Association of Brooklyn, N. Y., urging the passage of House bill No. 12551, for the protection of native races in our islands against intoxicants and opium—to the Committee on Alcoholic Liquor Traffic.

Also, petition of 16 citizens of Independence, Iowa; Hope Baptist Church and Riverside Baptist Church, of New York City, for the prohibition of the sale of firearms, opium, and intoxicating liquors to the inhabitants of the New Hebrides and other islands—to the Committee on Alcoholic Liquor Traffic.

By Mr. GLYNN: Petitions of the Fourth Presbyterian Church of Albany, N. Y., and 84 citizens of Albany County, N. Y., urging the passage of House bill No. 12551, for the protection of native races in our islands against intoxicants and opium—to the Committee on Alcoholic Liquor Traffic.

By Mr. GRAHAM: Resolutions of the American Paper and Pulp Association, in favor of the passage of a bill relating to the exchangeability of metallic currencies—to the Committee on Banking and Currency.

Also, resolutions of the National Board of Trade and National Business League, for the reclamation and settlement of arid lands—to the Committee on Irrigation of Arid Lands.

By Mr. JONES of Washington: Petition of Women's Christian Temperance Union of West Washington, D. C., against the sale of intoxicating liquors to the inhabitants of the New Hebrides and other islands—to the Committee on Alcoholic Liquor Traffic.

By Mr. MANN: Petitions of Chase & Sanborn, of Chicago, Ill.: Brotherhood of Locomotive Firemen; Chicago Federation of Labor, and National Association of Agricultural Implement and Vehicle Manufacturers, for irrigation and reclamation of arid lands, etc.—to the Committee on Irrigation of Arid Lands.

By Mr. McALEER: Resolutions of American Paper and Pulp Association, favoring the exchangeability of metallic currencies at the Treasury at the option of the holder—to the Committee on Banking and Currency.

Also, resolutions of the National Board of Trade, Washington, D. C., favoring the reclamation of arid lands—to the Committee on Irrigation of Arid Lands.

By Mr. MERCER: Resolution of the American Paper and Pulp Association, favoring the passage of the Overstreet currency bill—to the Committee on Banking and Currency.

By Mr. MORRELL: Resolutions of the Chicago Federation of Labor, opposing the cession of the lands of the States and recommending the Government building of irrigation works—to the Committee on Irrigation of Arid Lands.

By Mr. NAPHEN: Resolutions of the American Paper and Pulp Association of New York, favoring the Overstreet currency bill—to the Committee on Banking and Currency.

Also, resolutions of the National Business League, National Board of Trade, New York, and Carpenters and Joiners of Boston, Mass., for the reclamation of arid lands—to the Committee on Irrigation of Arid Lands.

Also, resolutions of W. S. Hancock Command, No. 1, Chelsea, Mass., favoring Senate bill No. 5055, known as the prisoners-of-war bill—to the Committee on Invalid Pensions.

By Mr. ROBINSON of Indiana: Petition of Liberty Assembly, No. 2315, Knights of Labor, of Fort Wayne, Ind., in favor of Charles Morgan's advancement in the Navy—to the Committee on Naval Affairs.

By Mr. RUPPERT: Resolutions of the Paint, Oil, and Varnish Club of New York, favoring the pneumatic-tube service in large cities and the proposed new post-office building in New York City—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of the National Board of Trade in relation to the reclamation and settlement of arid lands—to the Committee on Irrigation of Arid Lands.

Also, resolutions of the American Paper and Pulp Association, recommending action in establishing our currency on a sound basis—to the Committee on Banking and Currency.

By Mr. RYAN of New York: Petition of the American Paper and Pulp Association for the passage of the Overstreet bill, relating to the exchangeability of metallic currencies, etc.—to the Committee on Banking and Currency.

Also, petition of the Paint, Oil, and Varnish Club of New York, favoring extension of the pneumatic-tube service in large cities—to the Committee on the Post-Office and Post-Roads.

Also, petition of the Paint, Oil, and Varnish Club for new post-office building in New York City—to the Committee on Public Buildings and Grounds.

Also petition of the National Board of Trade, Washington, D. C., for irrigation and reclamation of arid lands—to the Committee on Irrigation of Arid Lands.

By Mr. SHOWALTER: Petition of voters of the Twenty-fifth Congressional district of Pennsylvania, in favor of an amendment to the Constitution against polygamy—to the Committee on the Judiciary.

Also, petition of citizens of Beaver, Pa., favoring the passage of the Gillett bill for the protection of native races in our islands against intoxicants and opium—to the Committee on Alcoholic Liquor Traffic.

By Mr. SULZER: Resolutions of the National Board of Trade for the reclamation of the arid lands in the Western States—to the Committee on Irrigation of Arid Lands.

Also, resolutions of the Paint, Oil, and Varnish Club, of New York, in favor of the extension of the pneumatic-tube postal service in the larger cities, and for the erection of a new post-office building in New York—to the Committee on the Post-Office and Post-Roads.

By Mr. SUTHERLAND: Resolutions of the National Board of Trade, favoring the reclamation and settlement of arid lands—to the Committee on Irrigation of Arid Lands.

By Mr. THAYER: Petition of Young People's Society of Christian Endeavor of Worcester, Mass., favoring the exclusion of alcoholic liquor from countries inhabited chiefly by native races—to the Committee on Alcoholic Liquor Traffic.

By Mr. YOUNG: Resolutions of American Paper and Pulp Association favoring the Overstreet bill, providing for the exchangeability of metallic currencies—to the Committee on Banking and Currency.

Also, resolutions of the National Board of Trade, recommending the reclamation and settlement of arid lands—to the Committee on Irrigation of Arid Lands.

SENATE.

[*Continuation of proceedings of legislative day, Saturday, March 2, 1901.*]

The Senate reassembled at the expiration of the recess, at 3 o'clock p. m., Sunday, March 3, 1901.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House has passed the following bills:

A bill (S. 2866) to extend the provisions of section 8 of the act entitled "An act to repeal timber-culture laws, and for other purposes," approved March 3, 1891, concerning prosecutions for cutting timber on public lands, to California, Oregon, and Washington;

A bill (S. 4956) to grant the Knoxville Power Company the right to dam the Tennessee River at or near Knoxville, Tenn.; and

A bill (S. 5484) to provide for subports of entry and delivery in the Territory of Hawaii.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 5573) to amend section 202, of title 3, of the act entitled "An act making further provisions for a civil government for Alaska, and for other purposes."

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12291) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1902, and for other purposes.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 14236) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1901, and for prior years, and for other purposes; asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. CANNON, Mr. BURTON, and Mr. LIVINGSTON managers at the conference on the part of the House.

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

A bill (H. R. 11900) granting a right of way to the Jamestown and Northern Railway through the Devils Lake Indian Reservation, in the State of North Dakota;

A bill (H. R. 14163) to authorize the Portland, Nehalem and Tillamook Railway Company to construct a bridge across Nehalem Bay and River, in the State of Oregon;

A bill (H. R. 14269) to confirm a lease between J. W. Peglow and the Seneca Nation of New York Indians;

A bill (H. R. 10454) to amend section 1 of an act entitled "An act to amend sections 5191 and 5192 of the Revised Statutes of the United States, and for other purposes;" and

A bill (H. R. 11350) to establish the National Bureau of Standards.

The message further announced that the House had agreed to the concurrent resolution of the Senate to print 8,000 extra copies of the report of the Commissioner of Labor on Hand and Machine Labor.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House has signed the enrolled bill (H. R. 12291) making appropriations for

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the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1902, and for other purposes, and it was thereupon signed by the President pro tempore.

GENERAL DEFICIENCY APPROPRIATION BILL.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 14236) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1901, and for prior years, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. ALLISON. I move that the Senate insist upon its amendments and agree to the conference asked for by the House.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate, and Mr. HALE, Mr. ALLISON, and Mr. TELLER were appointed.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. ALLISON submitted the following report.

The conference report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14018) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1902, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 7, 11, 25, 65, 74, 79, 80, 83, 86, 109, 120, 140, 141, 146, and 147.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 4, 9, 10, 12, 13, 15, 16, 18, 19, 21, 22, 23, 27, 29, 31, 32, 33, 34, 37, 38, 39, 40, 43, 44, 45, 46, 48, 50, 51, 52, 53, 55, 56, 57, 58, 59, 60, 61, 67, 68, 69, 75, 77, 78, 87, 90, 92, 100, 103, 104, 106, 107, 139, 142, 143, 144, 145, 148, and 153; and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "Tender for the Eighth light-house district: For constructing, equipping, and outfitting, complete for service, a new steam tender for buoyage, supply, and inspection in the Eighth light-house district, $125,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$200,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 47, and agree to the same with an amendment, as follows: Add after the word "therein," at the end of the amended paragraph, the following: ", and hereafter no other fund appropriated shall be used for this service:" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 54, and agree to the same with an amendment as follows: In lieu of the sum proposed in said amendment insert "$25,000;" and the Senate agree to the same.

Amendment numbered 63: That the House recede from its disagreement to the amendment of the Senate numbered 63, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: ", to be immediately available;" and the Senate agree to the same.

Amendment numbered 64: That the House recede from its disagreement to the amendment of the Senate numbered 64, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "lines of reservations except forest reservations;" and the Senate agree to the same.

Amendment numbered 66: That the House recede from its disagreement to the amendment of the Senate numbered 66, and agree to the same with an amendment as follows: Before the word "and," in line 2 of the matter inserted by said amendment, insert the following: "not exceeding $6 per day;" and the Senate agree to the same.

Amendment numbered 72: That the House recede from its disagreement to the amendment of the Senate numbered 72, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$16,000;" and the Senate agree to the same.

Amendment numbered 73: That the House recede from its disagreement to the amendment of the Senate numbered 73, and agree to the same with amendments as follows: In lieu of the sum proposed insert "$250,000," and on page 69 of the bill, in line 4, after the word "States," insert the following: "Including examination of and report on the topography and geology of the territory adjacent to the forty-ninth parallel west of the one hundred and tenth meridian;" and the Senate agree to the same.

Amendment numbered 76: That the House recede from its disagreement to the amendment of the Senate numbered 76, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert the following: "Which report shall be published in one octavo volume, and as a distinct publication, the number of copies, printing of separate chapters, and mode of distribution of which shall be the same as of the annual report;" and the Senate agree to the same.

Amendment numbered 85: That the House recede from its disagreement to the amendment of the Senate numbered 85, and agree to the same with amendments as follows: In line 2 of the matter inserted by said amendment, after the word "authorized," insert the following: "with the approval of the Secretary of the Interior;" and in line 3 of the matter inserted by said amendment strike out the word "of," where it first occurs, and insert in lieu thereof the words "not exceeding;" and the Senate agree to the same.

Amendment numbered 136: That the House recede from its disagreement to the amendment of the Senate numbered 136, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"That the commission authorized by the act entitled 'An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1898, and for other purposes,' approved June 4, 1897, to revise and codify the criminal and penal laws of the United States, is hereby directed to revise and codify, in accordance with the terms and provisions of said act and the acts supplementary thereto, all laws of the United States of a permanent and general nature in force at the time when the same shall be reported.

"That in performing this duty the said commission shall bring together all statutes and parts of statutes relating to the same subjects; shall omit redundant and obsolete enactments, and shall make such alterations as may be necessary to reconcile the contradictions, supply the omissions, and amend the imperfections of the original text; and may propose and embody in such revision changes in the substance of existing law; but all such changes shall be clearly set forth in an accompanying report, which shall briefly explain the reasons for the same.

That the said commission shall arrange such revision under titles, chapters, and sections, or other suitable divisions and subdivisions, with headnotes briefly expressive of the matter contained in such division, and with marginal notes so drawn as to point to the contents of the text, and with references to the original text from which each section is compiled, and to the decisions of the courts of the United States explaining or construing the same, and shall provide by an index for an easy reference to every portion of such revision.

That when the commission has completed such revision in accordance herewith it shall cause a copy of the same, in print, to be submitted to Congress, that the statutes so revised and codified may be reenacted if Congress shall so determine.

That the House recede from its disagreement to the amendment of the Senate numbered 137, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment, amended as follows: On page 120 of the bill, in line 10, before the word "within," insert the words "by direction of the Attorney-General;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 158, and agree to the same with an amendment as follows: In the last line of the matter inserted by said amendment, strike out the sum of "$15,000" and insert in lieu thereof "$7,500;" and the Senate agree to the same.

On the amendments of the Senate numbered 5, 6, 8, 17, 20, 26, 28, 30, 35, 36, 41, 42, 49, 62, 70, 71, 81, 82, 84, 88, 89, 91, 93, 94, 95, 96, 97, 98, 99, 101, 102, 105, 108, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 149, 150, 151, and 152 the committee of conference have been unable to agree.

W. B. ALLISON,
EUGENE HALE,
F. M. COCKRELL,
Managers on the part of the Senate.

J. G. CANNON,
W. H. MOODY,
THOMAS C. McRAE,
Managers on the part of the House.

Mr. PLATT of Connecticut. It was so difficult to hear the reading of the report, owing to the confusion in the Chamber, that I will venture to ask the chairman of the committee whether it is a final agreement or whether there are items still in disagreement.

Mr. ALLISON. It is not a final agreement. It is only a partial agreement. There are many items still in controversy.

Mr. PLATT of Connecticut. What are the most important of the items in controversy?

Mr. ALLISON. There are a good many important items in controversy, I will say to the Senator. I can hardly distinguish as to their relative importance. The largest item is that relating to the public expositions. If the Senator has any particular matter in mind, I should be glad to inform him whether an agreement has been reached upon it.

Mr. PLATT of Connecticut. I simply wanted to be informed of the progress that has been made.

Mr. ALLISON. The progress is not very great, I am sorry to say to the Senator, but we are making progress.

The report was agreed to.

Mr. ALLISON. I move that the Senate still further insist upon its amendments in disagreement and ask for a further conference with the House of Representatives thereon.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate at the further conference, and Mr. ALLISON, Mr. HALE, and Mr. COCKRELL were appointed.

THE NICARAGUA CANAL.

Mr. MORGAN. I am directed by the Committee on Interoceanic Canals, to whom was referred the joint resolution (S. R. 166) to complete the agreement entered into with the Governments of Nicaragua and Costa Rica in regard to future negotiations for the construction of an interoceanic canal by way of Lake Nicaragua, which was introduced yesterday by the Senator from Georgia [Mr. CLAY], to report it back without amendment, and with the recommendation that it pass. I ask that it may go upon the Calendar.

The PRESIDENT pro tempore. The joint resolution will be placed on the Calendar.

The Chair lays before the Senate——

Mr. PETTIGREW. I rise to the unfinished business.

The PRESIDENT pro tempore. The Chair has some other matters on the table to dispose of.

JAMESTOWN AND NORTHERN RAILWAY.

The bill (H. R. 11900) granting a right of way to the Jamestown and Northern Railway through the Devils Lake Indian Reservation, in the State of North Dakota, was read the first time by its title.

Mr. HANSBROUGH. I ask that the bill be put upon its passage. A similar bill has passed the Senate several times, and there is no objection to it.

Mr. PETTIGREW. Has the bill passed the Senate?

Mr. HANSBROUGH. A similar bill has passed the Senate several times.

The bill was read the second time at length, and considered as in Committee of the Whole.

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

NATIONAL BUREAU OF STANDARDS.

The bill (H. R. 11350) to establish the National Bureau of Standards was read twice by its title.

Mr. TURNER. I am authorized by the Committee on Commerce to report that bill favorably and to ask unanimous consent that it be put upon its passage at this time.

The PRESIDENT pro tempore. The Senator from Washington asks unanimous consent for the present consideration of this bill, stating that the Committee on Commerce have reported it favorably. It will be read to the Senate in full for its information.

The bill was read.

Mr. TELLER. That is a bill which involves considerable money, the creation of a new bureau, etc. I think at this late hour it ought to go over. At least I should like to look at it before it is passed.

The PRESIDENT pro tempore. The Senator from Colorado objects, and the bill will be placed on the Calendar.

Mr. GALLINGER. I will inquire if the bill that was just objected to can lie on the table without prejudice?

The PRESIDENT pro tempore. Is there objection? The Chair hears none.

Mr. TELLER subsequently said: I objected to the passage of House bill 11350 a few moments since. I understand that the Committee on Commerce have had the same bill under consideration and made a favorable report. I desire to withdraw my objection.

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

Mr. PETTIGREW. I object to anything but the unfinished business, which I desire to have disposed of.

PORTLAND, NEHALEM AND TILLAMOOK RAILWAY.

The bill (H. R. 14163) to authorize the Portland, Nehalem and Tillamook Railway Company to construct a bridge across Nehalem Bay and River, in the State of Oregon, was read the first time by its title.

Mr. SIMON. A similar bill has heretofore been considered by the Committee on Commerce, and was favorably reported and passed by the Senate. This bill now comes from the House, and I ask for its immediate consideration.

The bill was read the second time at length, and considered as in Committee of the Whole.

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

Mr. PETTIGREW. I shall object to other bills until we dispose of the unfinished business.

REPORT OF WORLD'S COLUMBIAN COMMISSION.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to concurrent resolution of the Senate No. 72.

The amendment of the House of Representatives was to strike out all after the resolving clause and insert:

That there be printed 3,500 copies of so much of the report of the committee on awards of the World's Columbian Commission as is contained in the special reports upon special subjects or groups as were prepared by expert judges authorized to act by the World's Columbian Commission, its executive committee on awards, the committee on final report, or the board of reference and control, of which 1,000 shall be for the use of the Senate, 2,000 for the use of the House of Representatives, and 500 for distribution by the Department of State.

Mr. PLATT of New York. I am directed by the Committee on Printing to move concurrence in the amendment of the House.

The PRESIDENT pro tempore. The Senator from New York, by direction of the Committee on Printing, moves that the amendment of the House of Representatives be concurred in.

The motion was agreed to.

SAFETY APPLIANCES ON RAILROADS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 10302) to amend an act to promote the safety of employees, etc., by requiring common carriers engaged in interstate commerce to equip their cars with automatic couplers and continuous brakes, etc., approved March 2, 1893.

Mr. PETTIGREW. I wish to say that I desire a vote simply, and I do not wish to discuss the bill. I should like a vote on it disagreeing to all the Senate amendments in order to pass the bill as it passed the House. I think it is useless to pass an amended bill at this time. If we could have passed it yesterday it would have been well enough, but now it seems to me it is practically killing the bill to pass it with a Senate amendment. Therefore I shall ask the Senate to disagree to all the Senate amendments and pass the bill as it came from the House.

The PRESIDENT pro tempore. The question before the Senate is on the amendment offered by the Senator from Rhode Island [Mr. ALDRICH].

Mr. PETTIGREW. To that amendment I object, for I believe it destroys the bill; and it is the purpose of the amendment, I think, to destroy the bill.

Mr. THURSTON. Mr. President——

Mr. ALDRICH. Is the subject of the amendment open now for consideration?

The PRESIDENT pro tempore. The amendment is before the Senate.

Mr. HOAR. Can the amendment be read once more?

The PRESIDENT pro tempore. The amendment will be read to the Senate.

Mr. BEVERIDGE. Nobody understands it.

The SECRETARY. On line 8, page 3, strike out the word "less" and insert the word "more;" so as to read, if amended:

That any common carrier failing to make such report within thirty days after the end of any month shall be deemed guilty of a misdemeanor, and, upon conviction thereof by a court of competent jurisdiction, shall be punished by a fine of not more than $100 for each and every offense and for every day during which it shall fail to make such report after the time herein specified for making the same.

Mr. HOAR. Is the word "more" in the amendment, or is it a proposed amendment to the amendment.

The PRESIDENT pro tempore. It is a proposed amendment.

The SECRETARY. In line 8, strike out "less" and insert "more."

