their plan of raising the lake level would not raise the high-water-mark level?

Mr. BISHOP. It would raise the water.

Mr. CORLISS. Did not the engineers so state—that the high-water mark would not be affected—and have they not so reported to your committee?

Mr. BISHOP. There was one engineer, a gentleman whose ability I greatly respect, who thought that restraining dams could be built in such a way that when they wanted less water they could let it out and that when they wanted high water they could raise it, but that was criticised by other engineers equally able. And if it were possible as an engineering project, what will you do with the damages to the land that would be overflowed by such raising of the lake? Until that is cared for this committee, at

least in the present bill, could make no appropriation, and the gentleman knows enough to know it.

Mr. CORLISS. Will the gentleman permit another question?

Mr. BISHOP. Certainly.

Mr. CORLISS. You admit that the engineers stated emphatically that their plan of damming Lake Erie would not raise the high-water level. Now, if it will not raise the high-water mark how on earth can it flood any land that is not now flooded at high-water mark?

Mr. BISHOP. If they raise it up to high-water mark, and the floods come in the Detroit River, before you can dispose of that water you have an overflow inevitably, and it will take at least thirty days to dispose of that water in Lake Erie. Further, the gentleman knows perfectly well that there is no project before the committee at this time upon which an appropriation could be made, and therefore his criticism is ill timed.

Mr. HENRY C. SMITH. Mr. Chairman, I am anxious to join the harmony among the members from Michigan. [Laughter.] The real fact is that by reason of this kind of harmony or the want of it among the members from Michigan, as I apprehend, there is an item in this bill which should not be there and which, when the time comes, I shall move to strike out. It is found on page 65 of the bill, and provides for an appropriation of \$500,000 for the construction of Plan A, referred to in House Document No. 712.

Now, there are three channels in the Detroit River opposite Ecorse, Wyandotte, and Trenton. One is the Canadian channel, which is classed in this report as Plan A. This is the channel on the Canadian side. That is what I object to. I object to the American Congress spending more money to construct, to enlarge, and to maintain a ship channel on the borders of Canada. In the early days the channel was along the American side, extending from Trenton clear up to the city of Detroit. But, for certain reasons which I can not fathom, of late the money has been appropriated for and the channel has been changed over to the Canadian side, where the bottom is all rock, where it has to be blasted out at large expense, and where boats get across the channel and impede navigation.

And I ask gentlemen to read report 712, in which it will be seen that the engineer has made his estimates, wherein he claims it will only take about \$2,000,000 more to complete, according to this plan, the channel on the Canadian side. It will cost about \$10,000,000, according to his statement, to complete the central channel between the two, and he estimates that it will take \$13,000,000 to complete the American channel and make it what it should be. But I respectfully call attention to the fact that these are only estimates. They are stated to be estimates, and I am unable to find that any survey or any soundings have ever been made as a basis upon which this estimate is made.

And I want to say, further, that the engineer or the assistant engineer who makes this report, Mr. Dickinson, as I am informed, lives in Amherstburg, Canada, right across the river from Wyandotte. His property is there, and my constituents in Wyandotte advise me that they have never had an opportunity to have any conference with him or opportunity to make any statements to him. Before the Canadian channel was opened there were three shipyards in Trenton at the south end of the island. When the Canadian channel was built up these shipyards perished. Within the last three years a shipyard of considerable importance has been built up at Wyandotte. This engineer made no report in favor of any assistance to the harbor at Wyandotte, but I will say in behalf of the committee, all the members of which have been very courteous to me, that they have not neglected that matter.

I want to say further that those who know Colonel BISHOP know that he needs no defense as to his honor, his ability, or his integrity on the floor of this House. I went to the committee, and when I explained to them the conditions they authorized an appropriation, which is in this bill, which is satisfactory and which will assist the harbor at Wyandotte so that the shipyard may be used. But I want to submit this: It has been stated here that 35,000,000 tons of freight pass through the Detroit River every year; that six times as great a tonnage passes through that river as through the Suez Canal. I will not be outdone by my brother from the First district [Mr. CORLISS] in my praise and my love for my beloved State of Michigan, but I do want to submit that the facts show that the city of Wyandotte, in the district which I have the honor to represent, is the third city in the State of Michigan in the amount of freight handled, the cities in their relative importance as to the amount of freight handled being Detroit, Grand Rapids, and Wyandotte.

In the latter city there originates every year more than one million and a half tons of freight, or about one-thirtieth as much as passes through the entire Detroit River. And I want to say that there is no boat of any kind which ever stops at Wyandotte to get one ton of that freight. This \$20,000,000 spent on our Great Lakes is spent for the benefit of four cities—Chicago, Duluth,

Cleveland, and Buffalo. Now, I submit that if we are legislating for the general good of the greatest number, some provision should be made whereby boats might touch the wharves at Wyandotte; that could gather up the million and a half tons of freight that originates there every year.

There is no competition there either. There is the Michigan Central Railroad, and what they call the Lima Northern, a little road 80 miles long, which starts nowhere and ends nowhere as an independent line, something like the railroad spoken of by the chairman of this committee as one of Jules Verne's dreams. Having been one of the promoters of the Detroit and Lima Northern Railroad, I do not want to give it a black eye, but it is said that its initials D. & L. N. stand for "Dead and Left Nothing." [Laughter.] While it has done somewhat to relieve the shippers of our district it has not accomplished the purpose indicated in the report of the engineer, who had under investigation the conditions of the Detroit River at these points.

But really it affords no real, substantial competition. I only speak of it because this report says my constituents have ample shipping facilities and full competition with the Lima Northern and the Michigan Central railroads. I know that the Michigan Central is a great system, and by the courtesy of the committee, when it went through the Wyandotte Channel, I was invited to be its guest, and with that committee was the general attorney of the Michigan Central Railroad. For what purpose? It was not a day that he went for pleasure in the rain; but he was there with the committee. I asked one of the members of the committee why he was there, and he said he did not know. [Laughter.] What I am submitting is this: My constituents are left absolutely at the mercy of the Michigan Central Railroad.

Mr. KLUTTZ. May I interrupt the gentleman one moment?

Mr. HENRY C. SMITH. Yes, sir.

Mr. KLUTTZ. I desire to ask him if it is one of the legitimate purposes of this bill to furnish competition to the shipping interests of the large cities of the country?

Mr. HENRY C. SMITH. I supposed it was for the general interest of the shipping. If I am wrong I should be glad to be put right. I did not suppose it was for the benefit of the great ship owners and boat owners of this country. I will admit, however, that those great boats have pretty nearly driven the small boats from the lakes up in my country.

Now, I have not, Mr. Chairman, attained that advance in science where I can contemplate the science of the dam proposed by the able Representative of the First district of Michigan. I can not conceive how a dam can be constructed or a breakwater, at Buffalo, which will raise the water 18 inches at Wyandotte when the water is low and will not raise it at all when the water is high. [Laughter.] That is one of those paradoxes that is only equaled by the result of the bill we passed yesterday concerning Colorado. It is a paradox, if any such thing could exist. Let me submit this: In Wyandotte we have one concern that makes 300 tons of its product and ships it every day. It burns 500 tons of coal and 200 tons of coke every day. There are 57 salt wells there, too. These salt wells yield, on an average, 300 barrels of salt every day. If the water at high-water mark or low-water mark were raised 18 inches it would destroy them, and if we should pass a law which destroyed that property, as a legal proposition, I submit we would be bound to pay for it.

In addition to that, if you raise the water by a dam of this kind it would not only flood a great part of my district, but a large part of the low country between Buffalo and the city of Detroit, about Toledo and all those cities, filling up the sewers, flooding the streets, filling the wells, and the damage could not be estimated. So thus far I am in harmony with the committee in this proposition. Mr. Chairman, I yield back the rest of my time.

Mr. BALL. Will the gentleman from Michigan, before he takes his seat, give the balance of the committee a certificate of character as well as Colonel BISHOP?

Mr. HENRY C. SMITH. Every man in Michigan is all right, except one who lived in Texas once. [Laughter.]

Mr. BALL. I mean the balance of the River and Harbor Committee.

Mr. HENRY C. SMITH. Oh, yes; certainly. I have done so already.

[Mr. SCUDDER addressed the committee. See Appendix.]

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. ADAMS having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. CUNNINGHAM, one of its clerks, announced that the Senate had passed without amendment the bill (H. R. 13394) providing for the payment of electoral messengers.

RIVER AND HARBOR APPROPRIATION BILL.

The committee resumed its session.

The CHAIRMAN. The gentleman from Nevada is recognized for twenty-five minutes.

[Mr. NEWLANDS addressed the committee. See Appendix.]

Mr. RICHARDSON of Alabama. Mr. Chairman, I do not rise for the purpose of opposing the bill of the committee, but simply to indicate an amendment that I will offer at the proper time. I now ask unanimous consent that my amendment be sent to the Clerk's desk and be read.

The CHAIRMAN. The amendment will be read in the gentleman's time.

Mr. RICHARDSON of Alabama. Yes; read in my time.

The Clerk read as follows:

Strike out lines 12, 13, and 14 and substitute therefor the following: "Improving Tennessee River at Colbert Shoals: Continuing improvement, \$300,000: Provided, That a contract or contracts may be entered into by the Secretary of War for such materials and work as may be necessary to complete Lock and Dam No. 1, and to construct Lock and Dam No. 2, at Colbert Shoals, to be paid for as appropriations may, from time to time, be made by law, not to exceed in the aggregate \$1,000,000, exclusive of the amount herein and heretofore appropriated."

Mr. RICHARDSON of Alabama. I am very grateful to the distinguished chairman of the committee [Mr. BURTON] for his courtesy and kindness in allowing me fifteen minutes to speak on this subject. I am to speak on the Tennessee River, which is fifteen hundred miles long, and as I have fifteen minutes, that allows me one minute to each hundred miles. Hence it becomes very necessary for me to concentrate my views and my remarks upon one single point of that river—Colbert Shoals—which my amendment discloses.

I was especially gratified, Mr. Chairman, when the war-revenue bill was under discussion before this House before the recess, to hear the distinguished gentleman from Ohio [Mr. GROSENOV] state that he favored a liberal and generous appropriation to Colbert Shoals on the Tennessee River. It was a broad, liberal, patriotic, and national spirit that prompted that remark, because the gentleman knew the importance of that place in our river. And I hope, Mr. Chairman, that that distinguished gentleman believes with me this evening, that now is the accepted time to render his aid and his help in our behalf.

There is no question, Mr. Chairman, and no subject that can probably arise before this House in which the people whom I have the honor to represent on this floor are more interested and more concerned than they are in the improvements of the Tennessee River. Every county in the district that I represent borders on the one side or the other of this great stream—more than 200 hundred miles in distance—embracing what is known as the fertile and beautiful valley of the Tennessee, a valley that Commodore Maury, years ago, said would yet be, in the course of years, the most densely populated section of the American Union, outside of the great centers of population. He said: "Why, the Tennessee River will be made navigable, and then you will be tapped in this valley by railroads from all directions, and enterprises will dot the sides of the river from the eastern boundary of Alabama to its western boundary."

And I am glad, Mr. Chairman, to say to-day that the prophecy of that wonderful man is in part realized in that valley, and we only await now the generous hand of the Government to reap all of the fruits of the prophecy.

The amendment that I propose to offer at the proper time is intended to carry out what I believe to be the purposes of the River and Harbor Committee in the near future as to what they will do in the matter of appropriations for Colbert Shoals. I do not say that from any personal information that has been given me by any member of that committee, but I base the statement upon the incontestable facts of record that I propose to submit for the consideration of this committee.

Now, Mr. Chairman, that part of the river and harbor bill which I propose to amend recites that "the Secretary of War is authorized and directed to prepare an estimate of cost of improving said river at Colbert Shoals by locks and dams." On the 2d day of August, 1899, a report was made and filed in the War Department by one of the ablest engineers in this country, the chief engineer in charge of the improvements of the Tennessee River. He made an elaborate survey, estimate, and investigation of the cost and expense that would enter into the matter of improving the Tennessee River at Colbert Shoals by locks and dams.