Mr. PLATT of Connecticut. This bill, as it came from the House, provided a penalty of not less than $100 and not more than $500. The Senate has long ago thought that minimum punishments were not proper to be included in bills. The committee struck out "not more than $500" and left it to read "not less than $100." Of course, with that reading it might be $100 or it might be $10,000. If $100 is not enough as the maximum punishment, I suggest——

Mr. HOAR. The Senator from South Dakota does not object to what the Senator is talking about.

Mr. PETTIGREW. It is another amendment offered by the Senator from Rhode Island to which I do object.

Mr. ALDRICH. The Senator from South Dakota withdraws his objection to this amendment, I understand.

Mr. PLATT of Connecticut. Then I have nothing further to say.

The PRESIDENT pro tempore. To what amendment offered by the Senator from Rhode Island does the Senator from South Dakota object?

Mr. PETTIGREW. Another amendment was offered yesterday, and I do not find that it was adopted.

The PRESIDENT pro tempore. What was the amendment offered yesterday?

Mr. ALDRICH. Is this amendment to the amendment disposed of and adopted?

The PRESIDENT pro tempore. Striking out the word "less" and inserting the word "more." It is not yet adopted. Will the Senate agree to the amendment to the amendment?

The amendment to the amendment was agreed to.

Mr. PETTIGREW. I should like to have the first paragraph of the bill read as it now stands, to see whether the amendment of the Senator from Rhode Island was adopted yesterday. I think the RECORD does not show that it was adopted.

Mr. ALDRICH. It was adopted.

The Secretary read as follows:

Be it enacted, etc., That it shall be the duty of the general manager, superintendent, or other proper officer of every common carrier engaged in interstate commerce by railroad to make to the Interstate Commerce Commission, at its office in Washington, D. C., a monthly report, under oath, of all collisions of trains, or where any train or part of a train accidentally leaves the track, and of all accidents which may occur by reason thereof to its passengers or employees, which report shall state the nature and causes thereof and the circumstances connected therewith.

Mr. ALDRICH. I hope the Senator from South Dakota will not insist upon the bill passing as it left the House. There are serious objections to it. He expressed yesterday a willingness to accept the bill as amended by the committee.

Mr. PETTIGREW. I am willing to accept the bill as amended by the committee, but not as destroyed by the Senator from Rhode Island.

Mr. ALDRICH. Does the Senator mean——

Mr. PETTIGREW. I should like to have the last three lines of that section read again.

The PRESIDENT pro tempore. The last three lines of the proposed amendment will be read.

The Secretary read as follows:

And of all accidents which may occur by reason thereof——

Mr. PETTIGREW. The clause "by reason thereof" is what I wish to have left out. That is the amendment of the Senator from Rhode Island. With that clause left out, I am ready to have the bill passed.

Mr. BEVERIDGE. What is the objection to those words?

Mr. ALDRICH. What is the objection?

Mr. PETTIGREW. It limits it to just this class of accidents and does not embrace thereby all the other vast class of accidents which occur upon railroads, and therefore destroys the purpose of the bill.

Mr. ALDRICH. I was told that the purpose of the bill was that reports should be secured of all accidents which occurred either from collisions of trains or by reason of the derailment of a train or part of a train. As I understand it, that is the sole purpose of the bill, and is not to apply to a case where a man meets with any kind of an accident upon property of a railroad company for which the railroad company may not be responsible and will have nothing to do with the movement of railroads.

This bill is presented here solely upon the ground that it is to regulate interstate commerce. Otherwise we have no jurisdiction over it whatever. But suppose a man is killed upon the property of a railroad company, is it the intention of the Senator from South Dakota to make the railroad company responsible for that kind of an accident?

Mr. PETTIGREW. There is no responsibility about it. It simply requires that accidents to employees should be reported and the causes thereof, and that is all there is to it.

Mr. ALDRICH. What kind of an accident other than those mentioned does the Senator intend to include?

Mr. PETTIGREW. Innumerable accidents that may occur in connection with railroads, in coupling cars in yards, etc.

I am willing to accept the amendment of the committee—that is what I said yesterday—but the Senator from Rhode Island, keen as he is, comes in with an amendment which destroys the bill. That I will not accept. I would rather debate the bill out and let it die.

Mr. SEWELL. Will the Senator allow me to interrupt him?

Mr. PETTIGREW. I yield to the Senator.

Mr. SEWELL. I wish to say that every accident in every State in the Union on every railroad is to-day reported by law to the State authorities, and the people who want this information can get it very accurately. So could the Interstate Commerce Commission get it without loading down the bill with unnecessary provisions.

Mr. HOAR. All they would have to do would be to send a copy of a printed document to the commission.

Mr. SEWELL. Why should we oblige them to send the reports there? The commission could get them.

Mr. PETTIGREW. If that is all there is to it, I wonder at the frantic effort of the railroads to defeat the bill.

Mr. SEWELL. Nine-tenths of the cases the Interstate Commerce Commission would have nothing to do with.

Mr. HOAR. Mr. President, if I may say one word, all that this bill does is to require the interstate and international carriers to do this thing. It is not half so onerous a burden as we place on boats in the harbors of New York and New Jersey.

If it be true that interstate carriers are also State carriers, this information goes to the States. There is nothing to be done except for the railroad companies to send a copy of a printed document to the Interstate Commerce Commission and have it all there together. I do not know that I ought to say what I am about to say, because I know how much more informed on such subjects the Senator from New Jersey is than I am, but I submit to him, with great respect, that the idea that this thing is a hardship on the railroads would disappear on an examination of the bill.

Mr. WOLCOTT. Will the Senator from South Dakota yield to me a moment?

Mr. PETTIGREW. I yield to the Senator from Colorado.

Mr. WOLCOTT. This is a most remarkable measure. If it helped anybody who was employed by a railway corporation there is not a Senator on the floor who would not be very glad to vote for it.

Mr. HOAR. It does.

Mr. WOLCOTT. Before I am through I think I will satisfy the Senator from Massachusetts that he does not understand the extent to which this is the most useless legislation that he has heard of this winter. The whole incentive to it comes from the secretary of the Interstate Commerce Commission. That commission, having no work to do, seeks to aggrandize its office and to gather unto itself some functions to perform.

It has therefore stirred up an attempt to secure legislation for the report of all accidents throughout the country. If it served any useful purpose, everybody would favor it—people connected with railroads and people not connected with them. There is no sort of secrecy about a railroad accident.

Mr. HOAR. Will the Senator allow me?

Mr. WOLCOTT. I want to finish first. If the Senator will let me finish, he may ask me anything. There is no sort of secrecy about railway accidents. I am familiar with them, as every lawyer is who has ever had to deal with railroad affairs. The moment an accident has happened the most rigid inquiry is at once instituted as to the cause of the accident. It is carefully investigated. In a great number of the States of the Union there is a State requirement that all statements of accidents and their causes and reports concerning them shall be filed with the State railway commission.

Congress has no jurisdiction of the subject, technically, except as to accidents that happen through the transaction of interstate commerce. But, even so, nobody would object if there were any gain to be had to an engineer or a conductor or a switchman or a brakeman by the great additional expense which will be incurred by railroads in filing sworn statements here. It is not a hardship. Railroads and their management are more anxious to avoid accidents than anybody else. They do not object to the filing of their reports. This bill as it is framed means a large expense, but if it is necessary it can be passed.

We have had a good deal of suggestion here, not by the Senator from South Dakota [Mr. PETTIGREW], but by other Senators, that this is a measure in the interest of humanity, in which railroads are called upon to give the public information as to accidents, whereby so many lives are sacrificed.

As a matter of fact, the railroad business is the safest in the world, and fewer accidents in proportion take place on railroads than in any other industry in the world. If Senators would take the time to consult it, they would find there is a provision in the interstate-commerce law that the Interstate Commerce Commissioners shall call upon the railroads for such information as they desire and such reports as they wish, which shall be filed at such times as the Interstate Commerce Commission shall determine. Under that provision of the law, if Senators would take the time to look at the annual reports of the Interstate Commerce Commission they would find we have got every possible report which would be given under this bill if it became a law.

Let me call attention here to the advance sheets of the last report of the Interstate Commerce Commission. I have looked them over. For eight years they have been all alike. Let me read from page 73. I will skip along so as to give a summary:

> The total number of casualties to persons on account of railway accidents during the year ending June 30, 1899, was 51,473. The aggregate number of persons killed as a result of railway accidents during the year was 7,123 and the number injured was 44,620.

Mr. HOAR. Will the Senator yield to me at that point?

Mr. WOLCOTT. I will in a moment. There is nothing hidden in this matter. Why does not the Senator want the Interstate Commerce Commission to get a record of the number of men drowned at sea, and then tell us how dangerous the ocean is; that ships would sail with far greater safety if somebody here in Washington had an account of all the drownings that take place in the world? There is no negligence covered up; there is no roorback here; there is no information desired to be hidden.

Mr. HOAR. Mr. President——

Mr. WOLCOTT. If the Senator will permit, I prefer not to yield now. I am proceeding to show, without any feeling, that every statement of an accident is given here in this record, which, as I said, will not make one switchman less careless, it will not make one engineer less forgetful, it will not make one passenger less careless in getting off and on a train. The object of this bill is not to save human life, but it is to give the Interstate Commerce Commission something more to do in the way of securing for them additional clerks. The only hardship is in the duplication of the reports, and they are reports which are filed in almost every State in the Union.

I was proceeding, before the Senator interrupted me, with respect to general casualties, which were: Trainmen, 1,155 killed and 16,663 injured, etc. They were not injured, as the Senator would seem to indicate, by the character of the railroad directors. He thought the prosecution of railroad directors would largely decrease the number of accidents; but 95 per cent of all the casualties to railway employees is occasioned by the negligence of some brother employee, who does not mean to do so; but because he forgets a signal, or is not careful, some fellow-employee is injured. You are not going to save human life by the passage of such a bill as this.

Mr. CARTER. Will the Senator from Colorado yield to me for a moment?

Mr. WOLCOTT. Certainly.

CIVIL GOVERNMENT FOR ALASKA.

Mr. CARTER. I present the conference report on Senate bill 5573, for which I ask immediate consideration.

The PRESIDENT pro tempore. The conference report will be read.

The Secretary read as follows:

> The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 5573) to amend section 26 of Title III of the act entitled "An act making further provisions for a civil government for Alaska, and for other purposes," having met, after full and

free conference have agreed to recommend and do recommend to their respective Houses as follows:

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

GEORGE L. SHOUP,
THOMAS H. CARTER,
WILLIAM B. BATE,
Managers on part of the Senate.

V. WARNER,
HENRY R. GIBSON,
JAMES T. LLOYD,
Managers on the part of the House.

Mr. HANSBROUGH. I desire to ask the Senator from Montana what became of the provision in relation to licenses in Alaska, which was contained in the bill?

Mr. CARTER. The Senate bill was not in effect in any manner modified, except in a slight verbal detail. The House amendment provided that 50 per cent of the licenses collected outside of incorporated towns should be paid into the Treasury of the United States, there to constitute a school fund for such portions of the district of Alaska as were not included within organized municipalities. The fund thus collected is to be expended under the direction of the Secretary of the Interior; and inasmuch as no provision has been made in any appropriation bill for educational purposes in Alaska this year, it was deemed wise to allow this percentage of the license fees outside of incorporated towns to be applied for such purposes.

The PRESIDENT pro tempore. The question is on agreeing to the conference report.

The report was agreed to.

SAFETY APPLIANCES ON RAILROADS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 10302) to amend an act to promote the safety of employees, etc., by requiring common carriers engaged in interstate commerce to equip their cars with automatic couplers and continuous brakes, etc., approved March 2, 1893.

Mr. HALE. I rise to a privileged report.

Mr. WOLCOTT. Does the Senator desire to proceed with it now? I was in the middle of a sentence, and I will conclude in two minutes.

Mr. HALE. I shall not, of course, interfere with the Senator.

Mr. WOLCOTT. I will take but a minute or two.

Mr. President, this report of the Interstate Commerce Commission and all these reports proceed to show how many train men and how many passengers were killed or injured from different causes, the number of collisions, the number of derailments, etc. All of these are reported, and they are all accessible to the Interstate Commerce Commission.

What I rose to say, however, was this: I can see but one good purpose that such a law as this might serve, and it might help in accomplishing that. If out of these reports of the Interstate Commerce Commission it should appear that an unusual number of accidents occurred upon some one line of railroad because of deficiency in embankments or bad alignment or grades, then it might serve in drawing public attention to the danger of the operation of that line. With that exception there is no useful purpose which this bill, if enacted into law, will serve. What I desire to impress upon the Senate is that it does not bring one iota of new information to Congress or to the people, and that everything in the way of information that would be given under this bill is given now.

One thing further. There have been constant suggestions here that the railroads, or Senators who are supposed to be friendly to vested interests, are frantically fighting the bill. I want to say to Senators who make that suggestion that I have never heard the slightest suggestion of hostility to this bill, unless because of its absurdity and of the fact that it incurs a needless expense and brings no additional information. With that statement, Mr. President, so far as I am concerned I have no opposition to the measure.

RIVER AND HARBOR APPROPRIATION BILL.

Mr. NELSON. I ask the Chair to lay before the Senate the action of the House of Representatives on the amendments of the Senate to the river and harbor appropriation bill.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to 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, and asking for a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. NELSON. I move that the Senate insist upon its amendments disagreed to by the House of Representatives and agree to the conference asked by the House.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate; and Mr. NELSON, Mr. MCMILLAN, and Mr. BERRY were appointed.

MASSACRE OF FOREIGN RESIDENTS OF MANILA.

Mr. HOAR. I ask unanimous consent to offer a resolution at this time, for which I should like to have immediate consideration.

The PRESIDENT pro tempore. The resolution will be read.

The Secretary read as follows:

Resolved, That the Secretary of War be, and he is hereby, directed to communicate to the Senate, as early as may be convenient, all information in his possession relating to or tending to show the authenticity and genuineness of the alleged order for the massacre of the foreign residents of Manila, P. I., on the evening and night of February 15, 1899, and to transmit to the Senate the full text of said order and the signatures thereto.

And, further, to inform the Senate whether the original of said order purporting to be printed in part on page 157 of Senate Document No. 208, Fifty-sixth Congress, first session, is now or ever has been in the possession of the War Department, or of any person connected therewith or with the military authority of the United States, or whether it has ever been seen by any such person, and if it has, by whom; and to inform the Senate where the original of said order now is, if within the knowledge of the Department.

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

Mr. ALDRICH. The colleague of the Senator from Massachusetts [Mr. LODGE], the chairman of the Committee on the Philippines, is absent from the Chamber.

Mr. HOAR. If I shall find that my colleague has any objection to the resolution when he comes in, I will move to reconsider the vote by which the resolution is passed, if it shall be passed.

Mr. LODGE entered the Chamber.

The PRESIDENT pro tempore. The junior Senator from Massachusetts is present.

Mr. LODGE. I have no objection to the resolution.

The resolution was considered by unanimous consent, and agreed to.

DEFICIENCY APPROPRIATION BILL.

Mr. HALE. I submit a privileged report, being the report of the committee of conference on the deficiency appropriation bill.

The PRESIDENT pro tempore. The report will be read.

The Secretary read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14236) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1901, and for prior years, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective houses as follows:

That the Senate recede from its amendments numbered 5, 16, 25, 26, 30, 37, 38, 39, 40, 45, 46, 51, 60, 66, 67, 73, 74, 84, 85, 86, 98, 100, 101, 102, and 118.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 21, 22, 27, 28, 31, 32, 33, 34, 35, 36, 42, 43, 44, 47, 48, 49, 52, 53, 54, 55, 56, 57, 58, 59, 61, 62, 63, 64, 65, 68, 69, 70, 71, 72, 75, 76, 77, 78, 79, 80, 81, 82, 89, 90, 91, 92, 93, 94, 95, 97, 99, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, and 151, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$35,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$16,500;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$50,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 41, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$6,240;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 50, and agree to the same with an amendment as follows: Strike out all after the word "bridge" in line 5 of the matter inserted by said amendment; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 83, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "The Commissioner of Indian Affairs, with the approval of the Secretary of the Interior, may allow during the fiscal year 1901 a larger per capita expenditure than $167, but not exceeding $250, at the Indian school for the Sac and Fox Reservation, Iowa, if he deems the same necessary;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 87, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$3,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 88, and agree to the same with an amendment as follows: In line 4 of the matter inserted by said amendment, after the word "hundred" where it first appears, insert the words "and one;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 137, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "Senate documents numbered 189 and 217;" and the Senate agree to the same.

EUGENE HALE,
W. B. ALLISON,
H. M. TELLER,
Managers on the part of the Senate.

J. G. CANNON,
S. S. BARNEY,
L. F. LIVINGSTON,
Managers on the part of the House.

The PRESIDENT pro tempore. The question is on agreeing to the report of the conference committee.

The report was agreed to.

NAVAL APPROPRIATION BILL.

Mr. HALE. I submit the conference report on the naval appropriation bill.

The PRESIDENT pro tempore. The report will be read.

The Secretary read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate numbered 3, 7, 8, 9, 10, 24, 25, 26, 39, 40, 42, 60, 61, 65, 67, 79, 80, 81, 82, 84, 85, 86, and 89 to the bill (H. R. 13705) making appropriations for the naval service for the fiscal year ending June 30, 1902, and for other purposes, having met, after full and free conference have been unable to agree.

EUGENE HALE,
WILLIAM E. CHANDLER,
B. R. TILLMAN,
Managers on the part of the Senate.
AMOS J. CUMMINGS,
Manager on the part of the House.

Mr. HALE. Mr. President, I submit this report, which, in some respects, and in very important respects, differs from most conference reports. It is the third report upon the naval appropriation bill, and each report has been narrowing the differences between the conferees of the two Houses.

In the last conference the conferees substantially were able to agree upon all contested items, excepting, possibly, the item in relation to the six years' course of cadets at the Naval Academy, where the Senate has taken its position by a very strong majority, and the provision incorporated in the bill touching torpedo boats

The Senate conferees, whatever might be their personal feeling with regard to this matter, felt that they could not recede from the amendment and give it up until it had been again submitted to the Senate and a formal yea-and-nay vote taken upon it to show the attitude of the Senate. The House conferees insisted that the Senate conferees should report that the Senate recede, and take a vote upon that. The Senate conferees did not feel, and do not feel, that anybody should attempt to interfere with the method that we have of doing business, and that, if the Senate conferees, representing the body, did not agree to recede, that, like every other disputed proposition, should be reported to the Senate as a disagreement. The House conferees insisted, as I have said, that the Senate should recede and take the matter back to a vote in the House and in the Senate, the House having already once taken a yea-and-nay vote and defeated the proposition by a small majority.

Mr. PLATT of Connecticut. What was that yea-and-nay vote?

Mr. HALE. In the House?

Mr. PLATT of Connecticut. I do not mean the numbers, but upon what question was the vote taken?

Mr. HALE. On the Holland torpedo-boat proposition.

Mr. PLATT of Connecticut. The House are opposed to it?

Mr. HALE. The House has voted it out. Its conferees insist on disagreement by a small majority. The Senate has never voted upon it. In that emergency the Senate conferees proposed that we should report a disagreement upon this item; that neither body should recede, but that we disagree and bring it into the Senate and have a yea-and-nay vote. If the Senate then recede, that ends the matter and the clause goes out.

We went further than that, and stated that, so far as we are concerned, if the item went back to the two Houses, whatever the vote of the Senate might be, if the House again rejected the proposition the Senate would not further seek to force it upon the House, and that would end the matter. But the House conferees said "no." Then when the Senate conferees proposed to report a disagreement, the House conferees refused to do that.

Mr. PLATT of Connecticut. What is this report?

Mr. HALE. I am coming to that. It was such a situation as I have never confronted. We are within a few hours of the end of the session, and can only pass appropriation bills by reporting disagreements and taking the sense of the two bodies; but the House conferees not only refused to recede—which they had a right to do—but they refused to submit a report of a disagreement. When it was suggested that that course might end in the failure of the bill and an extra session of Congress, the reply was that the Senate must take the responsibility.

I did not feel, and my associates did not feel, that this matter ought to stand longer in this way without reporting it to the Senate. What was done then? By the direction of the Senate conferees, having notified the House of what we should do, the report has been made up, embracing disagreements upon all the items not already agreed to, signed by the Senate conferees, the Senator from New Hampshire [Mr. CHANDLER], the Senator from South Carolina [Mr. TILLMAN], and myself, and sent to the House for the signatures of the House conferees. Two of the conferees on the part of the House, however, refuse to sign the report of a disagreement. One conferee, as is shown here, signs the report, stating what the fact is, that there is a disagreement.

I am somewhat at a loss, Mr. President, to know what further the Senate conferees can do. As I have said, I have never known the conferees from either House to refuse to report a disagreement. Sometimes deadlocks occur and difficulties arise that are formidable, but they are solved by reporting a disagreement. Then either House may recede and concur, or, in the last extremity, may adhere, which is notifying the other House that they can not recede. It is not, however, proposed that we take that parliamentary course in this case, but that the matter shall hang in air, suspended, with no report to be made and the hours, the waning hours, fleeing fast away from us, and this great bill, carrying $80,000,000, for the most important branch of the service of the Government, suspended with the likelihood or the possibility of an extra session of Congress called on this account, when all of us have been working to the common end of saving such a session.

Mr. LODGE. Will the Senator allow me to ask him a question?

Mr. HALE. I shall be very glad to have any Senator ask me any question he pleases regarding the matter.

Mr. LODGE. Do I understand the Senator from Maine to say that the House conferees refuse to sign either an agreement or a disagreement, and will not allow the Senate to act on a disagreement?

Mr. HALE. The report as presented at the desk, signed by the Senate conferees and stating that there is a disagreement, which there is, has been presented to the House conferees for their signatures, and two of them refused to sign it, stating to us that they would not agree to report a disagreement.

Mr. LODGE. Then the conferees of one House are refusing to allow the Houses to act on the bill, either to recede or to insist?

Mr. HALE. That is precisely it. The report brought in in the usual way leaves it to the two Houses. As I say, it is an unprecedented situation. It is most remarkable that such an attitude should be taken.

I suppose the only thing the Senate can do is to insist upon the amendments, ask for a further conference, and appoint the conferees, and then, through the transmission of the messenger, it shall be reported to the House, and the body itself—not the two conferees—will take it up; and I trust and expect that the wisdom and long experience of many members of the House, and of the body generally, would see the futility of making such a point as this and would accede to our conferees, and then we should be able to report something to the Senate.

Mr. FORAKER. Will the Senator allow me to ask him a question?

Mr. HALE. Yes.

Mr. FORAKER. What reason is assigned by the two members of the House conference committee for not signing a disagreement?

Mr. HALE. I have stated that.

Mr. FORAKER. Having stated the remarkable conduct, or, rather, having characterized it as remarkable conduct, there certainly ought to be some reason for it, either real or imaginary.

Mr. HALE. The reasons assigned are, first, that the House conferees believe the House is against it, and, next, the House has demonstrated by once voting by a small majority that they are against it. Those are the only reasons.

Mr. FORAKER. There was a disagreement reported to the House?

Mr. HALE. Yes; there was a disagreement reported to the House.

Mr. FORAKER. It was sent to the House, and the House voted on this specific item, and it was defeated?

Mr. HALE. Yes.

Mr. FORAKER. But in the Senate there was no report and no vote taken?

Mr. HALE. There was no vote taken in the Senate. That is what the Senate conferees want to do—to have a yea-and-nay vote.

Mr. FORAKER. The House conferees thought, inasmuch as the disagreement had been reported to the House and the House had specifically voted upon it by a yea-and-nay vote, that the Senate ought to similarly act before they would agree to another conference or send in another report of disagreement?

Mr. HALE. That is what we report and what we propose.

Mr. FORAKER. I am only asking for information. I understand the reason why the House conferees would not sign any report of disagreement is that a vote was not taken in the Senate on the item.

Mr. CHANDLER. Mr. President, with reference to the matter of form I will not speak. It is a singular condition when the House conferees, when we do disagree, refuse to make a report that we disagree. In other words, they refuse to disagree when we do disagree. I wish to speak respectfully of the House and of its committees.

The matter of substance is this: That, in reference to torpedo boats, whereas the House has once voted on a yea-and-nay vote to reject the Holland torpedo-boat item, the House conferees say that the Senate conferees are bound to yield on that item without taking the sense of the Senate thereon. The Senate conferees do not think that is reasonable, and offered to report a disagreement to the Senate and take the sense of the Senate. We did not feel that we would be justified in yielding an item which the Senate had put in simply because the House had voted against it, without

submitting the merits of that item to the Senate itself. That is practically all the question upon which we differ.

Mr. McCOMAS. I should like to ask the Senator from New Hampshire, before he takes his seat, whether the appropriation for torpedo boats is the one matter remaining in dispute between the two Houses?

Mr. CHANDLER. Nominally not. Although there are other items of disagreement reported by the three Senate conferees, the report being signed by one of the House conferees, I think I may say that the six conferees saw their way to an adjustment of all the others. But upon this one the House conferees say the Senate conferees must recommend the Senate to disagree, because "we have had a vote in the House of Representatives and you have not taken a vote in the Senate hitherto, and you can not take one now."

Mr. PLATT of Connecticut. I should like to inquire of the Senator from Maine or the Senator from New Hampshire whether this item is now before the Senate, so that the Senate can act with reference to it.

Mr. CHANDLER. I will let the chairman answer. I do not know.

Mr. HALE. My attention was diverted. I did not hear the Senator from Connecticut.

Mr. PLATT of Connecticut. The question is whether the action of the conferees on the part of the Senate in bringing in the report which they have brought in leaves the Senate at liberty to act upon this amendment and to recede from it or insist upon it.

Mr. HALE. I should hardly think so, because it is not a report of the majority of the two conferees. My suggestion is the other action, which is in the direction, finally, of getting a report signed by the conferees of both bodies, that the Senate simply ask for a further full conference and appoint the conferees and send it to the House. I should not want, on this report, to take any formal action either way, either in the way of insisting or receding.

Mr. ALLISON. But if the papers are here and we have jurisdiction to ask for another conference, we have jurisdiction to take any other step we choose.

Mr. CHANDLER. Shall we ask for another conference when the conferees now refuse to report a disagreement? Should we not have the two sets of conferees report the fact that there is a disagreement before we take the sense of the Senate upon the amendment?

Mr. ALLISON. That may be.

Mr. CHANDLER. I think so.

Mr. ALLISON. We have the papers here, I understand.

Mr. TELLER. We have jurisdiction.

Mr. PLATT of Connecticut. I am embarrassed, as I suppose every other Senator must be, by the parliamentary difficulty which seems to have arisen. If that difficulty had not arisen and there was no question of propriety of acting at this time, I should feel very much in favor of the Senate voting to recede from this amendment. If it is in order, I would make the motion now that the Senate recede from this amendment.

I do not think it so important that there should be a contract for three more Holland torpedo boats as that the Senate ought to put in danger the passage of this bill. We already have six of them contracted for, as I understand, by the amendment, and this is a proposition to contract for three more. It seems a very small point of difference between the two Houses. But if it is a question of propriety and of regularity and of maintaining the dignity of the Senate, then I should propose to sustain the conferees in whatever action they desire. But I want to say now that I do not think this little matter of difference between the two Houses ought to imperil the passage of this bill.

It does not seem to me that it is so very important that the Navy Department be authorized to buy three more of the Holland submarine boats when we have six in course of construction, and when they can not make the contract for the other three until the first one has been completed to the satisfaction of the Navy Department. Surely we can not afford to stand on so small and, it seems to me, unimportant a matter as this. The six boats which are already contracted for will scarcely be finished during the next two years, and there will be plenty of time in the next Congress to determine whether other boats should be purchased.

Mr. CULLOM. May I suggest to the Senator from Connecticut whether it is not better to agree with the conferees and disagree to whatever the question is, and let the conferees try to see whether the other conferees will not meet with them, and if they do and disagree, then it will be time enough for us to determine whether we will recede.

Mr. McCOMAS. May I ask a question of the Senator from Connecticut?

Mr. PLATT of Connecticut. Let me answer the question of the Senator from Illinois first. If the Senator from Illinois had been able to hear what I have been saying, and I have been speaking in the loudest tone of voice which I can command and endeavoring to drown out the conversation of Senators in the Chamber who are making more noise than I am, he would have realized that I said if it was a question of maintaining the dignity of the Senate, if it was a question of standing by our conferees in what they want us to do, I was perfectly willing to agree to the course which they propose, but that I thought eventually we should not let a matter of this sort imperil the passage of the bill.

Mr. CULLOM. The point I wish to make is that it is not the time now to say that we will back down, if we ever do. Let us agree with the conferees, and let the conferees have another trial.

Mr. McCOMAS. May I ask the Senator from Connecticut a question? This is not an agreement, and it is not a disagreement. Is there any parliamentary procedure under which we may recede or insist?

Mr. PLATT of Connecticut. I do not know. I would have to submit that question to the Chair.

Mr. WOLCOTT. I understand the Senate has the custody of the papers, and, as I understand the parliamentary situation, we are in a position now to pass upon a motion to recede, and that would bring about a solution of the difficulties that exist. While it may be true that the action of the conferees of the House is not such as to commend itself to the conferees on the part of the Senate or to the Senate as a whole, yet if it would bring a solution of the question I can see no reason why the Senate should not now vote as to whether it will recede or whether it will insist; and if there be no parliamentary objection to it, I will move that the Senate recede from amendment No. 89.

Mr. LODGE. Mr. President, I do not understand that any report of a conference is regularly before us. This is not a report signed by a majority of the managers of each House. It is a question of procedure here, not the question what we will do with a given amendment. It seems to me there is a great deal involved in this question. If two conferees of one House have the power to hold up a conference report in this manner and not allow either body to vote upon it, then we are absolutely at the mercy of two conferees of any House. Two conferees, if they have the power to refuse to sign either an agreement or a disagreement, have the power absolutely to arrest one of these great bills at the very last moments of the session. It seems to me it is a very dangerous precedent to establish to allow two conferees of one House to force the situation in this way, something of which I in my experience have never heard.

If this had come back as a disagreement, of course we should have voted upon the main point in disagreement, the Holland boats, to which the motion of the Senator from Colorado refers, and we ought to vote upon it. I do not think there is any disposition in this body to be unreasonable or to sacrifice this great bill on account of that amendment. But that is not the question. The question is whether the powers of the two Houses are to be destroyed by the action of two conferees of one House; and it seems to me it would be a very dangerous precedent to establish if we submit to it.

Mr. HALE. As I stated, I do not present this technically as a conference report.

Mr. PLATT of Connecticut. Then we can not act on it at all, Mr. President. We have got the bill and can act on it.

Mr. HALE. I thought it proper to notify the Senate of just what the situation is. If the Senate does nothing, it will depend upon whether the House conferees will come in and agree, not to recede, not that we recede, but that we disagree, and make a report; and then when a majority of the conferees of each House sign the report, it is a full conference report.

Mr. ALDRICH. Will the Senator from Maine allow me to make a suggestion?

Mr. HALE. Yes; I will be very glad to have the Senator from Rhode Island do so.

Mr. ALDRICH. The Senator from Maine says that this is not technically a report of the conference committee, and it seems to me the Senate can not possibly take any action upon these papers, which are not properly here. I suggest to the Senator from Maine that he withdraw the papers and try once more to secure the signatures of the House conferees, either to an agreement or a disagreement, and bring the papers back here then in one form or the other.

Mr. HALE. That is what I purposed to do when I brought it in.

Mr. ALDRICH. That, I think, had better be done.

Mr. WOLCOTT. If the Senator from Maine will withdraw the papers I will withdraw my motion. We either have them or we have not.

Mr. TELLER. I should like to make a suggestion.

Mr. HALE. I will not ask the Senate to take any action.

Mr. TELLER. Whether the report made by the conference committee to the Senate is properly before us or not, we have full control over the members of the committee appointed by the Senate. We can give them instructions, if we see fit, either to recede or to insist upon the amendment. We can not lose jurisdiction of this because the House members refuse to act. We have control of the papers, we have control of our committee, and we

can recede here if we see fit, and if we do not see fit we can instruct the conferees to recede or otherwise, just as we see fit. I do not know what we ought to do, but we are certainly not without a full and complete remedy.

Mr. HALE. I have faith to believe that if nothing further is done by the Senate, and I expected that nothing would be done, we will be able in conference to get some disagreeing report signed by the majority of the conferees of the two Houses.

Mr. TELLER. Then I do not desire to make any motion. I intended to move to instruct the conferees to recede, but I will leave that as it is.

Mr. HALE. I think it would be better to leave it, and I will not press the matter any further.

Mr. JONES of Arkansas. I should like to ask the Senator from Maine a question. I understood the Senator from Rhode Island a moment ago to intimate that the Senate was powerless in this matter because two conferees on the part of the House refuse to report a disagreement.

Mr. ALDRICH. If the Senator from Arkansas will pardon me, I did not mean to say that the Senate was powerless. I think the suggestion of the Senator from Colorado is a proper one. We have power to instruct our conferees, but at this stage I think the papers are not properly before the Senate for that purpose. That is all.

Mr. JONES of Arkansas. I simply wanted to enter a protest against any such understanding—that two members of the conference committee could hold up the bill and render both Houses powerless to act.

Mr. ALDRICH. I do not wish to be understood as making that statement in that way.

Mr. JONES of Arkansas. I think the Senate has certainly the power to act, if it chooses, and I think under the circumstances it ought to take such action as will get an agreement or have a disagreement reported.

Now, the fact is in this case there is a disagreement, and it seems to me that the conferees on the part of the Senate and the conferees on the part of the House are in contempt of the bodies that appointed them if they fail to report the fact to the House from which they emanated.

Mr. TILLMAN. If the Senator from Maine will pardon me, the House conferees insisted that we should report an agreement when we did not. They demanded; they held us up.

Mr. HALE. Yes.

Mr. TILLMAN. That is it.

Mr. HALE. They required that we should make a report receding.

Mr. TILLMAN. They demanded that we should make a report that we had receded when we had not receded.

Mr. HALE. There are other matters before the Senate. I do not ask any action on this. I shall report it at no distant hour. I withdraw the papers.

The PRESIDENT pro tempore. The Senator from Maine withdraws the papers.

Mr. PETTUS. Mr. President, I desire to make a suggestion upon this matter. I am a young man here, and I am very desirous that the dignity and rights of this body shall be sustained. I do not think that the conferees, when they get outside of their duties, represent the body that send them; and it seems to me, with due deference to the old and experienced Senators, that the best way out of this matter is for the Senator from Maine to prepare a message to be sent by the Senate to the House of Representatives, to know whether they will recognize the rights and dignity of this body—not in those words, of course, but stating what has occurred and asking that instructions be given to their conferees to conform to the usages and customs of the two bodies when acting together. I make this merely as a suggestion. It seems to me that the dignity of the Senate ought to be preserved and that the rules of the Senate ought to be preserved if this bill does fail.

INDUSTRIAL COMMISSION.

Mr. BUTLER. I offer a resolution, for which I ask present consideration.

The PRESIDENT pro tempore. If there be no objection, the resolution will be received.

Mr. CULLOM. Let it be read.

The PRESIDENT pro tempore. The Senator from North Carolina submits a resolution, for which he asks present consideration. The resolution will be read.

The Secretary read as follows:

Resolved, That the Nonpartisan Industrial Commission created by act of Congress approved June 18, 1898 be, and is hereby, directed to transmit to the Senate a detailed statement, giving the expenditures made by the commission, the number of persons employed, the amount paid to each, the duties assigned them, respectively, and by whom such persons were appointed.

The resolution was considered by unanimous consent, and agreed to.

SAFETY APPLIANCES ON RAILROADS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 10302) to amend an act to promote the safety of employees, etc., by requiring common carriers engaged in interstate commerce to equip their cars with automatic couplers and continuous brakes, etc., approved March 2, 1893.

The PRESIDENT pro tempore. The question is on agreeing to the first amendment reported by the Committee on Interstate Commerce, which will be stated.

The SECRETARY. On page 1, section 1, strike out from line 3 to 16, inclusive, as follows:

That there be added to the act entitled "An act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their cars with automatic couplers and continuous brakes and their locomotives with driving-wheel brakes, and for other purposes," approved March 2, 1893, the following:

SEC. 9. That where any collision of trains, where one of the trains is a passenger train, shall occur on a railroad of any common carrier engaged in interstate commerce by railroad, or where any passenger train, or any part of a passenger train, accidentally leaves the rails, it shall be the duty of the superintendent or other officer in charge of the movement of trains on the division of said road on which the accident occurred to immediately institute an investigation into the causes of such accident and transmit a report under oath to the general manager or general superintendent of the road, showing the nature and causes thereof, and it shall be the duty of such general manager or general superintendent to transmit such report to the Interstate Commerce Commission at their office at Washington, D. C. It shall also be the duty of any such common carrier to make to the Interstate Commerce Commission a monthly report under oath of all accidents which may occur to its passengers or employees, whether attended with loss of life or personal injury, and such report shall state the causes and circumstances connected therewith.

And insert:

That it shall be the duty of the general manager, superintendent, or other proper officer of every common carrier engaged in interstate commerce by railroad to make to the Interstate Commerce Commission, at its office in Washington, D. C., a monthly report, under oath, of all collisions of trains or where any train or part of a train accidentally leaves the track, and of all accidents which may occur to its passengers or employees, which report shall state the nature and causes thereof, and the circumstances connected therewith.

Mr. ALDRICH. My purpose in offering the amendment which I submitted last night was to make the section intelligible; but the Senator from South Dakota does not seem to think it is necessary, and I withdraw the amendment.

The PRESIDENT pro tempore. Inserting the words "by reason thereof."

Mr. ALDRICH. The words "by reason thereof."

The PRESIDENT pro tempore. The amendment is withdrawn. The other amendment was accepted. The question is on agreeing to the amendment as amended.

Mr. McCOMAS. I ask the Senator from Illinois to consent to two formal amendments. In line 22 I suggest the word "leaving" instead of the word "leaves," and in line 23, after the word "employees," I suggest the insertion of the words "while in the service of such common carrier." If an employee went to Jersey City and had an accident on a ferry boat, you would not want that reported.

Mr. PETTIGREW. I am willing to accept the amendment if the Senator from Illinois is.

Mr. CULLOM. I see no objection to that.

The PRESIDENT pro tempore. The amendments proposed by the Senator from Maryland will be stated.

The SECRETARY. In section 1, page 2, line 22, it is proposed to strike out the word "leaves" and insert "leaving."

Mr. CULLOM. I think that amendment is a mistake.

Mr. PLATT of Connecticut. I suggest that an amendment has been made which would render the word suggested by the Senator from Maryland ungrammatical.

Mr. CULLOM. Yes. The amendment will read:

Or where any train or part of a train accidentally leaving the tracks.

"Leaves" is the right word, it seems to me.

Mr. McCOMAS. I do not care, if the Senator does not wish to accept it.

Mr. CULLOM. I think it is better as it is.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment was rejected.

The PRESIDENT pro tempore. The next amendment proposed by the Senator from Maryland will be stated.

The SECRETARY. In line 23, after the word "employee," it is proposed to insert "while in the service of such common carrier."