That report was filed on the 2d of August, 1899. What was that estimate? It was that the lock and dam system, by practical use of the improvements that have already been made at the lower lock on Colbert Shoals, would cost \$1,433,850. That is the testimony of an able, experienced, skillful man, who ranks high as an engineer. What we ask, Mr. Chairman, was the estimate of cost and expense that he made in this report for the lateral-canal system at Colbert Shoals. The estimate of cost, in which he included the cost of the canal of earth embankment, was \$2,748,722. The other estimate, relating to the lateral-canal system, which was for rock or masonry for the wall of the canal, was \$3,017,122.

Thus I present, Mr. Chairman, the actual ascertained and established difference in the matter of expense or cost between the plan

of improving the Tennessee River at Colbert Shoals by locks and dams and the plan of a lateral canal, the former indorsed and recommended by the chief engineer who is now and has been for years past in charge of the improvements of the Tennessee River, the latter plan—the lateral canal—indorsed and recommended by two competent engineers, appointed, together with the chief engineer in charge, to inquire into that matter.

What is the difference that the engineer in charge of the improvements of the Tennessee River makes between the lock-and-dam system and the lateral canal? In the one, that of earth embankment, it is \$1,300,000 difference; in the other, the rock-wall system, it is \$1,600,000 difference. There is the matter presented in a nutshell—that is to say, if the committee adopts the lock-and-dam plan it will effect a saving to the Government of either \$1,300,000 or \$1,600,000. Why, I ask, and I ask it in all seriousness, with the report of the chief engineer in charge of the river making this difference in favor of the lock-and-dam system over the lateral-canal plan, was the lock-and-dam plan not accepted?

Why, Mr. Chairman, two years ago this very same question came up, and Colbert Shoals was told that it must stand aside and wait, because there was a difference between the engineers on the lateral-canal system and the lock-and-dam system. We were asked to wait, and we patiently have done so; and to-day, in this report of the committee, we are confronted with the same thing. We are asked to wait two years longer, until the Rivers and Harbors Committee can have another survey and estimate made for locks and dams at Colbert Shoals.

Now, Mr. Chairman, I am not complaining of the River and Harbor Committee. I imagine that it is just as difficult to arrange a river and harbor bill as to arrange an apportionment bill between the States. But these are the facts before us. I am not here contending, nor have I contended, nor have the friends of the Tennessee River contended, for either one plan or the other. All that we have asked is that an appropriation commensurate with the importance of Colbert Shoals be made on the one plan or the other. It is proper for me to say I have in my hands and I read, Mr. Chairman, from the Annual Report on the Improvement of the Tennessee River and its Tributaries for the year 1900, made by Maj. Dan C. Kingman, chief engineer in charge of the improvements of the Tennessee River:

On the 2d of August, 1890, I submitted a report suggesting a modification of the plan of improvement adopted for Colbert Shoals. It is a modification or substitution of a slack-water system for the lateral canal system, utilizing the work already done and employing two closed dams across the river instead of a canal.

The proposed modification was submitted to a board of engineers composed of Major Kingman and two others, and the decision of this board was that it was best to adhere to the lateral canal system.

I propound this question to the distinguished chairman of the River and Harbor Committee: Which plan does his committee indorse? Surely it has rejected the lateral canal plan, because in its bill it directs the Secretary of War to prepare estimates for a lock and dam system; and no reasonable, sane man can think for a moment that if the Secretary of War prepares or has prepared the items of cost and expense for a lock and dam system that (unless the committee in its personnel should entirely change in the next two years) it would make a generous appropriation to Colbert Shoals and place it where its importance requires—on the continuing-contract system. Then, if they do that, and there is literally no other rational conclusion to be reached, why can not they allow this amendment, Mr. Chairman, to be made right now and relieve us of unnecessary delay?

I say, Mr. Chairman, with entire respect, that it appears to me that the attitude of the Committee on Rivers and Harbors toward Colbert Shoals is that of procrastination. The lateral canal plan recommended by a majority of the board of engineers is rejected by the committee and they decline to act on the careful, exhaustive, and elaborate estimate of the cost of the lock and dam system submitted by Major Kingman, the chief engineer in charge of the Tennessee River. It is then manifest in the face of this seeming conflict the only hope for immediate relief that the friends of Colbert Shoals have is in Congress. The distinguished chairman, Judge BURTON, in reply to a question that I propounded to him during this debate, said in reference to the report of the chief engineer in charge of the Tennessee River:

There may have been some such estimate made, but it has never come before us officially. We can not take into account reports that are lodged in the Engineer's Office.

Mr. RICHARDSON of Alabama. Was it not filed in the office of the Chief Engineer?

Mr. BURTON. That, however, does not bring it before us even if it were. I telegraphed the Chief of Engineers and asked for it, and he said it had never been published.

The report, Mr. Chairman, was very accessible. It was on file in the War Department and was kindly handed me at my request. The same report is referred to in the "Annual report upon the improvement of Tennessee River and its tributaries, in charge of Dan C. Kingman, major, Corps of Engineers, United States Army, for 1900."

The improvement of a river or a portion of a river by means of locks and fixed dams is no new thing in this country or in Europe. The fact is that our best and most successful improvements on fresh-water rivers have been accomplished by locks and fixed dams. In reading the history of the Tennessee River I find that the lock and dam system was adopted many years since as the most efficient for the improvement of Colbert Shoals. On this subject I ask permission to read from the report of the chief engineer in charge of Tennessee River, made on August 2, 1890, to Brig. Gen. John M. Wilson, Chief of Engineers, United States Army, Washington, D. C.:

The act of Congress of March 2, 1837, made the first appropriation for a survey of Colbert Shoals, and following this efforts were made to secure the improvement of these shoals, first, by sluicing, so called, and second, by the construction of a lateral canal. But actual work upon these shoals was put aside in order that the proposed improvements might be continued at Mercer Shoals, and it was not until 1888 that a definite plan for the radical improvement of Colberts and Bee Tree shoals was formulated. This was the plan prepared by Lieutenant Waterman, under the immediate direction of Colonel Barlow, for the improvement of Colberts and Bee Tree shoals by the method of locks and dams.

This project was never approved, and there is no record that it was ever formally disapproved, but it was changed by Colonel Barlow to a project consisting of locks and longitudinal dams in the bed of the river itself. The board of engineers heretofore referred to in considering the question of improvement of Colbert and Bee Tree shoals appeared to give but little consideration to the method of improvement by cross dams and locks. The subject was dismissed in a paragraph with the statement that it was "inexpedient to interfere with the free and unobstructed navigation of the open river, which is practicable during a large portion of the year."