Mr. CULLOM. I have no objection to that.

Mr. CARTER. I desire to ask the Senator from Maryland if he does not desire to add the words "and actually on duty?"

Mr. McCOMAS. I accept that.

Mr. CARTER. An employee might be in the service of a company——

Mr. PLATT of Connecticut. He is the year round.

Mr. CARTER. And not be on duty at the time of the accident.

Mr. McCOMAS. I accept the amendment.

Mr. PETTIGREW. I make no objection to that addition.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The SECRETARY. It is proposed, at the end of line 23, on page 2, to insert the following:

While in the service of such common carrier and actually on duty.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment of the Committee on Interstate Commerce was, in section 2, page 3, line 3, after the word "month," to strike out "or failing to make report of any collision or cars leaving the rails accidentally, as herein required, within thirty days after the occurrence of such accident;" in line 8, after the word "dollars," to strike out "and not more than $500;" and in line 11, to strike out:

The failure of the superintendent or other officer in charge of the movement of trains as aforesaid to make report to the general manager or general superintendent, or of said general manager or general superintendent to make report to the Interstate Commerce Commission, as herein required, shall be deemed the offense of the carrier as well as of such officer himself: *Provided.*

So as to make the section read:

SEC. 2. That any common carrier failing to make such report within thirty days after the end of any month shall be deemed guilty of a misdemeanor and, upon conviction thereof by a court of competent jurisdiction, shall be punished by a fine of not less than $100 for each and every offense and for every day during which it shall fail to make such report after the time herein specified for making the same.

The amendment was agreed to.

Mr. CULLOM. That is the last amendment of the committee.

The PRESIDENT pro tempore. The clerks will renumber the sections. Are there further amendments?

Mr. CULLOM. There are not.

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

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

The bill was read the third time, and passed.

The title was amended so as to read, "A bill requiring common carriers engaged in interstate commerce to make full reports of all accidents to the Interstate Commerce Commission."

CONSIDERATION OF UNOBJECTED HOUSE BILLS.

Mr. PRITCHARD. I ask unanimous consent to call up the District code bill.

Mr. TELLER. That bill will create more or less debate.

Mr. GALLINGER. If the Senator from North Carolina will yield to me, I will ask unanimous consent that we may now proceed to the consideration of unobjected House bills on the Calendar, and if we do that the code bill will be reached in due time.

Mr. TELLER. I will not object to it when it is reached.

Mr. GALLINGER. If the Senator will permit me, I will make that request.

Mr. PRITCHARD. I will yield on that understanding.

Mr. GALLINGER. I then make the request that we now proceed to the consideration of unobjected House bills on the Calendar.

The PRESIDENT pro tempore. The Senator from New Hampshire asks unanimous consent that the Senate now proceed to the consideration of unobjected House bills on the Calendar. Is there objection?

Mr. WARREN. I do not wish to object, but I ask that it may include such House bills as were reported this morning and are not on the printed Calendar. I ask that they may be considered as on the Calendar.

Mr. GALLINGER. I will enlarge my request to include those bills.

Mr. ALDRICH. That is right.

Mr. BUTLER. I do not wish to allow that agreement to be made and then put every Senator who has a bill in a position where, if some Senator wishes to make an observation of a few sentences or for a minute, it kills the bill.

Mr. GALLINGER. Oh, we never do that. We allow Senators to speak.

Mr. BUTLER. I desire to say that I have been the victim of this kind of a consent for a month on some bills that one or more Senators had observations which they wished to submit, and I understood had no objection to voting when they had made the observations; and yet the moment the observations were attempted, under the consent I could not get a hearing.

Mr. GALLINGER. We will give you that.

Mr. BUTLER. I do not know whether other Senators are in that condition or not. I want to ask unanimous consent for the present consideration of a short bill, and then I will have no objection to the request of the Senator from New Hampshire.

Mr. JONES of Arkansas. If the suggestion of the Senator from New Hampshire is agreed to, whenever one of these bills is reached it will be read first for information and then the Senate will be asked if there is objection. If there is not, the bill will be taken up and questions can be asked, and nobody will have the right to displace it because there shall be some question asked in relation to it. The question of consideration will come up first. There can be no wrong done to anybody. The proposition is a fair one, and one which, it seems to me, every member of the Senate ought to agree to; and I think my friend the Senator from North Carolina will not suffer the inconvenience which he suggests under this agreement.

Mr. CULLOM. No.

Mr. BUTLER. I will say to the Senator there is a short bill which has the unanimous report of the committees of both Houses. It passed the House after full discussion, and yet it has gone over four or five times by the objection of one Senator, when, I understand, he simply had a statement that he wanted to put in the RECORD; and that put the bill aside.

Mr. JONES of Arkansas. If any Senator objects to any one of these bills, it goes over under the agreement.

Mr. BUTLER. That is why I object to the agreement. I do not wish the Senate to adjourn before I get a vote on this bill. It is for the relief of a Masonic lodge in my State, for a small amount. I feel it my duty to get a vote on it. It is a just claim.

Mr. JONES of Arkansas. I have no doubt the quickest way to get a vote is to pursue the plan suggested by the Senator from New Hampshire.

Mr. GALLINGER. It is the only way.

Mr. JONES of Arkansas. It is best for all bills. It will save time. I believe it is the only way to do it, and I hope everybody will agree to it.

Mr. BUTLER. I feel that my duty to my constituents and to the persons interested in the bill makes it necessary for me to protect myself by every parliamentary situation. But I do not wish to inconvenience other Senators, and I hope other Senators will remember that, and be disposed to give me a vote on this bill. So I will not object.

Mr. CARTER. I desire to call attention to the fact that the Senate is in such disorder that the current of business can not be understood.

The PRESIDENT pro tempore. The Senate must preserve order. There is some confusion in the galleries. The Chair hopes that persons in the galleries will preserve as much order as is possible and converse as little as is possible. The Senator from New Hampshire asks unanimous consent that the Senate proceed to the consideration of unobjected House bills on the Calendar. Is there objection?

Mr. PRITCHARD. I do not propose to object, but when I secured the floor it was my intention to move that the Senate take up the District code bill for consideration; but inasmuch as there are a number of Senators who desire to have matters passed upon, I will not make objection.

Mr. BURROWS. I think the request was so modified as to include those bills which are not on the printed Calendar, but have been reported.

The PRESIDENT pro tempore. The Chair would treat them as being on the Calendar anyway. They have been reported on the last day of the session. Is there objection to the request of the Senator from New Hampshire? The Chair hears none, and it is so ordered.

The Chair would like to inquire whether the unanimous consent agreement would interfere with the Chair in laying before the Senate bills as they come from the House, when Senators might request that they should be acted upon?

Mr. GALLINGER. My judgment is that it ought not, and that it ought, of course, to permit, as under the rules we would be forced to permit, the introduction of conference reports, and that the procedure might be interrupted for those purposes.

The PRESIDENT pro tempore. The Chair wanted to understand that.

CREDENTIALS.

Mr. ALLISON. I present the credentials of my colleague [Mr. DOLLIVER] and ask that they be read:

The credentials were read, as follows:

UNITED STATES OF AMERICA,
STATE OF IOWA, EXECUTIVE DEPARTMENT.

To the Hon. WILLIAM P. FRYE,
President pro tempore of the Senate of the United States:

Whereas on the 16th day of January, A. D. 1900, John Henry Gear was duly elected Senator in Congress from the State of Iowa for the term beginning on the 4th day of March, A. D. 1901; and

Whereas said John Henry Gear died on the 14th day of July, A. D. 1900; and

Whereas, because thereof and the fact that the legislature of said State has not been in session since the date of said demise, and will not be before the 4th day of March proximo, will happen on that date in the representation of the State of Iowa in the Senate of the United States.

Now, therefore, I, Leslie M. Shaw, governor of the State of Iowa, by virtue of authority vested in me by the Constitution of the United States, do hereby appoint Jonathan Prentiss Dolliver, of the county of Webster, a Senator in Congress from the State of Iowa, to fill the vacancy thus occasioned, and do certify the same to the Senate of the United States.

In testimony whereof, witness my hand and the great seal of the State of Iowa. Done this 25th day of February, in the year of our Lord 1901, of the independence of the United States the one hundred and twenty-fifth, of the State of Iowa the fifty-fifth.

[SEAL.] LESLIE M. SHAW.

By the governor:
W. B. MARTIN,
Secretary of State.

The PRESIDENT pro tempore. The credentials will be placed on file.

Mr. McBRIDE presented the credentials of John H. Mitchell, chosen by the legislature of the State of Oregon a Senator from that State for the term beginning March 4, 1901; which were read and ordered to be filed.

JAMES A. SOMERVILLE.

Mr. WARREN. I am directed by the Committee on Military Affairs, to whom was referred the bill (H. R. 7603) to correct the military record of James A. Somerville, to report it without amendment. I report the bill now and ask that it may be put on the Calendar and come up under this order.

SHIP BALCLUTHA.

Mr. TURNER. I am directed by the Committee on Commerce, to whom was referred the bill (H. R. 13530) to provide an American register for the foreign-built ship *Balclutha*, to report it favorably without amendment.

The PRESIDENT pro tempore. The bill will be placed on the Calendar. The Secretary will announce the first bill on the Calendar under the order.

PENSIONS OF CERTAIN WIDOWS.

The bill (H. R. 9896) to restore certain widows to the pension roll was announced as first in order.

Mr. PLATT of Connecticut. I am in favor of the bill as reported to the Senate, but it is a substitute for the House bill, and I am quite sure it can not pass at this session, and will make discussion here. Therefore I ask that it may go over.

The PRESIDENT pro tempore. It will go over.

TAX ON FERMENTED LIQUORS.

The bill (H. R. 8620) amendatory of sections 3329 and 3341 of the Revised Statutes of the United States, relative to internal-revenue tax on fermented liquors, was announced as next in order.

Mr. JONES of Arkansas. Let that bill go over, Mr. President.

The PRESIDING OFFICER (Mr. ALDRICH in the chair). Objection being made, the bill goes over.

THE NICARAGUA CANAL.

Mr. MORGAN. The Secretary has passed over an order of business which ought to be called—House bill 2538.

The PRESIDING OFFICER. The title of the bill will be stated.

The SECRETARY. A bill (H. R. 2538) to provide for the construction of a canal connecting the waters of the Atlantic and Pacific oceans.

Mr. LODGE. I do not think we can discuss that now.

The PRESIDING OFFICER. Objection is made, and the bill goes over.

Mr. MORGAN. Mr. President——

The PRESIDING OFFICER. The Senator from Massachusetts objects.

Mr. MORGAN. I did not hear the objection.

The PRESIDING OFFICER. The Chair heard it. The Senator from Massachusetts objects.

Mr. MORGAN. I will say to the Senator from Massachusetts that I am perfectly willing to take a vote on the bill without debate.

Mr. LODGE. The Senator knows very well that at this time we could not possibly pass the bill without debate.

Mr. MORGAN. I wish to ask a parliamentary question. Am I prevented now, by the unanimous consent agreement of the Senate just made, from the consideration of the bill?

Mr. GALLINGER. Oh, yes.

Mr. LODGE. Upon that point I am not prepared to speak.

Mr. MORGAN. I ask the Chair.

The PRESIDING OFFICER. The present occupant of the chair understands the agreement to be that the Senate shall proceed with the consideration of unobjected House bills upon the Calendar.

Mr. GALLINGER. That is right.

The PRESIDING OFFICER. And that an objection restores a bill to the Calendar when it is once taken up. The next bill will be announced.

EXTENSION OF PATENT.

The bill (H. R. 5711) extending the term of patent No. 287230 was announced as next in order.

Mr. PLATT of Connecticut. Let that bill go over.

The PRESIDING OFFICER. Objection being made, the bill goes over. The next bill will be stated.

ELECTION OF SENATORS.

The joint resolution (H. J. Res. 28) proposing an amendment to the Constitution providing for the election of Senators of the United States was announced as the next business in order.

Mr. GALLINGER. That is an adverse report. Let it go over.

The PRESIDING OFFICER. Objection being made, the joint resolution goes over.

WASHINGTON TELEPHONE COMPANY.

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 was announced as next in order.

Mr. McCOMAS. I ask that the bill be taken up.

Mr. GALLINGER. Let it go over.

The PRESIDING OFFICER. Objection is made, and the next bill will be announced.

AGNES AND MARIA DE LEON.

The bill (H. R. 2619) for the relief of Agnes and Maria De Leon was announced as next in order.

Mr. PLATT of Connecticut. That item went on the deficiency appropriation bill yesterday. I do not know whether it has been retained or not.

The PRESIDING OFFICER. Objection being made, the bill goes over.

Mr. PLATT of Connecticut. I do not object to it.

Mr. DOLLIVER. I trust my friend will not object to the bill and will permit me to make a brief statement.

Mr. PLATT of Connecticut. I did not object to it. I said the item went on the deficiency appropriation bill yesterday, and I do not know whether it was retained or not.

Mr. DOLLIVER. Probably that was another bill.

Mr. PLATT of Connecticut. The names were those of these parties.

Mr. DOLLIVER. I ask that the bill may be considered now. It is for the relief of two old ladies in the Garfield Hospital here.

The PRESIDING OFFICER. The bill will be read for information, subject to objection.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed, out of any moneys in the Treasury not otherwise appropriated, to pay to Agnes De Leon and Maria De Leon, heirs at law of Rebecca L. De Leon, deceased, the sum of $1,000 for injury to the buildings of said Rebecca L. De Leon in Albuquerque, N. Mex., and consequent loss of rent, in the year 1862, and in the lifetime of the said Rebecca L. De Leon, which buildings, while occupied under a lease by the United States, were partially destroyed by the United States troops to prevent them and the stores therein contained from falling into the hands of the enemy in the war between the States.

Mr. JONES of Arkansas. I should like to ask what is the statement made in that bill. Is it that these injuries were done to prevent the buildings from "falling into the hands of the enemy?"

Mr. DOLLIVER. I presume that probably I am the only Senator who has any familiarity with this bill. I had my attention called to it in the House.

These two claimants are old women, now in the Garfield Hospital in this city. They are without friends or influential connections. Their property in Texas was rented to the Government, and when the Government gave up the occupation of it a portion of the buildings were burned, and the occupation of it itself occasioned serious damage to the buildings, which damage was assessed. The Committee on Claims in the House has reported the bill from time to time, but as the old people have been without friends or anyone to speak for them, the matter has been neglected. The committee reduced the amount of their claim more than one-half. I frankly confess there is an element of sympathy and of charity in their claim, and I trust no objection will be made to the passage of the bill.

The PRESIDING OFFICER. The Senator from Connecticut called the attention of the Chair to the fact that this bill was inserted in the deficiency appropriation bill which passed the Senate yesterday. The Chair finds upon examination of the RECORD that that was a fact. On page 3407 of the RECORD the following is found:

The PRESIDENT pro tempore. The amendment proposed by the Senator from Alabama will be stated.

The SECRETARY. It is proposed to insert the following:

"For the relief of Agnes and Maria De Leon, as shown in House bill 2619 and Senate report on that bill, No. 1619, $1,000."

Mr. ALLISON. If the Chair will allow me, the item was inserted in the deficiency bill and was stricken out in conference.

Mr. PLATT of Connecticut. That was the inquiry that I made.

Mr. DOLLIVER. It is out of the appropriation bill.

The PRESIDING OFFICER. 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 disagreed to the amendment of the Senate to 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; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. BURTON, Mr. REEVES, and Mr. CATCHINGS managers at the conference on the part of the House.

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. 1452) to remove the charge of desertion and grant an honorable discharge to John C. Weckler; and

A bill (H. R. 13776) authorizing and directing the Secretary of the Treasury to deliver to the mayor and city council of Baltimore, Md., Ionic columns.

DISTRICT CODE BILL.

The bill (H. R. 9835) to establish a code of laws for the District of Columbia was announced as next in order.

The PRESIDING OFFICER. The Chair understands that this bill has been read at length. Is there objection to its present consideration?

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

The PRESIDING OFFICER. There is one amendment reported by the committee.

Mr. GALLINGER. I think the Senator from North Carolina [Mr. PRITCHARD] has some amendments to submit to the bill.

The PRESIDING OFFICER. The amendment reported by the Committee on the District of Columbia will be stated.

Mr. DANIEL. Mr. President, there have been a great many amendments suggested to that bill——

The PRESIDING OFFICER. The business of the Senate will be suspended until the Senate is in order. Senators and those entitled to the floor by courtesy must be in order. When Senators suspend conversation the Senate will proceed with business.

Mr. PRITCHARD. The Committee on the District of Columbia withdraws the amendments.

The PRESIDING OFFICER. There do not seem to be any amendments in the text except the date when the act shall go into effect. That amendment will be stated.

The SECRETARY. On page 1, at the end of section 1, strike out "one" and insert "two;" so as to read: "1902."

The amendment was agreed to.

The PRESIDING OFFICER. If there be no further amendment proposed——

Mr. GALLINGER. I ask the Senator from North Carolina if he has not amendments to offer?

Mr. PRITCHARD. I have abandoned those amendments.

Mr. GALLINGER. I do not agree to the proposition to drop the amendments of the committee. There is no reason why they should not be incorporated in the bill. They relate to all the medical and sanitary laws of this District.

Mr. PRITCHARD. Very well; I offer the amendments that have been agreed upon by the committee.

Mr. GALLINGER. I represent interests here that I do not propose to have sacrificed.

The PRESIDING OFFICER. The Senator from North Carolina reports further amendments from the Committee on the District of Columbia, which will be read.

The SECRETARY. In section 3, line 1, strike out the word "six" and insert the word "ten."

The PRESIDING OFFICER. The amendment will be agreed to, without objection.

Mr. COCKRELL. Let us see what it means.

The PRESIDING OFFICER. The clause may be read as proposed to be amended.

The Secretary read as follows:

There shall be ten justices of the peace in the District, who shall be appointed by the President of the United States, etc.

The amendment was agreed to.

The next amendment of the Committee on the District of Columbia was, in line 9, to strike out "four" and insert "two;" so as to read:

And shall either have held the office of justice of the peace in said District for a period of at least two years.

The amendment was agreed to.

The next amendment was, in line 17, to strike out "six" and insert "ten;" so as to read:

And said supreme court shall divide the said districts into ten subdistricts.

The amendment was agreed to.

The next amendment was to insert at the end of section 5:

Should a suit be brought against any party or corporation in any district in which he or it does not reside or hold business, and a plea to the jurisdiction on this account be filed by said defendant, the party or corporation interposing such plea shall disclose under oath the district in which he or it should have been sued; and the justice, upon sustaining such plea, shall certify the cause for trial to the justice sitting in the district where suit should have been instituted; and should no such plea be filed before trial the justice shall be deemed to have had full jurisdiction. In any suit brought before a justice of the peace the defendant, his agent or attorney, may have the cause removed to the next nearest justice, upon filing an affidavit with the justice issuing the writ, on the return day or day of trial of the action, that he does not believe said justice will give him a fair and impartial trial.

The amendment was agreed to.

The next amendment was, in section 35, line 9, to strike out "two" and insert "four;" so as to read:

An appeal may be taken from the judgment, as in other cases, provided the same is prayed within four days after the entering judgment, etc.

The amendment was agreed to.

The next amendment was, in section 226, line 3, after the word "thereof," to insert the following:

Including any final order or judgment in any case heard on appeal from a justice of the peace.

The amendment was agreed to.

The next amendment was, in section 553, line 17, to strike out "one" and insert "two;" also to strike out "eight" and insert "five."

The amendment was agreed to.

The next amendment was, in section 646, commencing with the word "*Provided*," line 24, to strike out all up to the word "said," in line 27.

The amendment was agreed to.