The board stated, however, that "if a slack-water improvement of the main channel of the river was decided practicable and advisable its cost would undoubtedly be much less than the cost of the proposed canal." This statement of the board as regards the cost is undoubtedly correct, and for this reason alone I was first led to give careful consideration to the subject of the slack-water improvement. The lower lock, which has already been constructed, might, with very slight modification, be used as well in connection with the slack-water improvement as with the lateral canal, so that all of the work actually done would now be available for either project, but it is not practicable to proceed any further with the work of construction without having finally fixed upon one plan or the other.

Mr. Chairman, nearly three-quarters of a century have passed since the attention of our Government was first given to the improvement of Colbert Shoals, and yet in the face of this fact we are now asked by the Rivers and Harbors Committee "to wait yet a while" and possess our souls in patience, for sooner or later our hopes and expectations may be realized. The total amount expended on the Tennessee River to June 30, 1890, as shown by the annual report heretofore referred to, is \$4,650,057.94. Out of this large amount \$3,181,736.50 has been expended in the completion of Big Muscle Shoals and Elk River canals and their approaches. The total amount expended on Colbert Shoals is \$652,731.35. With permission, Mr. Chairman, I will now read an extract on page 2914 of the annual report upon the improvement of the Tennessee River, heretofore referred to:

3. Decatur, Ala., to Florence, Ala. (50 miles).

The principal obstructions upon this section of the river are the Mercer Shoals, extending from deep water at Browns Ferry to deep water at Florence (38 miles), and embracing Elk River Shoals, Big Muscle Shoals, and Little Muscle Shoals. Only 8 miles of this distance of 38 miles is navigable in its natural condition. The Elk River Canal, a mile and one-half long, having two locks, with lifts of 12 feet, and from 8 to 11 feet, respectively, overcomes the obstruction at Elk River Shoals. The Big Muscle Shoals Canal, originally built for the United States by the State of Alabama, which was completed in 1836 and practically abandoned in 1837, overcame the obstruction of the Big Mercer Shoals.

This canal was subsequently repaired by the United States, its locks remodeled, enlarged, and given increased lifts, whereby their number was diminished and the whole completed in 1860. An attempt was made to overcome the difficulty of navigation on Little Mercer Shoals by channel work, but the fall is too great, and the limit of the improvement was reached without satisfactory results. The project has since provided for the construction of a canal 15,000 feet long, with a guard lock at the head and a lift lock at the foot having a lift of 12 feet, to overcome this obstruction.

The Big Muscle Shoals and the Elk River Shoals divisions of the canal permit navigation through them at all stages of the water. Between these two canals there is a stretch of water about 8 miles long, which still offers a number of obstructions to navigation. A good deal of work has been done here, but in their present condition these obstructions are sufficient to stop navigation between the two divisions of the canal, even before extreme low water is reached.

I am anxious, Mr. Chairman, to see all of the obstructions at Muscle Shoals and elsewhere on the river speedily removed, but it is manifest that it will take years to accomplish this. What we are asking for now, and what we want and need, is an appropriation sufficient to produce immediate results. If Congress will give us enough money to remove the obstructions at Colbert Shoals, a wonderful impulse will at once be given to trade progress and development in that section, which will be most gratifying to all the people of the country. The great misfortune, I think, is that the work was not commenced and the money expended on the lower part of the river and continuing upstream.

I do not wish to be understood as saying that no commercial benefits or results have been realized from the appropriations heretofore made for the improvement of the river. But I do say that if the amount asked for in my amendment is appropriated, in two years we will see a tenfold increase in the commercial results compared with what have already taken place. Mr. Chairman, we have large iron industries located at Sheffield and Florence, with two or more of the largest cotton factories in the South

at the latter place. These cities are 8 miles below the Muscle Shoals and 23 miles above Colberts Shoals and are two of the most prosperous cities of our State.

On the repeated promises that have been made to us for years past of sufficient appropriations for the removal of obstructions at Colbert Shoals, I personally know that millions of dollars have been invested in the localities I refer to above. I say, and say it with earnestness, that it is not fair and just to these enterprising, energetic, and thrifty people, who have invested their money on these expectations and promises created and made by Government engineers and Congressmen, to postpone this matter of relief for two years longer, to await the myth of another survey and estimate of cost.

Why, Mr. Chairman, all the surveys that can be conjured or concocted will never change or alter the indisputable fact that the improvement of Colbert Shoals is of paramount necessity. Another survey is simply a useless expense and an unnecessary consumption of time. I am not able to present a real picture of what I believe the increased prosperity would be as the result of the opening of Colbert Shoals. A distinguished friend of mine, Maj. A. W. Wills, of Nashville, Tenn., who for years has given his hand, his heart, and his indomitable energy to this great work, very aptly said in the remarks that he was permitted to make recently on this subject before the Rivers and Harbors Committee:

Again, the number of additional manufactures of every conceivable kind that would be attracted to that section and, in fact, all along the line of the river should not be lost sight of. New Orleans is the natural point along the entire Atlantic coast for exporting iron, because of the tramp steamers in which pig iron is principally exported. Now, permit me, please, to emphasize the most important items in a commercial or financial sense in connection with the matter being considered. Iron can be barged from Sheffield and Florence to New Orleans at \$1 per ton against an all-rail rate of \$3 per ton, taking the capacity of the present six furnaces (1,200 tons daily), a saving in freight alone of \$2,400 per day. It might be asked why iron is not barged to New Orleans at present.

I answer because of the condition of the Colbert Shoals. Even in high water it is dangerous to load more than 300 tons on a barge, and in this quantity it would not pay to barge iron such a distance. We have at times barged iron over the shoals for shipment to Chicago and Western points from Brooklyn on the Ohio River via the Illinois Central Road, but only in small barge loads, because of the dangers cited above. To make the work profitable we must have continuous navigation whereby we can use large barges and have them made specially for the trade. I have referred above to iron and other articles barged to New Orleans for export. Of course, if our river is improved the same rule holds, good for shipment of iron, coal, etc., down the Tennessee and distributed to all Western and other points via the Ohio, Mississippi, and other rivers.