The next amendment was, in section 650, line 11, to insert after the word "receipts" the following:

And all insurance companies of every description, except mutual fire insurance companies, shall pay to the collector of taxes before March 1 of each year a sum equal to 1½ per cent of said premium receipts of the last preceding calendar year in lieu of all other taxes, except taxes upon real estate and any license fees provided for in sections 654 and 655; and upon the failure of any company to pay said taxes before March 1, as aforesaid, the license of said company shall be revoked and a penalty of 8 per cent per month shall be charged against said company, which, together with said taxes, shall be collected before said company shall be allowed to resume business.

The amendment was agreed to.

The next amendment was, in section 655, line 3, to strike out the word "beneficiary" and insert the word "beneficial;" also, same line, strike out the words "from operating" and insert the words "or apply to;" line 5, same section, strike out the word "beneficiary" and insert the word "beneficial;" also, same line, strike out the words "societies, orders, or," being in sequence.

The amendment was agreed to.

The next amendment was, in the heading of subchapter 12, page 154, to change the word "benefit" to "beneficial."

The amendment was agreed to.

The next amendment was, in section 749, line 13, after the word "reserve" to insert a comma; also, in line 14, same section, after the word "reserve," to insert a comma.

The amendment was agreed to.

The next amendment was in section 751, page 156: At the end of said section insert as a new paragraph the following:

Any association doing business under this subchapter shall be permitted to do business upon filing annually with the superintendent of insurance the certificate of authority of the insurance department of the State, province, or Territory in which it is incorporated or organized: *Provided, however*, That in case of failure to file said certificate by any such association, or in case the superintendent of insurance shall deem it necessary, he shall have power, either personally or by some person designated by him, to examine into the condition, affairs, character, business methods, accounts, books, and investments of such association, at its home office, which examination shall be at the expense of the association. The amount of such expense shall not exceed $100 for associations which have no reserve or emergency fund and $200 for associations with a reserve or emergency fund.

The amendment was agreed to.

The next amendment was to add to section 842 the following:

Any person who obtains any lodging, food, or accommodation at an inn, boarding house, or lodging house without paying therefor, with intent to defraud the proprietor or manager thereof, or who obtains credit at such an inn, boarding house, or lodging house by the use of any false pretense, or who, after obtaining credit or accommodation at such an inn, boarding house, or lodging house, absconds or surreptitiously removes his baggage therefrom without paying for his food, accommodation, or lodging, shall be deemed guilty of a misdemeanor, and upon conviction thereof in the police court of the District of Columbia be fined not more than $100 or imprisoned not more than six months, or both, in the discretion of said court.

The amendment was agreed to.

The next amendment was, in section 1073, page 216, line 6, commencing with the word "unless," to strike out all down to the word "Provided," in line 8.

The amendment was agreed to.

The next amendment was, in section 1574, line 2, to insert between the words "all" and "property" the word "private;" also in lines 2 and 3 to strike out the words "public and private;" and, same line, to insert between the words "and" and "all" the words "authenticated copies of."

The amendment was agreed to.

The next amendment was, in section 1576, line 2, to strike out the word "public" and substitute the words "United States;" also, same line, between the words "property" and "of," to insert "under the jurisdiction of the Commissioners."

The amendment was agreed to.

The next amendment was, in section 1601, line 4, to insert after the word "Columbia" the words "under their jurisdiction."

The amendment was agreed to.

The next amendment was, in section 1636, page 314, after line 24, the end of the seventh exception, to add:

Eighth. An act to regulate the practice of pharmacy in the District of Columbia, approved June 15, 1878; an act for the regulation of the practice of dentistry in the District of Columbia, and for the protection of the people from empiricism in relation thereto, approved June 6, 1892; an act regulating the construction of buildings along alleyways in the District of Columbia, approved July 22, 1892; an act for the promotion of anatomical science, and to prevent the desecration of graves in the District of Columbia, approved February 26, 1895; an act to provide for the incorporation and regulation of medical and dental colleges in the District of Columbia, approved May 4, 1896; an act relating to the testimony of physicians in the courts of the District of Columbia, received by the President May 13, 1896; an act to regulate the practice of medicine and surgery, to license physicians and surgeons, and to punish persons violating the provisions thereof in the District of Columbia, approved June 3, 1896; and, generally, all acts or parts of acts relating to medicine, dentistry, pharmacy, the commitment of the insane to the Government Hospital for the Insane in the District of Columbia, the abatement of nuisances, and public health.

The amendment was agreed to.

The PRESIDING OFFICER. This completes the amendments of the committee. Are there further amendments to the bill as in Committee of the Whole? If not, the bill will be reported to the Senate.

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

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

The bill was read the third time, and passed.

EXCHANGE OF GOLD COIN FOR GOLD BARS.

The bill (H. R. 10698) to amend an act amending the act entitled "An act to authorize the receipt of United States gold coin in exchange for gold bars" was announced as next in order, and the Secretary proceeded to read the bill.

Mr. WELLINGTON. Mr. President, I desire to make an inquiry. There is such confusion in the Chamber that it is impossible to hear the business that is being transacted. I desire to know what has become of the District code bill.

Mr. BURROWS and others. It was passed.

Mr. WELLINGTON. I could not hear its passage. I do not think it is fair or proper to pass any bill through this body when the confusion is such that the members of the Senate themselves when endeavoring to listen can not hear. I object to that matter. I desire to ask some questions concerning that bill. It is an important measure, and should not be passed upon the spur of the moment in confusion of this kind.

Mr. ALDRICH. The then occupant of the chair was very careful at every stage to put the motions clearly.

Mr. WELLINGTON. I was paying attention as much as I could, and yet the confusion was such that before I knew it the occupant of the chair had disappeared and the bill was passed. I did not hear that it was passed, and it is not fair to pass a bill in that way in the Senate of the United States, especially a bill of such importance.

Mr. ALDRICH. The Reporter's notes will show that the then occupant of the chair submitted both sides of the question to the Senate and declared the bill passed in regular form.

Mr. WELLINGTON. That may be possible. I do not say the Chair did not do that; but I do say that there was such commotion and confusion and such disorder in the Chamber that I could not hear the action taken, and I was listening. I intended to make objection to the passage of that bill unless it had in it some features that I desire to know about.

Mr. HOAR. Mr. President, I rise to a parliamentary inquiry. Has not the Senator from Maryland a perfect right to enter a motion to reconsider?

Mr. WELLINGTON. I desire to make that motion, if there is no other remedy. I move to reconsider the vote by which the bill was passed.

Mr. JONES of Arkansas. The Senate is proceeding by unanimous consent under a distinct understanding that bills not objected to are to be considered, and when a Senator states that he was in the Chamber and was trying to ascertain what was going on and did not know it, and objected to the consideration of a bill, I do not think there ought to be any objection to its being reconsidered. I think it ought to be done by unanimous consent.

Mr. HOAR. That is right.

Mr. GALLINGER. Let that be done.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Maryland that the vote by which the bill to which he has referred be reconsidered? The Chair hears no objection, and the bill will again be placed before the Senate as soon as it can be returned from the Secretary's office.

NAVAL APPROPRIATION BILL.

Mr. HALE. I submit a resolution and ask action upon it.

The resolution was read, as follows:

Resolved, That the present conferees of the Senate upon the disagreeing votes of the two Houses upon the naval appropriation bill be discharged from further duty, and that the House of Representatives is hereby requested to grant a conference with the Senate upon the disagreeing votes upon said bill.

Mr. HALE. Mr. President, when the matter was before the Senate some little time ago and the papers were withdrawn the House conferees were upon the floor and were requested to meet the Senate conferees in the room of the Committee on Naval Affairs. The Senate conferees and one member of the conferees of the House have been there waiting since. The House conferees do not appear. Time is so short and such is the importance of the matter that, with no feeling whatever on the part of the Senate conferees, but in order that in some way we may emerge from this difficulty, I am directed to report the resolution, and as Senators were not listening I ask that it be read again.

The Secretary again read the resolution.

Mr. PLATT of Connecticut. Mr. President, that resolution has been twice read, but I should like to hear it read again.

The PRESIDENT pro tempore. The resolution will be again read.

The Secretary again read the resolution.

The PRESIDENT pro tempore. The question is on agreeing to the resolution.

The resolution was agreed to.

Mr. HALE subsequently said: I ask unanimous consent that a message be sent to the House of Representatives recalling the resolution touching the naval appropriation bill.

The PRESIDENT pro tempore. Is there objection to the request? The Chair hears none, and it is so ordered.

ENROLLED BILLS SIGNED.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore:

A bill (S. 2866) to extend the provisions of section 8 of the act entitled "An act to repeal timber-culture laws, and for other purposes," approved March 3, 1891, concerning prosecutions for cutting timber on public lands, to California, Oregon, and Washington;

A bill (S. 5484) to provide for subports of entry and delivery in the Territory of Hawaii;

A bill (S. 4509) extending to the city of Everett, Wash., a subport of entry, the privileges of the act approved June 10, 1880, governing the immediate transportation of dutiable merchandise;

A bill (S. 4687) for the relief of Richard H. Townley, a lieutenant (junior grade) on the retired list of the United States Navy;

A bill (S. 4956) to grant the Knoxville Power Company the right to dam the Tennessee River at or near Knoxville, Tenn.;

A bill (H. R. 12901) to supplement existing laws relating to the disposition of lands, etc.;

A bill (H. R. 14260) to amend an act entitled "An act to constitute a new division of the eastern judicial district of Texas, and to provide for the holding of terms of court at Sherman, Tex., and for the appointment of a clerk of said court, and for other purposes," approved February 19, 1900; and

A bill (H. R. 14309) for the reward of enlisted men of the Navy or Marine Corps.

SEABOARD AND ROANOKE RAILROAD, ETC.

Mr. WARREN, from the Committee on Claims, to whom were referred the following bills:

A bill (S. 1161) for the relief of the Seaboard and Roanoke Railroad Company;

A bill (S. 5307) for the relief of Thomas W. Evans and the heirs of William Evans and of William R. Elliston;

A bill (S. 5308) for the relief of Thomas W. Evans;

A bill (S. 6064) for the relief of Samuel M. Blair; and

A bill (S. 6035) for the relief of James W. Manier, sr.,

reported the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the claims represented by the following bills, to wit, S. 1161, S. 5307, S. 5308, S. 6064, and S. 6035, for the relief of the Seaboard and Roanoke Railroad Company; for the relief of Thomas W. Evans and the heirs of William Evans and of William R. Elliston; for the relief of Thomas W. Evans; for the relief of Samuel M. Blair, and for the relief of James W. Manier, sr., now pending in the Senate, together with all the accompanying papers, be, and the same are hereby, referred to the Court of Claims, in pursuance of the provisions of an act entitled "An act to provide for the bringing of suits against the Government of the United States," approved March 3, 1887. And the said court shall proceed with the same in accordance with the provisions of such act, and report to the Senate in accordance therewith.

REPORT OF A COMMITTEE.

Mr. HOAR. I am directed by the Committee on the Judiciary, to whom was referred the bill (H. R. 13396) to amend section 5546 of the Revised Statutes, to report it favorably without amendment.

I wish to state in the hearing of the Senate that I was authorized by the Committee on the Judiciary to report a Senate bill exactly like the House bill, but that report has not yet been made.

The PRESIDENT pro tempore. The report will be placed on the Calendar.

DISTRICT CODE BILL.

The PRESIDENT pro tempore. The Chair lays before the Senate the bill (H. R. 9835) to establish a code of laws for the District of Columbia, the vote by which the bill was ordered to a third reading and passed having been reconsidered. The bill is before the Senate open to amendment.

Mr. WELLINGTON. I desire to ask any member of the committee having the bill in charge whether or not there has been included in the bill the amendment originally proposed by the Senator from South Dakota [Mr. KYLE], concerning the marriage laws of the District of Columbia? There was an understanding that that amendment should be placed on the bill, and I desire to know whether it has been included.

Mr. GALLINGER. I will say that the two Senators having this bill in charge, the Senator from Maryland [Mr. MCCOMAS] and the Senator from North Carolina [Mr. PRITCHARD], have left the Chamber since the bill was passed. They left supposing that it had been finally acted upon. I am unable to answer the Senator's question further than to say that I think the amendment to which he has referred has not been incorporated in the bill.

The PRESIDENT pro tempore. That is the amendment originally proposed by the Senator from South Dakota [Mr. KYLE], the Chair understands.

Mr. GALLINGER. That is the amendment.

The PRESIDENT pro tempore. The Chair has that amendment in his hands. It has not been agreed to.

Mr. GALLINGER. Then let the Senator from Maryland offer it.

Mr. WELLINGTON. I offer the amendments as originally proposed by the Senator from South Dakota [Mr. KYLE] to the bill.

The PRESIDENT pro tempore. The Senator from Maryland offers amendments which will be stated.

The SECRETARY. On page 39, after section 185, it is proposed to insert:

The clerk of the court in which any proceeding for divorce shall be instituted shall immediately notify the United States attorney of the institution of such proceeding, and it shall be the duty of said attorney to enter his appearance therein in order to prevent collusion and to protect public morals.

The amendment was agreed to.

The next amendment was, on page 199, to strike out sections 966 and 967, and insert:

SEC. 966. Causes for divorce a vinculo and for divorce a mensa et thoro.—A divorce from the bond of marriage may be granted only where one of the parties has committed adultery during the marriage: *Provided*, That in such case the innocent party only may remarry, but nothing herein contained shall prevent the remarriage of the divorced parties to each other: *And provided*, That legal separation from bed and board may be granted for drunkenness, cruelty, or desertion: *And provided*, That marriage contracts may be declared void in the following cases:

First. Where such marriage was contracted while either of the parties thereto had a former wife or husband living, unless the former marriage had been lawfully dissolved.

Second. Where such marriage was contracted during the lunacy of either party (unless there had been voluntary cohabitation after the lunacy) or was procured by fraud or coercion.

Third. Where either party was matrimonially incapacitated at the time of marriage and has continued so.

Fourth. Where either of the parties had not arrived at the age of legal consent to the contract of marriage (unless there has been voluntary cohabitation after coming to legal age), but in such cases only at the suit of the party not capable of consenting.

SEC. 967. Foregoing section not retroactive.—The provisions of this act shall not invalidate any marriage heretofore solemnized according to law, or affect the validity of any decree or judgment of divorce heretofore pronounced.

The amendment was agreed to.

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

The bill was read the third time, and passed.

EXCHANGE OF GOLD COIN FOR GOLD BARS.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 10698) to amend an act amending the act entitled "An act to authorize the receipt of United States gold coin in exchange for gold bars."

The PRESIDENT pro tempore. This bill was read in full a few moments ago. Is there objection to its present consideration?

Mr. TELLER. I do not desire to object to the bill. I think it ought to be changed, but I will not make a motion to amend. It ought to be entitled "A bill to encourage the export of gold."

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

THE OLEOMARGARINE BILL.

The bill (H. R. 3717) to make oleomargarine and other imitation dairy products subject to the laws of the State or Territory into which they are transported, and to change the tax on oleomargarine, was announced as next in order.

Mr. PROCTOR. That is the oleomargarine bill, and it might possibly lead to debate. [Laughter.]

The PRESIDENT pro tempore. The bill being objected to, goes over.

RIVER AND HARBOR BILL.

Mr. NELSON. I desire to make a conference report.

The PRESIDENT pro tempore. The report will be received.

The Secretary read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to 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, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 7, 13, 22, 25, 39, 46, 52, 55, 56, 60, 66, 67, 68, 69, 71, 72, 73, 79, 84, 86, 87, 88, 89, 91, 95, 100, 103, 109, 111, 114, 119, 122, 123, 124, 125, 132, 143, 151, 152, 153, 155, 156, 157, 159, 164, 171, 172, 176, 191, 198, 200, 201, 202, 203, 227, 228, 235, 236, 237, 244, 246, 248, 253, 268, 269, 271, 272, 276, 281, 283, 291, 294, 299.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 8, 9, 10, 11, 12, 14, 15, 18, 19, 20, 21, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 40, 41, 42, 43, 44, 45, 47, 48, 49, 57, 59, 61, 62, 63, 64, 65, 74, 75, 76, 78, 80, 81, 82, 85, 90, 92, 94, 96, 97, 98, 99, 104, 105, 106, 107, 110, 112, 113, 115, 116, 117, 118, 120, 121, 127, 128, 129, 130, 131, 133, 134, 135, 137, 139, 140, 141, 142, 144, 145, 146, 147, 148, 149, 150, 158, 160, 161, 162, 166, 167, 169, 170, 174, 175, 178, 180, 183, 184, 185, 186, 187, 188, 189, 190, 192, 193, 194, 195, 197, 199, 204, 205, 206, 207, 208, 209, 211, 212, 213, 214, 217, 218, 222, 223, 224, 225, 229, 230, 231, 232, 233, 238, 239, 240, 241, 245, 247, 249, 250, 252, 255, 256, 257, 258, 259, 260, 263, 265, 266, 267, 270, 273, 274, 275, 277, 278, 279, 280, 282, 284, 285, 286, 287, 288, 289, 290, 292, 293, 295, 296, 297, 298, and agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment as follows: In the language proposed by the Senate amendment insert before the word "selecting" the words "determining the advisability of;" and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$30,000;" and the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: In lieu of the language proposed to be inserted insert the following: "Continuing improvement, with a view to obtaining a channel not less than 30 feet deep and with the greatest practicable width, $250,000;" and the Senate agree to the same.

Amendment numbered 24: That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment as follows: Restore the language proposed to be stricken out and in lieu of the sum named insert "$10,000;" and the Senate agree to the same.

Amendment numbered 50: That the House recede from its disagreement to the amendment of the Senate numbered 50, and agree to the same with an amendment as follows: In lieu of the language proposed to be inserted insert "twenty-five thousand;" and the Senate agree to the same.

Amendment numbered 51: That the House recede from its disagreement to the amendment of the Senate numbered 51, and agree to the same with an amendment as follows: Amend the paragraph so it will read:

"Improving harbor at Pensacola, Fla.: Continuing improvement and for maintenance, $220,000, of which amount $150,000 may be used for the construction of a seagoing suction dredge to be used in improving the harbors at Pensacola, Carrabelle, and Apalachicola, Fla."

And the Senate agree to the same.

Amendment numbered 53: That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment as follows:

In lieu of the language proposed to be inserted insert the following:

"Improving Biscayne Bay, Florida, by obtaining a uniform depth of 15 feet of water in a harbor or basin on the east side of Biscayne Bay, and a depth of 15 feet in a channel from said basin by way of the line north of Norris Cut to the sea, in accordance with the project submitted in House Document No. 662, Fifty-sixth Congress, first session, $200,000, out of which amount herein appropriated the Secretary of War may in his discretion construct a suitable dredge for use on said project."

And the Senate agree to the same.

Amendment numbered 54: That the House recede from its disagreement to the amendment of the Senate numbered 54, and agree to the same with an amendment as follows: In lieu of the words proposed insert the words "three hundred and fifty;" and the Senate agree to the same.

Amendment numbered 58: That the House recede from its disagreement to the amendment of the Senate numbered 58, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "one million eight hundred and twenty-nine thousand one hundred and sixty-seven;" and the Senate agree to the same.

Amendment numbered 70: That the House recede from its disagreement to the amendment of the Senate numbered 70, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$262,500;" and the Senate agree to the same.

Amendment numbered 77: That the House recede from its disagreement to the amendment of the Senate numbered 77, and agree to the same with an amendment as follows: After the word "breakwater," where it occurs for the second time in the paragraph, insert the words "to be extended eastwardly from the breakwater now under construction;" and the Senate agree to the same.

Amendment numbered 83: That the House recede from its disagreement to the amendment of the Senate numbered 83, and agree to the same with an amendment as follows: In lieu of the word "prosecute," proposed to be inserted, restore the word "complete," and after the word "aggregate" in same paragraph strike out the words "two hundred and forty-five" and insert in lieu thereof the words "two hundred and seventy;" and the Senate agree to the same.

Amendment numbered 93: That the House recede from its disagreement to the amendment of the Senate numbered 93, and agree to the same with an amendment as follows: Add at the end of the language proposed to be inserted the following words: "Exclusive of the cost of land required, if any;" and the Senate agree to the same.

Amendment numbered 101: That the House recede from its disagreement to the amendment of the Senate numbered 101, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following:

"Improving inner harbor at San Pedro, Cal., by dredging to the lower end of the wharves, $100,000; and the Secretary of War is hereby authorized to use so much thereof as may be necessary for the construction of a suitable dredge."

And the Senate agree to the same.

Amendment numbered 102: That the House recede from its disagreement to the amendment of the Senate numbered 102, and agree to the same with an amendment as follows: In the language proposed to be inserted strike out all after the word "session" and insert in lieu thereof the words "one hundred and fifty thousand dollars;" and the Senate agree to the same.

Amendment numbered 108: That the House recede from its disagreement to the amendment of the Senate numbered 108, and agree to the same with an amendment as follows: In lieu of the word "forty" proposed to be inserted, insert the word "eighty-one;" and the Senate agree to the same.

Amendment numbered 126: That the House recede from its disagreement to the amendment of the Senate numbered 126, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$15,000" and insert thereafter a new paragraph, as follows:

"Improving St. Jones River, Delaware, in accordance with the report submitted in House Document No. 165, Fifty-sixth Congress, first session, $10,000."

And the Senate agree to the same.

Amendment numbered 136: That the House recede from its disagreement to the amendment of the Senate numbered 136, and agree to the same with an amendment as follows: In the language proposed to be inserted strike out the word "prosecute" and insert in lieu thereof the word "complete;" and at the end of the language proposed insert the following: "*Provided*, That the contract herein authorized shall be entered into on or before June 30, 1902;" and the Senate agree to the same.

Amendment numbered 138: That the House recede from its disagreement to the amendment of the Senate numbered 138, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following: "In accordance with the report submitted in House Document No. 180, Fifty-sixth Congress, second session, $150,000, to be expended in obtaining a suitable navigable channel from Wilmington to Fayetteville;" and the Senate agree to the same.

Amendment numbered 154: That the House recede from its disagreement to the amendment of the Senate numbered 154, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following: "And the sum of $8,000 is hereby appropriated for dredging and improving the channel between Rome, Ga., and Lock No. 4;" and the Senate agree to the same.

Amendment numbered 163: That the House recede from its disagreement to the amendment of the Senate numbered 163, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$275,000;" and the Senate agree to the same.

Amendment numbered 165: That the House recede from its disagreement to the amendment of the Senate numbered 165, and agree to the same with an amendment as follows: Restore the paragraph proposed to be stricken out, with an amendment as follows: In the first two lines strike out the words "A board of three engineers shall be appointed by the President from civil life" and insert the following: "A board of four engineers shall be appointed by the President, of whom two shall be from civil life and two from the Engineer Corps of the Army;" and the Senate agree to the same.

Amendment numbered 173: That the House recede from its disagreement to the amendment of the Senate numbered 173, and agree to the same with an amendment as follows: After the words proposed to be inserted insert the following: "*Provided*, That the Secretary of War may expend any part of this sum, in his discretion, in the improvement of the mountain section in accordance with House Document No. 461, Fifty-sixth Congress, first session;" and the Senate agree to the same.

Amendment numbered 177: That the House recede from its disagreement to the amendment of the Senate numbered 177, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted insert the following:

"Improving Tug and Levisa forks of the Big Sandy River, West Virginia and Kentucky, by construction of a lock and dam on each of said forks next above their junction, in accordance with the report submitted in House Document No. 235, Fifty-sixth Congress, second session, $200,000: *Provided*, That a contract or contracts may be entered into by the Secretary of War for such materials and work as may be required to prosecute the project recommended in said report, or said material may be purchased and work done otherwise than by contract, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate $250,000, exclusive of the amount herein or heretofore appropriated."

And the Senate agree to the same.

Amendment numbered 179: That the House recede from its disagreement to the amendment of the Senate numbered 179, and agree to the same with an amendment as follows: In lieu of the language proposed to be stricken out insert the following:

"Improving Licking River, Kentucky: Improving the Three-mile Ripple and adjoining shoals, in accordance with report submitted in House Document No. 645, Fifty-sixth Congress, first session, $100,000."

And the Senate agree to the same.

Amendment numbered 181: That the House recede from its disagreement to the amendment of the Senate numbered 181, and agree to the same with an amendment as follows: After the word "dollars," in the language proposed to be inserted, insert the following: ", or so much thereof as may be necessary;" and the Senate agree to the same.

Amendment numbered 182: That the House recede from its disagreement to the amendment of the Senate numbered 182, and agree to the same with an amendment as follows: After the word "what" and before the word "steps," in the language proposed, insert the word "legal;" and the Senate agree to the same.

Amendment numbered 196: That the House recede from its disagreement to the amendment of the Senate numbered 196, and agree to the same with an amendment as follows: In lieu of the word "thirty" insert the word "twenty;" and the Senate agree to the same.

Amendment numbered 210: That the House recede from its disagreement to the amendment of the Senate numbered 210, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following: "of which amount the Secretary of War is hereby authorized, if in his judgment the same is required in the interest of navigation, to expend $50,000, or so much thereof as may be necessary, in preventing erosion of the banks at or near Sawyers Bend, so as to improve the channel and preserve the protection works at said point;" and the Senate agree to the same.

Amendment numbered 215: That the House recede from its disagreement to the amendment of the Senate numbered 215, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$2,000,000;" and the Senate agree to the same.

Amendment numbered 216: That the House recede from its disagreement to the amendment of the Senate numbered 216, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$3,000,000;" and the Senate agree to the same.

Amendment numbered 226: That the House recede from its disagreement to the amendment of the Senate numbered 226, and agree to the same with an amendment as follows: In lieu of the word "fifteen" proposed to be inserted, insert the word "thirty-five," and after the word "dollars" insert the following: ", of which $10,000, or so much thereof as may be necessary, may be used for the completion of the lock and dam at Brenneckes Shoals;" and the Senate agree to the same.

Amendment numbered 234: That the House recede from its disagreement to the amendment of the Senate numbered 234, and agree to the same with an amendment as follows: In lieu of inserting the language proposed in the amendment, strike out all of the paragraph after the word "Washington" and insert the words "For improvement and maintenance, $18,000;" and the Senate agree to the same.

Amendment numbered 242: That the House recede from its disagreement to the amendment of the Senate numbered 242, and agree to the same with an amendment as follows: In lieu of the language proposed to be inserted insert the following:

"Snake River, Alaska: The Secretary of War is hereby authorized and empowered to license any person, persons, company, or corporation to dredge and open the mouth of Snake River, at Nome City, in the district of Alaska, to enable small vessels and lighters to enter therein at any stage of the tide and during all conditions of weather; to construct wharves for commercial purposes, and to charge tolls during a period not to exceed ten years for the use of such improvements, according to plans and specifications and schedule of tolls to be approved by and under the direction of the Secretary of War: *Provided*, That the acceptance of the license shall be a complete waiver of any demand for compensation for such improvement."

And the Senate agree to the same.

Amendment numbered 243: That the House recede from its disagreement to the amendment of the Senate numbered 243, and agree to the same with an amendment as follows: In the language proposed, strike out, after the word "resolution," the words "of Congress, or requested by the Committee on Commerce of the Senate or the Committee on Rivers and Harbors of the House of Representatives;" and the Senate agree to the same.

Amendment numbered 251: That the House recede from its disagreement to the amendment of the Senate numbered 251, and agree to the same with an amendment as follows: In lieu of the language proposed to be inserted insert the following:

"The Secretary of War is hereby authorized, in his discretion, to permit mills or lumber manufactories now existing and operated by water upon the St. Croix River, the Machias River, the Narraguagus River, the Union River, the Denneys River, the Chandler River, the Pleasant River, and the Tunk River, in the State of Maine, to discharge their fine or short sawdust into said rivers."

And the Senate agree to the same.

Amendment numbered 254: That the House recede from its disagreement to the amendment of the Senate numbered 254, and agree to the same with an amendment as follows: In lieu of inserting the language proposed strike out all the paragraph after the word "Congress" where it last occurs; and the Senate agree to the same.

Amendment numbered 261: That the House recede from its disagreement to the amendment of the Senate numbered 261, and agree to the same with an amendment as follows: In lieu of the language proposed to be inserted insert the following: "Wabash River from its mouth to Mount Carmel;" and the Senate agree to the same.

Amendment numbered 262: That the House recede from its disagreement to the amendment of the Senate numbered 262, and agree to the same with an amendment as follows: At the end of the language proposed strike out the period and insert the words "exclusive of the cost of land required, if any;" and the Senate agree to the same.

Amendments numbered 168, 219, 220, 221: As to amendments numbered 168, 219, 220, 221, the conferees have been unable to reach an agreement.

KNUTE NELSON,
JAMES McMILLAN,
JAMES H. BERRY,
Managers on the part of the Senate.
THEODORE E. BURTON,
WALTER REEVES,
T. C. CATCHINGS,
Managers on the part of the House.

The PRESIDENT pro tempore. Will the Senate agree to the conference report?

Mr. PLATT of Connecticut. Will the Senator from Minnesota state the points in disagreement?

Mr. NELSON. I move the adoption of the report, and after the report has been adopted, I shall move to insist on the four amendments that are still in disagreement. Before submitting that motion, however, I desire to make a brief statement.

Mr. PLATT of Connecticut. That is what I desire to have the Senator do.

Mr. NELSON. This bill, as it came from the House originally, appropriated $59,935,415, or nearly $60,000,000, of which nearly $23,000,000 was direct appropriations and $37,000,000 continuing contracts. As the bill passed the Senate, the aggregate amount was $50,854,000, of which $22,288,000 were direct appropriations and $28,565,000 continuing contracts. We have cut the aggregate of the bill in conference to $49,675,000, or over a million dollars. Of this amount $23,000,000 was in direct appropriations and $26,477,000 for continuing contracts.

We have agreed about everything except four items. Those four items are two reservoirs in the State of Wyoming, one reservoir in the State of South Dakota, and the fourth is the appropriation of $400,000 to the Brazos Improvement Company to settle a matter which I shall explain a little further on.

The first of the reservoir amendments appropriated $50,000 cash and $165,000 for a continuing contract, which is based upon a survey made two or three years ago under the direction of the War Department.

For the second reservoir, in Wyoming, there was appropriated $50,000 in direct appropriations and $25,000 for continuing contract. That is based upon a survey conducted by the Geological Survey.

The next item is a reservoir and dam on the Sioux River, in South Dakota. The amendment adopted by the Senate was as follows:

For building dams and constructing reservoirs on the Sioux River, in South Dakota, to control the flow of said stream and impound the flood waters to secure a permanent stage of water in the Missouri River, $52,500.

The other item in disagreement is an appropriation of $400,000 for the Brazos Improvement Company. I want to make a brief explanation as to that. Several years ago—I do not remember how many, but a dozen or more years ago—the Brazos Improvement Company made great improvements on the Brazos River and built a harbor there, under a legislative provision for a contract, by which the improvement was to be made at their own expense, with the privilege of collecting tolls.

They carried on extensive improvements, building docks and jetties and dredging. They claimed that they spent over a million dollars in those improvements. The company became embarrassed, suspended, and was unable to further carry on the work. They came here to Congress two years ago, I think, and asked the Government to take the work off their hands and to make it a Government work. We appropriated at that time $85,000, on the condition that the company would give us a complete deed to their property and improvements there, and they have come to this Congress.

A provision, I might say, was made at that time for an investigation by the War Department as to the amount of money the company had expended in making the improvement. A report was made by the engineers of the War Department on that matter. The company claimed that they had spent over a million dollars in making that improvement, but the Government engineers, after boiling it down in every possible direction, found that the actual value of the work to the Government as it existed at that time was less than that, but that the Government could not replace it at any less figure than $600,000.

The company came to the Committee on Commerce and asked us to give them that amount as a matter of equity. They had no legal right to it, but they said: "Here we have spent a million dollars; you have got this improvement; you have taken the work, and you ought to recompense us as a matter of equity." I do not think anybody will contend that there was the least bit of legal obligation to pay them a cent; but they did have some equities. They asked for $600,000, the amount found by the Government engineers as the value of the work.

Through the efforts of the Committee on Commerce we have effected a compromise, or made an agreement with them, by which they agreed to take $400,000, with a provision that they would deed 1 mile of river front 300 feet wide to the Government for dock and wharf purposes, and, the property being mortgaged, that we were to retain $20,000 of that appropriation of $400,000 until they could give us a clean title. The 1 mile of river front was to be selected by the Secretary of War, and they were to give us a good title.

These are substantially the whole matters that are in disagreement—the two reservoirs in Wyoming, the reservoir in South Dakota, and this claim of the Brazos Improvement Company of $400,000. As to these matters the House conferees have decided and said they can not yield. We have reported a disagreement and desire to take the sense of the Senate on these matters.

I am unwilling to take up further time of the Senate, but will answer any question that may be put to me.

Mr. CULLOM. Do I understand the chairman of the conference committee to say that he desires to give up the Brazos River item?

Mr. NELSON. No; nothing of the kind. I have reported a disagreement, and I intend to take the sense of the Senate upon it.

Mr. CULLOM. I hope the Senate will instruct its conferees to stand by that provision.

Mr. NELSON. After the report has been adopted I shall move that the Senate insist upon the amendments in disagreement.

The PRESIDENT pro tempore. The question is on agreeing to the conference report.

The report was agreed to.

Mr. NELSON. I move that the Senate still further insist upon its amendments disagreed to by the House of Representatives and ask for a further conference thereon.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate; and Mr. NELSON, Mr. MCMILLAN, and Mr. BERRY were appointed.

J. W. PEGLOW.

The PRESIDENT pro tempore. The Chair lays before the Senate a bill from the House of Representatives, which will be read by its title.

The bill (H. R. 14269) confirming a lease between J. W. Peglow and the Seneca Nation of New York Indians was read twice by its title.

Mr. THURSTON. Mr. President, this matter in a different form, but involving the same legislation, has been considered and acted upon favorably by the Senate Committee on Indian Affairs. I ask unanimous consent that the Senate may proceed to the consideration of the bill.

Mr. ALDRICH. That, I think, would be contrary to the spirit of the agreement under which we are acting. The bill should take its place on the Calendar, and it can be reported by a committee and be taken up in its proper order.

The PRESIDENT pro tempore. Objection being made, the bill will go to the Calendar.

HOME FOR AGED AND INFIRM COLORED PEOPLE.

The bill (H. R. 10305) to provide a home for aged and infirm colored people was announced as next in order on the Calendar.

Mr. PLATT of Connecticut. That will excite debate.

Mr. ALDRICH. There are certain items in that bill which are sure to give rise to considerable discussion, and I feel constrained to object to its present consideration.

The PRESIDENT pro tempore. Objection being made, the bill goes over.

ST. JOHN'S LODGE, OF NEWBERN, N. C.

The bill (H. R. 636) for the relief of St. John's Lodge, Ancient Free and Accepted Masons, No. 3, of Newbern, N. C., was announced as next in order on the Calendar.

Mr. LODGE. Let that bill go over, Mr. President.

The PRESIDENT pro tempore. Objection being made, the bill goes over.

AFFIDAVITS UNDER HOMESTEAD ACTS, ETC.

The bill (H. R. 5483) to amend section 2294 of the Revised Statutes of the United States was announced as next in order.

Mr. KEAN. Mr. President, I think that bill had better go over.

The PRESIDENT pro tempore. Objection being made, the bill goes over.

REVISION AND CODIFICATION OF LAWS.

The bill (H. R. 7844) to provide for the revision and codification of the permanent and general laws of the United States was announced as next in order.

Mr. PLATT of Connecticut. That matter was incorporated in the deficiency bill, if I am not mistaken.

Mr. ALDRICH. In the sundry civil bill.

Mr. PLATT of Connecticut. If it remains in that bill, there is no occasion for passing this bill.

Mr. ALLISON. It has been provided for in another form. The subject has been covered.

The PRESIDENT pro tempore. Objection being made, the bill goes over.

HEIRS OF GEORGE W. SAULPAW.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 1959) for the relief of the heirs of George W. Saulpaw. It provides that there shall be paid to the heirs of George W. Saulpaw $7,000, in full compensation for the steamer *Alfred Robb*, taken by the United States for the use of the Government during the late rebellion.

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

ANNIE CHAMBERLAIN.

The bill (H. R. 6776) granting a pension to Annie Chamberlain was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Annie Chamberlain, widow of James A. Chamberlain, late of Company D, Sixth Regiment Maine Volunteer Infantry, and to pay her a pension of $8 per month.

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

CHARLES E. BINNS.

The bill (H. R. 11453) granting a pension to Charles E. Binns was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charles E. Binns, late a scout, United States Army, and to pay him a pension of $12 per month.

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

W. T. FITZPATRICK.

The bill (H. R. 568) for the relief of W. T. Fitzpatrick, Bedford City, Va., was considered as in Committee of the Whole. It proposes to pay to W. T. Fitzpatrick, of Bedford City, Va., $75, paid by him as surety for Robert M. Garrett, a distiller, whose brandy, while unstamped, was destroyed by fire.

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

J. V. DAVIS.

The bill (H. R. 2294) for the relief of J. V. Davis, of Alexandria, Va., was considered as in Committee of the Whole. It proposes to pay to J. V. Davis, superintendent of the Alexandria (Va.) National Cemetery, $500, to reimburse him for personal property destroyed by fire, incurred in his efforts to save the property of the United States.

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

WILLIAM CRAMP SHIP AND ENGINE BUILDING COMPANY.

Mr. STEWART. The bill (H. R. 1605) for the relief of the William Cramp & Son Ship and Engine Building Company, of Philadelphia, Pa., was objected to by the Senator from North Carolina, and he informs me this evening that he withdraws his objection.

Mr. ALDRICH. That had better come up in its regular order.

Mr. STEWART. It will not be reached in its regular order.

The PRESIDENT pro tempore. The bill is on the Calendar under Rule VIII.

Mr. ALDRICH. Then it is not in order now.

Mr. TELLER. That has been objected to.

Mr. HEITFELD. I object to the bill.

The PRESIDENT pro tempore. Objection being made, the bill goes over.

JOHN W. HORNER.

The bill (H. R. 11998) granting an increase of pension to John W. Horner was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John W. Horner, late of Company C, First Regiment West Virginia Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

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

FRANCIS M. THOMPSON.

The bill (H. R. 13186) granting an increase of pension to Francis M. Thompson was considered as in Committee of the Whole.

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

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Francis M. Thompson, late of Company D, Twenty-first Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $60 per month in lieu of that he is now receiving.

Mr. GALLINGER. I ask that the committee amendment may be disagreed to.

The amendment was rejected.

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

GROTIUS N. UDELL.

The bill (H. R. 13329) granting a pension to Grotius N. Udell was considered as in Committee of the Whole.

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

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Grotius N. Udell, late of Company D, Sixth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $72 per month in lieu of that he is now receiving.

The amendment was agreed to.

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

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

The bill was read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Grotius N. Udell."

COLUMBUS S. WHITAKER.

The bill (H. R. 11795) granting a pension to Columbus S. Whitaker was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Columbus S. Whitaker, late acting assistant surgeon, United States Army, and to pay him a pension of $12 per month.

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

GEORGE B. SMITH.

The bill (H. R. 12004) granting an increase of pension to George B. Smith was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George B. Smith, late of Company A, Eleventh Regiment Massachusetts Volunteer Infantry, and to pay him a pension of $17 per month in lieu of that he is now receiving.