Let the Colbert Shoals obstructions be removed and you will find millions of tons of coal from the great Warrior coal fields finding its way to the Gulf and to the South American countries. You will find new furnaces, rolling mills, and all conceivable kinds of manufacturers taking root along the Tennessee. The immense timber, cotton, agricultural, phosphate, and other interests of that great section will come to the front. The Tennessee River will be found dotted from its source to its mouth with all kinds of transports and water craft, and peace and prosperity will reign supreme.

The above are the views of one of the brainiest and most prominent Republicans of the South—a man who has identified himself with the commercial development of the South. I have no hesitancy, Mr. Chairman, in stating that no section of the South to-day presents a more inviting field for profitable investment and is receiving greater accessions to its population than the valley of the Tennessee from Stevenson to Cherokee, Ala. Industries and enterprises of all kinds are coming to us and locating among us from one end of the valley to the other. In the city of Huntsville, where I have the pleasure of residing, we have recently located the seventh cotton factory, and other factories have been located at Scottsboro, Athens, Florence, and one or more other places.

Our people are not repining over the past, recent or remote, but they are buoyant and hopeful of the future. Thousands of most excellent and worthy people from the North and the West are making their homes with us, attracted by our healthy climate, our fertile and cheap lands, and the generous cordiality and welcome of our people. And I say now if Congress will "add unto us" the free navigation of the Tennessee River, our joy will be complete and our prosperity will be assured.

The CHAIRMAN. The time of the gentleman has expired.

Mr. RICHARDSON of Alabama. I would like, Mr. Chairman, to have the consent of the House to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. RICHARDSON of Alabama. And to include the report of the engineer that I have been speaking of.

Mr. BURTON. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and Mr. DALZELL having assumed the chair as Speaker pro tempore, Mr. HOPKINS, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 13189, and had come to no resolution thereon.

RECALL OF BILL FROM PRESIDENT.

The SPEAKER pro tempore. The Chair desires to lay before the House the following resolution.

The Clerk read as follows:

Resolved, That the President be requested to return to the Senate the bill of the Senate 1296, granting an increase of pension to George G. Kemp.

The SPEAKER pro tempore. Without objection, the resolution will be considered as agreed to.

There was no objection, and it was so ordered.

SENATE BILL AND RESOLUTIONS REFERRED.

Under clause 2 of Rule XXIV, Senate bill and resolutions of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 4208. An act for the relief of George K. Bowen—to the Committee on Military Affairs.

S. R. 149. Joint resolution providing for the distribution of compiled statutes of the District of Columbia to judges of United States courts—to the Committee on the Judiciary.

Senate concurrent resolution 89:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, directed to furnish Congress with a report showing the present condition of the breakwater at Burlington, Vt., with an estimate of cost for its proper repair and completion—to the Committee on Rivers and Harbors.

LEAVE TO PRINT.

Mr. BURTON. Mr. Speaker, I ask unanimous consent that members who address the committee on this bill may have leave to extend their remarks in the RECORD.

The SPEAKER pro tempore. The gentleman from Ohio asks unanimous consent that members addressing the House on the pending measure have leave to extend their remarks in the RECORD.

Mr. STEELE. Confining their remarks to the subject under consideration, otherwise I object.

Mr. BURTON. I will modify my request so that it shall be that they confine their remarks to the subject under consideration.

The SPEAKER pro tempore. Provided that their remarks be confined to the subject under consideration. Is there objection? [After a pause.] The Chair hears none.

Mr. BURTON. I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 5 o'clock and 5 minutes p. m.) the House adjourned.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Commissioners of the District of Columbia submitting an estimate of appropriation for rent of building in the District of Columbia—to the Committee on Appropriations, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of fact in the case of James Taylor against the United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of fact in the case of Isaac G. Whitham against the United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of fact in the case of Jacob M. John Q., and Mary L. Adams, executors of the estate of Henry Adams, against the United States—to the Committee on War Claims, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of State submitting a communication from the British ambassador relating to relief of Messrs. Ralli Brothers—to the Committee on Claims, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Secretary of State, communications relating to the construction by the Dominion of Canada of a dam from Canadian to United States territory—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Quartermaster-General of the Army relating to the necessity of appropriation for military roads and bridges in Alaska, an opinion of the Comptroller of the Treasury relating to such appropriation—to the Committee on Military Affairs, and ordered to be printed.

A letter from the Secretary of War, transmitting letters in relation to the claim of Frank Goodwin and calling attention thereto—to the Committee on Claims, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. BROSNIUS, from the Committee on Banking and Currency, to which was referred the bill of the House (H. R. 12333) to provide for the extension of the charters of national banks, reported the same with amendment, accompanied by a report (No. 2205); which said bill and report were referred to the House Calendar.

Mr. LOVERING, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 13073) providing for the construction of a steam revenue cutter for service in the harbor of Boston, Mass., reported the same without amendment, accompanied by a report (No. 2207); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. JENKINS, from the Committee on the District of Columbia, to which was referred the bill of the House (H. R. 13371) to authorize advances from the Treasury of the United States for the support of the government of the District of Columbia, reported the same with amendment, accompanied by a report (No. 2208); which said bill and report were referred to the House Calendar.

Mr. JOY, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House H. R. 12553, reported in lieu thereof a bill (H. R. 13399) for the establishment of a beacon light on Hambrook Bar, Choptank River, Maryland, and for other purposes, accompanied by a report (No. 2174); 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. MAHON, from the Committee on War Claims, to which was referred the bill of the Senate (S. 428) for the relief of Laura S. Gillingwaters, widow of J. E. Gillingwaters, reported the same without amendment, accompanied by a report (No. 2177); which said bill and report were referred to the Private Calendar.

Mr. HENRY of Mississippi, from the Committee on War Claims, to which was referred the bills of the House H. R. 2260, H. R. 12712, H. R. 12714, H. R. 12717, H. R. 12933, and H. R. 12934, reported in lieu thereof a resolution (H. Res. 340) for the relief of Newton Woodgard and others, accompanied by a report (No. 2178); which said resolution and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House, H. R. 12983, reported in lieu thereof a resolution (H. Res. 341) for the relief of the estate of Rebecca E. Sexton, deceased, accompanied by a report (No. 2179); which said resolution and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House, H. R. 6927, reported in lieu thereof a resolution (H. Res. 342) for the relief of Thomas Caldwell, accompanied by a report (No. 2180); which said resolution 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. 4209) granting a pension to Mary Sanders, reported the same without amendment, accompanied by a report (No. 2181); which said bill and report were referred to the Private Calendar.

Mr. NORTON of Ohio, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2886) granting an increase of pension to Thomas T. Phillips, reported the same without amendment, accompanied by a report (No. 2182); 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. 12606) granting an increase of pension to Marcellus A. Lothrop, reported the same without amendment, accompanied by a report (No. 2183); 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. 11144) granting a pension to Samuel McKamey, reported the same with amendment, accompanied by a report (No. 2184); 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. 4556) granting an increase of pension to William Fox, reported the same without amendment, accompanied by a report (No. 2185); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 5235) granting a pension to Mary R. Pike, reported the same without amendment, accompanied by a report (No. 2186); 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. 12620) granting an increase of pension to John P. C. Shanks, reported the same with amendment, accompanied by a report (No. 2187); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 5259) granting an increase of pension to William Gordon, reported the same without amendment, accompanied by a report (No. 2188); 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. 4073) granting an increase of pension to Robert A. Edwards, jr., reported the same without amendment, accompanied by a report (No. 2189); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 5015) granting a pension to Betsey L. Woodman, reported the same without amendment, accompanied by a report (No. 2190); 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. 12526) granting an increase of pension to Alexander C. Scott, reported the same with amendment, accompanied by a report (No. 2191); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 5140) granting a pension to Mary C. Coombs, reported the same without amendment, accompanied by a report (No. 2192); which said bill and report were referred to the Private Calendar.

Mr. SHAW, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 5017) granting a pension to George H. Shapley, reported the same without amendment, accompanied by a report (No. 2193); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 5016) granting an increase of pension to Francis H. Buffum, reported the same without amendment, accompanied by a report (No. 2194); which said bill and report were referred to the Private Calendar.

Mr. MINOR, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 13086) granting an increase of pension to Eunice Henry, reported the same without amendment, accompanied by a report (No. 2195); 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. 4418) granting an increase of pension to Andrew J. Woodman, reported the same without amendment, accompanied by a report (No. 2196); which said bill and report were referred to the Private Calendar.

Mr. SHAW, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12434) granting a pension to Marie Barton Greene, reported the same with amendment, accompanied by a report (No. 2197); which said bill and report were referred to the Private Calendar.

Mr. CROWLEY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 5091) granting a pension to Hannah L. Palmer, reported the same without amendment, accompanied by a report (No. 2198); 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. 11303) granting a pension to Elizabeth M. Killen, reported the same with amendment, accompanied by a report (No. 2199); which said bill and report were referred to the Private Calendar.

Mr. CROWLEY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 5090) granting a pension to Minerva McClernand, reported the same without amendment, accompanied by a report (No. 2200); 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. 12801) to pension Willis Brady, reported the same with amendment, accompanied by a report (No. 2201); 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. 10718) granting an increase of pension to J. W. Gatton, reported the same with amendment, accompanied by a report (No. 2202); which said bill and report were referred to the Private Calendar.

Mr. MINOR, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 13154) granting a pension to Ernestine Lavigne, reported the same with amendment,

accompanied by a report (No. 2203); 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. 5524) to pension R. P. Mitchell, reported the same with amendment, accompanied by a report (No. 2204); which said bill and report were referred to the Private Calendar.

Mr. CAPRON, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 5107) to remove the charge of desertion from the military record of Anton Ernst, reported the same with amendment, accompanied by a report (No. 2206); 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. RAY of New York: A bill (H. R. 13395) providing that section 15 of the act approved May 28, 1896, relative to the employment of clerical assistance by United States attorneys, shall apply to the district of Alaska—to the Committee on the Judiciary.

Also, a bill (H. R. 13396) to amend section 5546 of the Revised Statutes—to the Committee on the Judiciary.

By Mr. KAHN: A bill (H. R. 13397) to provide an American register for the barkentine *J. C. Pfluger*, of San Francisco, Cal.—to the Committee on Merchant Marine and Fisheries.

By Mr. JENKINS: A bill (H. R. 13398) to provide for the purchase of a site and the erection of a public building thereon at Superior, in the State of Wisconsin—to the Committee on Public Buildings and Grounds.

By Mr. JOY, from the Committee on Interstate and Foreign Commerce: A bill (H. R. 13399) for the establishment of a beacon light on Hambrook Bar, Choptank River, Maryland, and for other purposes—to the Union Calendar.

By Mr. BARTHOLDT: A bill (H. R. 13422) to authorize and regulate the transaction of business in the Indian Territory by trust companies organized under the laws of Missouri—to the Committee on Indian Affairs.

By Mr. LOUD: A bill (H. R. 13423) to revise and codify the laws relating to the Post-Office Department and postal service, and for other purposes—to the Committee on the Post-Office and Post-Roads.

By Mr. LIVINGSTON: A joint resolution (H. J. Res. 291) to continue copyists in the General Land Office—to the Committee on Appropriations.

By Mr. HENRY of Connecticut: A joint resolution (H. J. Res. 292) providing for reprint of Bulletin No. 80, entitled "The Agricultural Experiment Stations of the United States"—to the Committee on Printing.

By Mr. ALLEN of Maine: A resolution (H. Res. 343) directing the Clerk of the House to pay Joel Grayson, jr., \$270.50 for services as a page—to the Committee on Accounts.

By Mr. PACKER of Pennsylvania: A resolution (H. Res. 344) authorizing the payment from the contingent fund to O. A. Harvey of the difference between the salary of a folder and that of a messenger and doorkeeper—to the Committee on Accounts.

By Mr. McCALL: A resolution (H. Res. 345) authorizing the binding of certain bills, documents, and original papers for the files of the House, and providing for the preparation of the same—to the Committee on Printing.

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. COWHERD: A bill (H. R. 13400) to remove the charge of desertion against Thomas Dignan—to the Committee on Military Affairs.

By Mr. CONNER: A bill (H. R. 13401) granting a pension to Joseph H. Woodruff—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13402) granting a pension to William W. Plank—to the Committee on Invalid Pensions.

By Mr. COCHRANE of New York: A bill (H. R. 13403) granting an increase of pension to John W. Thompson—to the Committee on Invalid Pensions.