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

JOHN F. CARBEE.

The bill (H. R. 13080) granting an increase of pension to John F. Carbee was considered as in Committee of the Whole.

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

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John F. Carbee, late of Company K, Fifteenth Regiment Vermont Volunteer Infantry, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The amendment was agreed to.

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

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

The bill was read the third time, and passed.

CHARLES M. NEET.

The bill (H. R. 1215) granting a pension to Charles M. Neet was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charles M. Neet, late of Company K, Fourteenth Regiment Missouri Home Guards, and to pay him a pension of $12 per month.

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

EUGENE LEAHY.

The bill (H. R. 11197) granting an increase of pension to Eugene Leahy was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Eugene Leahy, late of the United States Navy, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

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

CORNELIA HAYS.

The bill (H. R. 13520) granting an increase of pension to Cornelia Hays was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Cornelia Hays, widow of William Hays, late brigadier-general, United States Volunteers, and colonel in the United States Army, and to pay her a pension of $50 per month in lieu of that she is now receiving.

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

SAMUEL C. F. SEABURY.

The bill (H. R. 13699) granting an increase of pension to Samuel C. F. Seabury was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Samuel C. F. Seabury, late of Company C, Thirteenth Regiment Massachusetts Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

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

EMILY S. KNIGHT.

The bill (H. R. 13725) granting a pension to Emily S. Knight was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Emily S. Knight, widow of Oliver M. Knight, late second lieutenant Company B, Twenty-second Regiment United States Colored Volunteer Infantry, and to pay her a pension of $15 per month.

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

ELLA V. COSTON.

The bill (H. R. 9539) granting an increase of pension to Ella V. Coston was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Ella V. Coston, widow of Henry H. Coston, late captain United States Marine Corps, and to pay her a pension of $20 per month in lieu of that she is now receiving.

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

FLORENCE L. STUART.

The bill (H. R. 7544) granting an increase of pension to Florence L. Stuart was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Florence L. Stuart, widow of Sidney E. Stuart, late a captain, Ordnance Department, United States Army, and to pay her a pension at the rate of $30 per month in lieu of that she is now receiving, and $2 per month additional for each of her minor children until they shall arrive at the age of 16 years.

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

HIX PATTERSON.

The bill (H. R. 13794) granting a pension to Hix Patterson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Hix Patterson, late of Company K, Fifth Regiment Tennessee Volunteer Mounted Infantry, and to pay him a pension of $12 per month.

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

HENRY SMITH.

The bill (H. R. 12392) granting a pension to Henry Smith was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henry Smith, late acting assistant surgeon, United States Army, and to pay him a pension of $12 per month.

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

HEIRS OF EDWARD N. OLDMIXON.

The bill (H. R. 4853) for the relief of the heirs at law of Edward N. Oldmixon was considered as in Committee of the Whole. It proposes to pay William J. Oldmixon, Edward N. Oldmixon, Mrs. Minnie Reed, and Mrs. Sadie Bazzell, the grandchildren and sole surviving heirs of Edward N. Oldmixon, deceased, late of Escambia County, Fla., the sum of $1,000 for the use and occupation of the land of Edward N. Oldmixon, and the buildings located thereon, by the United States Army about the 22d day of June, 1872, until the present time, for the destruction of buildings thereon, etc.

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

HANNAH MARTHA DUSENBERRY.

The bill (H. R. 12232) granting a pension to Hannah Martha Dusenberry was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 7, after the name "Dusenberry," to strike out "a Mexican war veteran" and insert "late of Texas Volunteers, war with Mexico;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Hannah Martha Dusenberry, the widow of John E. Dusenberry, late of Texas Volunteers, war with Mexico, and pay her a pension at the rate of $8 per month.

Mr. GALLINGER. I ask that the amendment be disagreed to.

The amendment was rejected.

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

ISAAC H. DUVALL.

The bill (H. R. 1769) granting an increase of pension to Isaac H. Duvall was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Isaac H. Duvall, late brigadier-general, United States Volunteers, and to pay him a pension of $50 per month in lieu of that he is now receiving.

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

CHARLES ALFRED DE ARNAUD.

The bill (H. R. 5644) granting an increase of pension to Charles Alfred De Arnaud was announced as the next bill in order on the Calendar.

Mr. COCKRELL. I object to the bill. Let it go over.

The PRESIDENT pro tempore. It will go over.

JAMES HICKEY.

The bill (H. R. 13568) granting an increase of pension to James Hickey was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James Hickey, late of Company G, Fourth Regiment Michigan Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

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

THOMAS J. KERSTETTER.

The bill (H. R. 12939) granting an increase of pension to Thomas J. Kerstetter was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Thomas J. Kerstetter, late of Companies E and B, Twelfth Regiment United States Infantry, and to pay him a pension of $50 per month in lieu of that he is now receiving.

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

EZEKIEL DAWSON.

The bill (H. R. 12507) granting an increase of pension to Ezekiel Dawson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Ezekiel Dawson, late assistant surgeon Third Regiment Delaware Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

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

MILBRE V. DOUGLASS.

The bill (H. R. 7354) granting an increase of pension to Milbre V. Douglass was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Milbre V. Douglass, late of Company F, Sixty-seventh Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of $40 per month in lieu of that he is now receiving.

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

JOHN G. BARR.

The bill (H. R. 7055) granting a pension to John G. Barr, was considered as in Committee of the Whole. It proposes to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John G. Barr, late of Company F, Seventy-fourth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $12 per month.

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

WILLIAM H. H. BOUSLOUGH.

The bill (H. R. 5645) granting an increase of pension to William H. H. Bouslough was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William H. H. Bouslough, late of Company D, Thirty-eighth Regiment Pennsylvania Volunteer Infantry, and Company F, One hundred and sixty-ninth Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of $12 per month in lieu of that he is now receiving.

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

ALFRED H. JONES.

The bill (H. R. 1730) granting an increase of pension to Alfred H. Jones was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Alfred H. Jones, late of Company B, Sixty-third Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of $50 per month in lieu of that he is now receiving.

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

ELIJAH BAXTER.

The bill (H. R. 4132) granting an increase of pension to Elijah Baxter was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Elijah Baxter, late of Company M, One hundred and fifty-second Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

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

LEVI C. MANN.

The bill (H. R. 4193) granting a pension to Levi C. Mann was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Levi C. Mann, late of Company A, Seventh Regiment Illinois Volunteer Cavalry, and to pay him a pension of $12 per month.

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

MARIA E. HAMILL.

The bill (H. R. 6409) granting a pension to Maria E. Hamill was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Maria E. Hamill, widow of William Hamill, late of Company E, One hundred and seventeenth Regiment Illinois Volunteer Infantry, and to pay her a pension of $12 per month.

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

LEWIS BLACK.

The bill (H. R. 364) granting an increase of pension to Lewis Black was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Lewis Black, late of Company G, Thirty-second Regiment Ohio Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

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

CHARLES W. LITTLE.

The bill (H. R. 3648) granting an increase of pension to Charles W. Little was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charles W. Little, late of Company C, Third Regiment Vermont Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

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

NELLIE T. P. KOEHLER.

The bill (H. R. 10334) granting an increase of pension to Nellie T. P. Koehler was considered as in Committee of the Whole.

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

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Nellie T. P. Koehler, widow of Edgar F. Koehler, late first lieutenant, Ninth United States Infantry, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The amendment was agreed to.

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

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

The bill was read the third time, and passed.

MARY L. CRAMER.

The bill (H. R. 2163) granting an increase of pension to Mary L. Cramer was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions, with an amendment, in line 9, before the word "dollars," to strike out "twenty" and insert "fifteen," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary L. Cramer, widow of Upton F. Cramer, late of Company D, One hundred and sixty-fourth Regiment Ohio National Guard Infantry, and pay her a pension at the rate of $15 per month in lieu of that she is now receiving.

The amendment was agreed to.

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

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

The bill was read the third time, and passed.

PETER M. HILL.

The bill (H. R. 4588) granting an increase of pension to Peter M. Hill was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Peter M. Hill, late lieutenant and captain of Company A, Fifth Regiment Ohio Volunteer Cavalry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

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

JOHN A. HARDY.

The bill (H. R. 9843) granting an increase of pension to John A. Hardy was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John A. Hardy, late of Company H, Third Ohio Volunteers, Mexican war, and to pay him a pension of $12 per month in lieu of that he is now receiving.

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

WILLIAM N. HALL.

The bill (H. R. 12386) granting an increase of pension to William N. Hall was considered as in Committee of the Whole. It proposes to place upon the pension roll the name of William N. Hall, late quartermaster-sergeant, Fifteenth United States Infantry, war with Mexico, and to pay him a pension of $20 per month in lieu of that he is now receiving.

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

ELIZABETH REYNOLDS.

The bill (H. R. 12732) granting an increase of pension to Elizabeth Reynolds was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Elizabeth Reynolds, widow of Roddie Reynolds, late acting master's mate, United States Navy, and to pay her a pension of $20 per month in lieu of that she is now receiving.

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

SAMUEL A. NEEDHAM.

The bill (H. R. 12816) granting an increase of pension to Samuel A. Needham was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Samuel A. Needham, late of Company I, Ninth Regiment Ohio Volunteer Cavalry, and to pay him a pension of $17 per month in lieu of that he is now receiving.

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

HEIRS OF JOSEPH T. STOUT.

The bill (H. R. 10001) for the relief of the heirs of Joseph T. Stout was considered as in Committee of the Whole. It proposes to pay to Alfred Ford, executor of the last will and testament of Joseph T. Stout, late of Cecil County, Md., $792.56, in full payment for certain unregistered United States bond, with unpaid coupons, stolen from Joseph T. Stout.

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

ELIZA R. CRAWFORD.

The bill (H. R. 4120) to pay Eliza R. Crawford the amount of a United States loan certificate issued in 1779 was announced as the next business in order on the Calendar.

Mr. ALDRICH. I think that had better go over.

Mr. WARREN. I think the unanimous-consent agreement requires the reading of a bill, and then the objection can be made after it has been read. I should like to have this bill read.

Mr. ALDRICH. I am willing to object to it on the title.

The PRESIDENT pro tempore. If the Senator from Wyoming desires it to be read, the bill will be read.

Mr. ALDRICH. It relates to a loan certificate issued in 1779. It seems to me that is a good while ago.

The Secretary read the bill.

Mr. ALDRICH. I renew my objection.

The PRESIDENT pro tempore. The bill goes over.

LEGAL REPRESENTATIVES OF EDWIN DE LEON.

The bill (H. R. 2617) for the relief of the legal representatives of Edwin De Leon, deceased, for $8,000 due him for judicial services, was considered as in Committee of the Whole.

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

Mr. PLATT of Connecticut. If the title is changed, does the bill go back to the House?

Mr. GALLINGER. Certainly.

Mr. PLATT of Connecticut. The title ought to be changed, because it asserts that $8,000 is due for judicial services. I move to amend the title of the bill so as to read: "claimed for judicial services."

The PRESIDENT pro tempore. The title will be amended as suggested by the Senator from Connecticut.

The title was amended so as to read:

A bill for the relief of the legal representatives of Edwin De Leon, deceased, for $8,000 claimed by him to be due for judicial services.

MARGARET L. B. PARSONS.

The bill (H. R. 13998) granting an increase of pension to Margaret L. B. Parsons was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Margaret L. B. Parsons, widow of Charles C. Parsons, late captain, Fourth Regiment United States Artillery, and to pay her a pension of $20 per month in lieu of that she is now receiving.

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

ARLINE E. M'NUTT.

The bill (H. R. 12747) granting a pension to Arline E. McNutt was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Arline E. McNutt, widow of James McNutt, late acting assistant surgeon, United States Army, and to pay her a pension of $8 per month and $2 per month additional for the minor child of the officer, such additional pension to cease upon the arrival of the child at the age of 16 years.

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

ARMILDA J. LUTTRELL.

The bill (H. R. 7321) granting a pension to Armilda J. Luttrell was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Armilda J. Luttrell, widow of Samuel Luttrell, late teamster in Quartermaster's Department, United States Army, war with Mexico, and to pay her a pension of $8 per month.

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

SAMUEL BAUGHMAN.

The bill (H. R. 9503) granting an increase of pension to Samuel Baughman was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Samuel Baughman, late of Company C, Sixty-sixth Regiment Illinois Volunteer Infantry, and to pay him a pension of $16 per month in lieu of that he is now receiving.

Mr. GALLINGER. I move, in line 8, to strike out "sixteen," before the word "dollars," and insert "twelve."

The amendment was agreed to.

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

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

The bill was read the third time, and passed.

ADMINISTRATOR OF MARY R. FROST.

The bill (H. R. 3696) for the relief of the administrator of Mary R. Frost, deceased, was considered as in Committee of the Whole. It authorizes the Secretary of the Treasury to redeem, in favor of the administrator of the estate of Mary R. Frost, certain United States 4½ per cent registered bonds, with interest accrued and unpaid to the date of their maturity, the bonds having been lost in the mails after having been assigned in blank.

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

MARY A. TUNIS.

The bill (H. R. 12304) granting an increase of pension to Mary A. Tunis was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary A. Tunis, widow of Nehemiah Tunis, late captain of Company K, Fifteenth

Regiment New Jersey Volunteer Infantry, and to pay her a pension of $20 per month in lieu of that she is now receiving.

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

MARY BARRON.

The bill (H. R. 7072) granting a pension to Mary Barron was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary Barron, widow of Francis Barron, late of the Third Battery, Iowa Volunteer Light Artillery, and to pay her a pension of $8 per month and $2 per month additional for the surviving minor child of the soldier until such child shall have arrived at the age of 16 years.

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

KATY KURTH.

The bill (H. R. 7688) granting a pension to Katy Kurth was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Katy Kurth, the helpless and dependent daughter of George Kurth, late of Company I, Eighteenth Regiment Wisconsin Volunteer Infantry, and to pay her a pension of $12 per month.

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

ELLEN PRATT.

The bill (H. R. 13173) granting an increase of pension to Ellen Pratt was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Ellen Pratt, widow of Albert Pratt, late of Company B, Fourth Regiment United States Artillery, war with Mexico, and to pay her a pension of $12 per month in lieu of that she is now receiving.

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

ARTHUR CONNELL.

The bill (H. R. 573) for the relief of Arthur Connell was considered as in Committee of the Whole. It proposes to pay to Arthur Connell, of Lynchburg, Va., $2,050, that amount having been collected by the Treasury agents of the United States from property belonging to Arthur Connell in Memphis, Tenn., and by them turned over to the Treasury Department.

Mr. PLATT of Connecticut. What is the amount involved?

The PRESIDENT pro tempore. Two thousand and fifty dollars.

Mr. TELLER. I will say that a similar bill has heretofore passed the Senate and the House.

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

J. A. B. MILES AND OTHERS.

The bill (H. R. 8032) to reimburse J. A. B. Miles, E. D. Kelly, and Rawlings Webster was considered as in Committee of the Whole. It proposes to pay to James A. B. Miles $200, to E. D. Kelly $328.02, and to Rawlings Webster $440.79 as a reimbursement to them for moneys paid to the United States internal-revenue collector at Brooklyn, N. Y., to cover shortage in the adhesive-stamp account in the internal-revenue department in Brooklyn, N. Y., the shortage not having been caused by any malfeasance or dishonesty on their part.

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

HOME FOR AGED AND INFIRM COLORED PEOPLE.

Mr. CHANDLER. I desire to inquire what disposition has been made of the bill (H. R. 10305) to provide a home for aged and infirm colored people. I was called out of the Senate by the business of the Senate. I am very anxious to have that bill passed, and I ask that the Senate may recur to it and consider and act upon it. The bill has been read, I am informed.

Mr. TELLER. It went over under objection.

Mr. ALDRICH. It went over on objection under the rule.

The PRESIDENT pro tempore. Objection was made, and the bill went over.

Mr. CHANDLER. I want to appeal to the Senator who made the objection to that bill to withdraw his objection, if he will. It gives $100,000 for a colored people's home in this city. The money is to be taken from money which would have accrued——

Mr. JONES of Arkansas. I rise to a question of order.

Mr. CHANDLER. The Senator will do me the kindness to allow me to finish the sentence?

Mr. JONES of Arkansas. I hope the Senator does not want to violate the unanimous-consent agreement, by debating a matter which has already gone over.

Mr. CHANDLER. I do not. I wish to make a request for unanimous consent, if the Senator from Arkansas and the Senator who objected to the bill will allow it to be passed. If the Senator persists in his objection, I will say to the Senator from Arkansas that of course I shall not endeavor——

Mr. JONES of Arkansas. I do not know whether the Senator who objected will persist in his objection or not, but I will if he he does not.

The PRESIDENT pro tempore. Objection is made, and the bill goes over.

Mr. CHANDLER. One moment. I ask to have printed in the RECORD a petition of the colored people praying for the passage of this bill, and the signatures to it. It is very brief, and the signatures are those of the very best and most influential colored people in this country. I ask that it may be printed in the RECORD.

The PRESIDENT pro tempore. Is there objection. The Chair hears none, and the order is made.

The petition referred to is as follows:

C.

We, the undersigned citizens, renew our petition to the Congress of the United States, praying for action upon the subject to provide a national memorial home for the aged and infirm colored people of the United States out of the money now lying in the Treasury which is legally and justly due to the colored people of the country, as shown by the reports made by Congress in the Fifty-third, Fifty-fourth, and Fifty-fifth Congresses, and as this subject was favorably considered in the Fifty-third, Fifty-fourth, and Fifty-fifth Congresses, passed the Senate in the Fifty-fifth Congress, and was reported favorably in the House, and only failed for the lack of time; and as the proposed institution is much needed for the aged and infirm of our people, we pray, therefore, that it may have immediate action of the Fifty-sixth Congress.

A. WALTERS.
Chairman Afro-American Council.

Done by order of National Afro-American Council.

REV. W. E. ROBINSON, *President*,
REV. E. V. HARE, *Secretary*,
Ministers' Conference for Newark, N. J., and Vicinity.

W. Bishop Johnson, pastor Second Baptist Church, Washington, D. C., for the New Jersey Annual Conference; A. M. E. Zion Church, A. Walters, chairman; W. H. Davenport, secretary; J. B. Small, bishop, A. M. E. Zion Church; Rev. Geo. W. Long, pastor Union A. M. E. Church, East Eighty-fifth street, New York City, N. Y.; Rev. A. P. Miller, pastor Lincoln Memorial Congregational Church, Washington, D. C.; Rev. Isaac L. Thomas, pastor Asbury M. E. Church, Washington, D. C.; Francis J. Grimke, pastor Fifteenth Street Presbyterian Church, Washington, D. C.; G. F. T. Cook, superintendent public schools, Washington, D. C.; Walter H. Brooks, pastor Nineteenth Street Baptist Church, Washington, D. C.; J. Albert Johnson, pastor Metropolitan A. M. E. Church, Washington, D. C.; J. W. Hood, bishop, A. M. E. Church; Lewis Day Williams, secretary New York Annual Conference A. M. E. Zion Church; J. A. Taylor, pastor of Shiloh Baptist Church; Rev. W. Henry Snowden, presiding elder, A. M. E. Zion Church; Rev. W. A. M. Cypres, pastor John Wesley Church, Washington, D. C.; Wm. Troy, Seventh Baptist Church, Camden, N. J.; J. W. Smith, editor of Star of Zion, Charlotte, N. C.; G. W. Kincaid, John Wesley Church, Pittsburg, Pa.; R. H. Porter, pastor St. Paul Baptist Church, Harrisburg, Pa.; Marion T. Clinkscales, attorney at law, 505 D street NW.; J. M. Ricks, attorney at law, 507 D street NW.; Wm. Calvin Chase, editor of the Bee; R. S. Smith, attorney at law, 420 Fifth street NW.; James F. Bundy, attorney at law, 420 Fifth street NW.; E. M. Hewlett, attorney at law, 503½ D street NW.; Levi Cromwell, 934 Lombard street, Philadelphia, Pa.; Thos. J. Lewis, 1619 Pine street, Philadelphia, Pa.; Edward Hall, 1318 Wood street, Philadelphia, Pa.; George A. Douglas, attorney at law, Newark, N. J.; Geo. W. Rolerfort, M. D., Newark, N. J.; Jas. S. Gilbert, M. D., Providence, R. I.; William H. Heard, ex-minister to Liberia; John J. Smyer, Boston, Mass.; Geo. W. Cabaniss, M. D., 1906 K street NW., Washington, D. C.; Geo. H. Cardozo, druggist, Washington, D. C.