By Mr. DOVENER: A bill (H. R. 13404) granting a pension to Thomas M. Harris—to the Committee on Invalid Pensions.

By Mr. ESCH: A bill (H. R. 13405) granting an increase of pension to Samuel Dorwin—to the Committee on Invalid Pensions.

By Mr. GILLETT of Massachusetts: A bill (H. R. 13406) granting a pension to S. Josie Hill—to the Committee on Invalid Pensions.

By Mr. GIBSON: A bill (H. R. 13407) granting a pension to William Cooper—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13408) granting a pension to George Owens—to the Committee on Invalid Pensions.

By Mr. LAWRENCE: A bill (H. R. 13409) to amend the military record of John O'M. Hurley—to the Committee on Military Affairs.

By Mr. NORTON of Ohio: A bill (H. R. 13410) granting a pension to Hannah Lynch—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13411) granting a pension to Charles E. Chapman—to the Committee on Invalid Pensions.

By Mr. O'GRADY: A bill (H. R. 13412) granting a pension to Jerome J. Garrett—to the Committee on Invalid Pensions.

By Mr. RIXEY: A bill (H. R. 13413) for the relief of the heirs of Robert Green—to the Committee on War Claims.

By Mr. SHATTUC: A bill (H. R. 13414) to correct the military record of Eli Norris and to grant him an honorable discharge—to the Committee on Military Affairs.

By Mr. HENRY C. SMITH: A bill (H. R. 13415) granting an increase of pension to Libbie D. Lowrey—to the Committee on Invalid Pensions.

By Mr. TURNER: A bill (H. R. 13416) for the relief of Lafayette L. Griffith—to the Committee on Pensions.

Also, a bill (H. R. 13417) granting an increase of pension to George Kerr—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13418) granting a pension to Helena Brondt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13419) granting an increase of pension to William H. Hudson—to the Committee on Invalid Pensions.

By Mr. VREELAND: A bill (H. R. 13420) granting a pension to Benjamin F. Hazen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13421) to remove the charge of desertion from the military record of Halsey Lindsey—to the Committee on Military Affairs.

By Mr. HALL: A bill (H. R. 13424) granting an increase of pension to Henry S. Comer—to the Committee on Invalid Pensions.

By Mr. GIBSON: A bill (H. R. 13425) granting a pension to Martha M. Stephens—to the Committee on Invalid Pensions.

By Mr. PEARRE: A bill (H. R. 13426) for the relief of Charles R. Hooper—to the Committee on Claims.

By Mr. STEELE: A bill (H. R. 13427) to increase the pension of Zachariah R. Saunders—to the Committee on Pensions.

By Mr. JAMES R. WILLIAMS: A bill (H. R. 13428) granting increase of pension to John B. Tucker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13429) granting a pension to Lucy B. Bevis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13430) to increase the pension of Abraham Stine—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13431) to increase the pension of Lucius C. Moss—to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Petition of J. C. Heckert and 25 other citizens of Eagle Grove, Iowa, in favor of the passage of a service pension bill—to the Committee on Invalid Pensions.

By Mr. ACHESON: Resolution of the Engineers' Society of Western Pennsylvania, in opposition to the passage of a bill to change the spans and heights of bridges across the Ohio, Allegheny, and Monongahela rivers—to the Committee on Interstate and Foreign Commerce.

Also, petition of citizens of West Alexander, Pa., for the exclusion of spirituous liquors from portions of Africa, etc.—to the Committee on Alcoholic Liquor Traffic.

By Mr. ADAMS: Resolutions of Farragut Association, No. 1, Naval Veteran Association, of the port of Philadelphia, Pa., for the passage of Senate bill No. 3422—to the Committee on Naval Affairs.

By Mr. BELLAMY: Resolutions of the Produce Exchange of Wilmington, N. C., for the establishment of a national forest reserve in the mountains of Virginia, North Carolina, South Carolina, Georgia, and Tennessee—to the Committee on Appropriations.

Also, resolutions of the Produce Exchange of Wilmington, N. C., asking for an appropriation to enable the Geological Survey to obtain more accurate data concerning the artesian water supply in the malarial regions on the Atlantic and Gulf coasts—to the Committee on Appropriations.

Also, resolutions of the Produce Exchange of Wilmington, N. C., favoring the enlargement of the work of the Geological Survey so as to include mapping of forest regions in Southern and Eastern portions of the country—to the Committee on Appropriations.

Also, resolutions of the Produce Exchange of Wilmington, N. C.,

favoring the appropriation asked for by the Secretary of Agriculture to enable him to cooperate with the various States in examining into the best modes of securing permanent road building—to the Committee on Agriculture.

By Mr. BOWERSOCK: Resolutions of the National Wholesale Druggists' Association, opposing the free distribution of medicinal remedies—to the Committee on Agriculture.

Also, resolution of Jewel Post, No. 3, Grand Army of the Republic, of Pleasanton, Kans., indorsing House bill No. 5779, relating to appointments in the Government service—to the Committee on Reform in the Civil Service.

By Mr. BULL: Protest of W. E. Barrett Company, of Providence, R. I., against an appropriation for the distribution of seeds—to the Committee on Agriculture.

By Mr. BURKETT: Resolutions of the National Wholesale Druggists' Association, opposing the free distribution of medicinal remedies—to the Committee on Agriculture.

By Mr. COCHRANE of New York: Papers to accompany House bill granting an increase of pension to John W. Thompson—to the Committee on Invalid Pensions.

By Mr. CORLISS: Petition of the National Association of Master Plumbers, urging a change in the method of making contracts in the erection of public buildings—to the Committee on Public Buildings and Grounds.

By Mr. COWHERD: Papers to accompany House bill to remove the charge of desertion from the military record of Thomas Dignan—to the Committee on Military Affairs.

By Mr. CROWLEY: Papers to accompany House bill No. 1575, granting a pension to Nancy Hawkins—to the Committee on Invalid Pensions.

By Mr. DAVIS: Petition of trustees of Florida Agricultural College, certified by Hon. J. D. Callaway, secretary, favoring Senate bill No. 3982, establishing mining schools in connection with agricultural colleges—to the Committee on Mines and Mining.

By Mr. GRAHAM: Resolutions of the Thirty-fourth National Encampment, Grand Army of the Republic, commending the work already accomplished on the National Military Park at Gettysburg, and asking that continued aid be given thereto—to the Committee on Appropriations.

Also, petition adopted at a meeting in Allegheny, Pa., A. R. Van Fossen, chairman, to ratify treaty between civilized nations relative to alcoholic trade in Africa—to the Committee on Alcoholic Liquor Traffic.

Also, resolutions of the Engineers' Society of Western Pennsylvania, remonstrating against any change in existing laws relating to the spans and bridges across the Ohio, Allegheny, and Monongahela rivers—to the Committee on Interstate and Foreign Commerce.

Also, letter of F. B. Thurber, of the United States Export Association, relating to certain features in Senate bill No. 727, known as the ship-subsidy bill—to the Committee on the Merchant Marine and Fisheries.

Also, resolution of the Thirty-fourth National Encampment, Grand Army of the Republic, commending the work accomplished by the Gettysburg National Park Commission, and asking for further appropriation to complete the work—to the Committee on Appropriations.

By Mr. HALL: Resolutions of the First Presbyterian Church of Clarion, Pa., in favor of an amendment to the Constitution against polygamy—to the Committee on the Judiciary.

By Mr. HEDGE: Petition of officers of the various national and savings banks of Mount Pleasant, Iowa, for the repeal of stamp tax on checks, drafts, etc.—to the Committee on Ways and Means.

By Mr. HOWELL: Petitions of citizens of Freehold and Plainfield, N. J., favoring anti-polygamy amendment to the Constitution—to the Committee on the Judiciary.

By Mr. MAHON: Petition of P. W. Shearer and other citizens of Livonia, Pa., in favor of an amendment to the Constitution against polygamy—to the Committee on the Judiciary.

By Mr. MORRELL: Three petitions of citizens of Germantown, Philadelphia, Pa., favoring the exclusion of the liquor traffic in our new possessions—to the Committee on Insular Affairs.

By Mr. NAPHEN: Resolutions of the National Wholesale Druggists' Association, opposing the free distribution of medicinal remedies—to the Committee on Agriculture.

By Mr. NORTON of Ohio: Papers to accompany House bill granting an increase of pension to Charles E. Chapman—to the Committee on Invalid pensions.

By Mr. OTEY: Petition of J. T. Cowan and other citizens of Radford, Va., for the improvement of the channel of New River, Virginia—to the Committee on Rivers and Harbors.

By Mr. OTJEN: Petition of employees of Bureau of Animal Industry at Milwaukee, Wis., for the restoration of certain salary conditions—to the Committee on Agriculture.

Also, petition of keeper and surfmen of Milwaukee station, Wisconsin, favoring bill to promote efficiency of Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

By Mr. RAY of New York: Petition of members of the Grand Army of the Republic of Cooperstown, N. Y., to accompany House bill granting a pension to Anna M. Lasher—to the Committee on Invalid Pensions.

Also, petition of 300 citizens of Waverly, N. Y., favoring the exclusion of the liquor traffic in Africa, etc.—to the Committee on Alcoholic Liquor Traffic.

By Mr. RIXEY (by request): Paper to accompany House bill for the relief of David McGee—to the Committee on Invalid Pensions.

Also, petition of the heirs of Alfred Rector, deceased, late of Fauquier County, Va., for reference of war claim to the Court of Claims—to the Committee on War Claims.

Also, petition of Jenneatt D. Jeter, for the heirs of Mrs. Agnes B. Jeter, of King George County, Va., for reference of war claim to the Court of Claims—to the Committee on War Claims.

By Mr. ROBINSON of Indiana: Petition of the internal-revenue gaugers, storekeepers, etc., of the sixth collection district of Indiana, for sufficient appropriation to provide for their vacation without loss of pay—to the Committee on Appropriations.

By Mr. SCUDDER: Petitions of Home Temperance Mission and Independent Order of Good Templars, No. 366, of Islip, Suffolk County, N. Y., in favor of an amendment to the Constitution against polygamy and various other reform measures—to the Committee on the Judiciary.

By Mr. SHERMAN: Petition of S. E. Barton and other citizens of Holland Patent, N. Y., in favor of the anti-polygamy amendment to the Constitution—to the Committee on the Judiciary.

By Mr. SMITH of Kentucky: Paper to accompany House bill to place the name of William D. Rabern on the pension roll—to the Committee on Invalid Pensions.

By Mr. SUTHERLAND: Papers to accompany House bill for the relief of H. P. Macloon—to the Committee on Invalid Pensions.

By Mr. JAMES R. WILLIAMS: Paper to accompany House bill granting an increase of pension to John B. Tucker—to the Committee on Invalid Pensions.

Also, papers to accompany House bill for the relief of Milla Williams—to the Committee on Pensions.

SENATE.

THURSDAY, January 10, 1901.

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

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

AGRICULTURAL AND MECHANICAL COLLEGES.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Interior, transmitting a report of the disbursements for the fiscal year ending June 30, 1901, made in the States and Territories of the appropriation in aid of colleges of agriculture and the mechanic arts; which, with the accompanying paper, was ordered to lie on the table and be printed.

FRENCH SPOILIATION CLAIMS.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the findings of fact and of law filed under the act of January 20, 1885, in the French spoliation claims relating to the vessel snow *Jenny*, Hugh Lyle, master; which, with the accompanying papers, was referred to the Committee on Claims, and ordered to be printed.

PERSONAL EXPLANATION—VOTE TO TABLE AMENDMENT.

MR. VEST. Mr. President, I wish to make a personal statement, with the consent of the Senate. I was called out of the Chamber yesterday and was unavoidably detained when the vote was taken upon the amendment of the committee to the Army bill called the canteen amendment. If I had been present, I should have voted in the negative and to sustain the action of the committee. That is all I desire to say.

MR. RAWLINS. Mr. President, I desire also to state that I was absent yesterday when the vote in question was taken upon the canteen amendment. Had I been present, I should have voted to sustain the action of the committee.

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 resolution of the Senate requesting the President to return to the Senate the bill of the Senate (S. 1206) granting an increase of pension to George G. Kemp.

PETITIONS AND MEMORIALS.

MR. ALLISON presented the petition of John T. Faulds and 72 other citizens of Ottumwa, Iowa, praying for the enactment of legislation to regulate the hours of daily labor of workmen and