For the New Jersey Conference of the A. M. E. Church, representing 81 members.

A. GRANT, *Presiding Bishop.*
H. H. PINCKNEY, *Secretary.*

Done by order of the Philadelphia Annual Conference of the A. M. E. Church, representing 123 members.

A. GRANT, *Presiding Bishop.*
H. H. COOPER, *Secretary.*

By order of the Philadelphia and Baltimore annual conference of the African M. E. Zion Church, the annual conference numbering 100 members, with 500,000 members in the whole connection.

C. C. PETTEY, *Bishop.*

Attest:
WM. HOWARD DAY, *Secretary.*
GEO. W. CLINTON, *Bishop Seventh Episcopal District, St. Louis, Mo.*
C. O. WATERS, *pastor, of Derby, Conn.*
WM. H. PHILLIPS, *pastor Shiloh Baptist Church, Philadelphia, Pa.*
CHARLES S. MORRIS, *Secretary New England Baptist Convention.*

The New England Baptist missionary convention, representing about 11,500 members, indorse this movement in behalf of our race.

W. T. DIXON, *President.*

JUNE 19, 1899.

J. N. Burton, Yonkers, N. Y.; Geo. Howard Fletcher, M. D., 1910 Arctic avenue, Atlantic City, N. J.; R. Wm. Fickland, pastor A. M. E. Church, Atlantic City, N. J.; Elijah Jenkins, pastor of the Second Baptist Church, Atlantic City, N. J.; H. De Witt Jones, pastor of the Third Baptist Church, Atlantic City, N. J.; John W. Henderson, pastor Shiloh Baptist Church, Atlantic City, N. J.; Edward W. Roberts, pastor Ebenezer Baptist Church, New Brunswick, N. J.; Rev. Greenberry Smith, pastor of Mount Zion A. M. E. Church, New Brunswick, N. J.; J. M. Henderson, Brooklyn, N. Y.; Prof. C. F. La Farr, Washington, D. C.; Jas. Beckwith, grocier, Newport, R. I.; Isreal Z. King, 57 Hudson street, New Rochelle, N. Y.; Safrania King, 57 Hudson street, New Rochelle, N. Y.; Samuel T. Bayard, 157 Hudson street, New Rochelle, N. Y.; Henry Peel, 59 Winthrop avenue, New Rochelle, N. Y.; Phillisha Peel, 59 Winthrop avenue, New Rochelle, N. Y.; Wm. J. Brown, 25 Anderson street; Wilson Wood, 19 Railroad avenue; Ambrose Randall, 67 Lawton street.

Whereas a petition is being prepared to be presented to the Fifty-sixth Congress of the United States, praying for the immediate action upon the subject of a national memorial home for aged and infirm colored people of the United States; and

Whereas this subject was favorably considered in the previous Congresses and passed the Senate in the Fifty-fifth Congress and only failed in the House for the lack of time; and

Whereas the proposed institution is to perpetuate the memory of deceased colored soldiers, and for the aged and infirm: Therefore, be it

Resolved, That we, the Baptists in the New England convention, do heartily indorse the object, and call on our Representatives in Congress to assist in getting immediate action upon this subject upon the assembling of the Fifty-sixth Congress.

Resolved, That we sign the petition, and forward a copy of these resolutions to the parties who have the control of this subject, and that the president and the secretary of this convention be, and are hereby, authorized to give the number of persons represented by this convention.

E. W. Roberts submitted this matter.

WILLIAM T. DIXON, *President.*
CHARLES S. MORRIS, *Secretary.*

Miss Hattie L. Cox, 61 Fleet place, Brooklyn, N. Y.; Miss Ruth G. Chase, 14½ Bath road, Newport, R. I.; Mary M. Grigg, 33 Hay street, Newport, R. I.; Mrs. William A. Lee, 35 Poplar street; Mary Washington, Pelham road; Carrie Jones, New Rochelle; E. H. Custer, New Rochelle, N. Y.; Richard James, New Rochelle, N. Y.; Julia Trent, 180 Webster avenue, New Rochelle; Mamie Owen, Mrs. Sarah Owen, 536 Main street, New Rochelle; Cora Owen, 19 Railroad avenue, New Rochelle; J. F. Moses, 86 Winthrop avenue, New Rochelle, N. Y.; Nettie Owen, 19 Railroad avenue; Mrs. L. Shepard, 19 Railroad avenue; Christopher Long, 23 Brook street, New Rochelle; Edward Johnson, New Rochelle; Miss Estell White, New Rochelle; Miss Mollie Cooks, 115 Center avenue; Miss E. Wiggins, Pelham Manor, N. Y.; Miss Della Recton, Pelham Manor, N. Y.; Rev. Samuel G. Kelley, Asbury Park, N. J.; William S. Anderson, Asbury Park, N. J.; Rev. M. R. Roscoe, pastor Second Baptist Church, Atlantic Highlands, N. J.; Mr. Jacob J. Owen, 536 Main street, New Rochelle; Rose Manson, 32 Linden place; Mrs. Johanna Wade, 13 Railroad avenue, New Rochelle; Mrs. Lucy J. Burnett, 118 Morris street; Master Leslie Owens, 19 Railroad avenue, New Rochelle; I. T. Burghardt, E street, Great Barrington; Mrs. Elijah L. Austyn, Great Barrington, Mass.; Miss Irene Chinn, Great Barrington, Mass.; Mr. Robert Finley, Great Barrington, Mass.; Mrs. Wm. L. Chinn, Great Barrington, Mass.; Mrs. Fannie Wanzet, Great Barrington, Mass.; Maria C. Burghardt, Great Barrington, Mass.; Rev. H. G. Miller, pastor Mount Tabor Presbyterian Church, secretary of the Preachers' Meeting, New York, N. Y., 122 East One hundred and fourth street, New York City, N. Y.; Chas. W. West, Danville, Va.; W. H. Gaines, pastor Roberts's Chapel M. E. Church, Alexandria, Va.; Mrs. C. E. Dockette, Pittsburg, Pa.; C. H. Baxter, Steelton, Pa.; John Quincy Adams, Harrisburg, Pa.; Joseph H. Thomas, pastor A. M. E. Church, representing 500; L. Melendez King, 609 F Street NW., Washington, D. C.; J. L. Bullock, M. D., Greensboro, N. C.; Jas. A. Smod A. and M. College, Greensboro, N. C.; Jno. H. M. Butler, instructor A. and M. College, Greensboro, N. C.; Katie R. Truman, city schools, Durham, N. C.; W. S. Craig, proprietor of Peadmont House, Greensboro, N. C.; Jas. B. Dudley, president A. and M. College, Greensboro, N. C.; A. M. Moore, M. D., Durham, N. C.; J. A. Dodson, A. B., Ph. G., Durham, N. C.; P. H. Smith, late captain Company H, Third North Carolina Volunteer Infantry, Durham, N. C.; L. W. Wilson, agent for the P. B. and Relief Association; J. R. Walker, Durham, N. C.; E. W. Cannady, attorney at law, Durham, N. C.; John Scercy, Durham, N. C.; Rev. L. D. Twine, S. S. of Presbyterian Church, house 103 Roxboro street, Durham, N. C.; W. H. White, grocer, Durham, N. C.; Wm. C. Jenkins, Durham, N. C.; Cora D. Truman, Durham, N. C.; A. Beavers, weigher, Durham, N. C.; Mary J. Beavers, seamstress, Durham, N. C.; Rev. J. R. Shepard, Durham, N. C.; Jas. E. Shepard, deputy collector internal revenue, Raleigh, N. C.; Rev. W. A. Jones, box 322, Raleigh, N. C., pastor of Baptist Church at Selma, Clayton, Forestville, and Muse, N. C.; James H. Young, late colonel Third North Carolina Volunteer Infantry, Raleigh, N. C.; James D. Pair, principal Good Hope High School, Shotwell, N. C.; E. A. Johnson, Raleigh, N. C., chairman Republican executive committee, Fourth Congressional district North Carolina, and vice-president Coleman-Collin mill; H. P. Lamb, attorney, Raleigh, N. C.; H. A. Christmas, late first lieutenant, Third North Carolina Regiment, Raleigh, N. C.; L. A. Scruggs, Raleigh, N. C.; R. H. Rhodes, Raleigh, N. C.; John L. Council, Pittsboro, Chatham County, N. C., merchant and barber; Resa Sanby Akins, Raleigh, N. C., preacher of the gospel; Elbert Evans, Lochinvar street, waterworks and plumbing; J. J. Worlds, pastor First Baptist Church, Raleigh, N. C.; Mrs. J. J. Worlds; J. H. Bell, pastor First A. M. E. Z. Church, Goldsboro, N. C.; J. W. Dew, pastor First African B. Church, Goldsboro, N. C.; L. T. Christmas, ex-member legislature of North Carolina; Rev. W. W. Lewis, pastor of Neuse River circuit, A. M. E. Z., Goldsboro, N. C.; James Hogans, grocer, Goldsboro, N. C.; M. W. Aldridge, Goldsboro, N. C.; John B. Darden, Goldsboro, N. C.; Elsie Pate, Goldsboro, N. C.; J. L. Nixon, grocer, Goldsboro, N. C.; E. E. Smith, principal State Normal School, Goldsboro, N. C.; Annie E. Hill, Goldsboro, N. C.; Phebie C. Smith, teacher, Goldsboro, N. C.; Rev. H. M. Maloy, Goldsboro, N. C., pastor of Baptist Church, Newbern; A. L. E. Weeks, Mount Olive, N. C., agent K. V. Co.; C. A. Whitehead, Goldsboro, N. C.; Jas. E. Fort, M. D., Goldsboro, N. C.; J. F. Yelverton, restaurant, Goldsboro, N. C.; Jno. H. Love, pastor of St. Peter's Church, George street, Newbern, N. C.; H. P. Walker, pastor of Clinton Chapel A. M. E. Zion Church, Newbern, N. C.; Jas. D. Barfield, merchant, Newbern, N. C.; J. E. & R. O'Hara, attorneys, Newbern, N. C.; W. W. Lawrence, justice of the peace and notary public, Newbern, N. C.; Peter Fisher, jr., insurance agent, Newbern, N. C.; Abram Hangett, Newbern, N. C., pastor of Disciples Church; Samuel L. Mann, Newbern, N. C.; Willie Wells, Newbern, N. C.; Rev. Miles Sperrill, pastor of Shiloh Baptist Church, James City, N. C.; P. J. Lee, United States claim agent, Newbern, N. C.; John S. Johnson, Star of Hope Church, and members, Newbern, N. C.; F. L. Lassiter, M. D., Newbern, N. C.; C. C. Whitley, M. D., Newbern, N. C.; J. P. Stanly, constable, Newbern, N. C.; J. P. Jones, pastor M. E. Church, Newbern, N. C.; Alexander Hill, pastor of A. M. E. Zion Church, Trenton, N. C.; Henry G. Aylor, Trenton, N. C.; Leslie Binney, Newbern, N. C., merchant; James B. Robinson, Newbern, N. C., merchant; W. A. Byrd, pastor of Ebenezer Presbyterian Church, Newbern, N. C.; John H. Fisher, cashier The M. A. B. Co., Newbern, N. C.; D. P. Seaton, pastor of St. John's A. M. E. Church, Norfolk, Va.; N. L. E. Gregory, Haddonfield, N. J.; Frederick Denslow Height, 1432 Broadway, New York City; George Butler, 8 Spruce street; James Jefferson, Byron Gunner, pastor Union Congregational Church, Cicely Gunner, Jefferson Marrow, T. J. Giles, Sarah C. Rice, John L. Love, M. E. Simmons, V. A. Simmons, Ruth C. Johnson, Newport, R. I.; W. Montgomery, J. A. Bryant, W. R. Russell, J. R. Henrie, W. R. Johnson, David Mason, New York City; James Johnson, John Davis, Jim Hayward, Edward Grant, C. D. Williams, C. H. Bolden, New York; John A. Pernell; George H. Gant, De Lina Brown, New York; Elijah Richarsdon, pastor, Gideon Spence, Agnes Nightengale, Silvia Barco, Alphonso D. Johnson, Lucas A. Johnson, Jasper Hicks, Samuel Bailey, Susan Madison, Charlie J. Trent, Irene Gray, Hattie Gray, S. M. Haskins, Mabel Ruth Jones, Mrs. M. Grigg, Miss M. M. Grigg, Miss A. Gray, Mrs. Ida Spence, Agnes E. Thompson, Mrs. M. Gaines, Miss L. Jackson, Mrs. Quintina Thomas, William Nightingale, Newport, R. I.; Walter C. Weeds; Peter R. Lee, L. J. Montague, Fred W. Hinton, J. Henderson Allston, Frank W. Wallace, Andrew J. Fassitt, William H. Hardy, James Saunders, F. G. Mahoney, S. H. Berkeley, James R. Borner, Edgar Shepherd, Walter J. Stevens, I. D. Barnett, Boston, Mass.; Prof. John H. Coates, John Scott, Richard G. Brown, James H. Clark, William H. Cook, Ida Carey, Beverly Tibbs, Worcester, Mass.; W. M. Dowden, Hartford, Conn.; J. Sulla Cooper, pastor Zion Church, Hartford, Conn.; G. Grant Williams, 209 Pearl street, Hartford, Conn.; Wm. George Wilson, 5 Wolcott street, Hartford, Conn.; J. H. Parker, Hartford, Conn.; W. H. Munce, Hartford, Conn.; Isaiah F. Evans, president State Sumner League of Connecticut, 88 Fairmount street, Hartford, Conn.; J. A. Curtis, Hartford, Conn.; Clarence Page, Washington, D. C.; Lincoln Cole, Washington, D. C.; Eugene L. Henderson, Hillsboro, N. C.; Chas. H. Brown, Bridgeport, Conn.; Alfred M. Johnson, Bridgeport, Conn.; Wm. H. R. Jackson, New Haven, Conn.; G. L. Pickett, New Haven, Conn.; Walter S. Miller, attorney-at-law, New Haven, Conn.; Councilman Moses T. Rice, New Haven, Conn.; H. E. Manning, sign painter, New Haven, Conn.; James W. H. Stewart, caterer and restaurant, New Haven, Conn.; E. A. Beaulah, broker, 82 Church street, New Haven, Conn.; Saml. J. Brown, Nat. Grand Sire I. O. of G. S. and D. of S., New Haven, Conn.; Geo. E. Morris, 7 Center street, Morristown, N. J.; J. B. Seldon, 5 Center street, Morristown, N. J.; John T. Chapman, 12 Willow street, Morristown, N. J.; Lee Bracey, 22 Willow street, Morristown, N. J.; M. W. Grant, 31 Willow street, Morristown, N. J.; Hallie Taylor, Morristown, N. J.; Jannie Taylor, Morristown, N. J.; F. P. Fiske, Philadelphia; Edward Keetley, Philadelphia; George H. Wilson, 1130 Lombard street, Philadelphia; Theodore A. Bradford, Philadelphia, Pa.; William H. Richards; J. H. Wiley, 98 Kendall street, Boston, Mass.; Ella Jewell, Cambridge, Mass.; Fannie Wright, Cambridge, Mass.; Addie H. Jewell, Cambridge, Mass.; L. C. Parrish, pastor of Zion Baptist Church, Lynn, Mass.; Geo. Wndl. Pinkney, Washington, D. C.; Allie M. Lightfoot; A. H. Johnson, M. D., Washington, D. C.

MERIWETHER SNUFF AND TOBACCO COMPANY.

The bill (H. R. 2659) for the relief of Meriwether Snuff and Tobacco Company, at Clarksville, Tenn., was considered as in Committee of the Whole. It proposes to reimburse Meriwether Snuff and Tobacco Company, manufacturers of snuff and plug and smoking tobacco, at Clarksville, Tenn., for $3,093.48 expended by that corporation for revenue stamps, and which were destroyed while affixed to 60,000 6-ounce bottles of snuff, 9,552 4-ounce bottles of snuff, 13,896 4-ounce cans of snuff, etc.

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

HEIRS OF MRS. TELLISSE W. WILSON.

The bill (H. R. 427) for the relief of heirs of Mrs. Tellisse W. Wilson was read.

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

Mr. PLATT of Connecticut. I should like to object for the present. Perhaps I will withdraw my objection when I can find what the nature of the claim is.

Mr. TELLER. I wish to say to the Senator——

Mr. PLATT of Connecticut. Is there a House report? I only want to examine the House report.

Mr. TELLER. There is. I have the report here.

Mr. PLATT of Connecticut. Let it lie for a moment. I want to look at the report. [A pause.] I withdraw my objection.

There being no objection, the bill was considered as in Committee of the Whole. It proposes to pay to the heirs of Tellisse W. Wilson, late a resident of Corinth, Miss., $4,419.15 for property taken and used by the United States Army at Corinth, Miss., during the war of the rebellion.

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

J. P. OUZTS.

The bill (H. R. 8946) to pay to J. P. Ouzts $209.50 for services as deputy collector of internal revenue for the district of South Carolina was considered as in Committee of the Whole.

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

AUSTIN A. YATES.

The bill (H. R. 6591) for the relief of Austin A. Yates was considered as in Committee of the Whole. It directs the proper accounting officers of the Treasury to settle the accounts of Austin A. Yates, late captain, Fourteenth Veteran Reserve Corps, and to give him credit for the sum of $13,537.50, charged to him on the books of the Second Auditor's Office, that sum having been stolen from the safe of his office at Syracuse, N. Y., on the night of March 25, 1865, while he was acting provost-marshal of the Twenty-third district of New York.

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

JANE HUNTER.

The bill (H. R. 7995) granting a pension to Jane Hunter was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Jane Hunter, the dependent and helpless daughter of Thomas Hunter, late of Company D, One hundred and eleventh Regiment New York Volunteer Infantry, and to pay her a pension of $12 per month.

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

CHARTERS OF NATIONAL BANKS.

The bill (H. R. 12333) to provide for the extension of the charters of national banks was announced as next in order.

Mr. PETTIGREW. Let that go over.

Mr. ALDRICH. Will the Senator allow me to make a statement, not to take a minute?

Mr. PETTIGREW. Certainly.

Mr. ALDRICH. The present charters of the national banks expire from time to time, commencing July 14, 1902. The law is that new plates shall be issued to all banks in extending their charters. The preparation of these plates will take nearly a year, and it is desirable that this bill should be passed at this session. There can be no objection to it. It is simply a matter of form, as certainly the time of the charters will be extended in the next Congress.

Mr. PETTIGREW. Mr. President, I do not believe the charters ever ought to have been issued, and I am certainly opposed to their ever being renewed. I believe the system is a pernicious one and has a tendency to breed panic, to expand the currency when it ought to be contracted and to contract it when it ought to be expanded. Japan adopted this system and after thorough investigation repealed the law, and for this very reason.

Under this system, which is a branch of our financial system, the banks can produce a panic whenever they please and wreck the property of this country or of any other country where the system exists. The subject ought to be studied and thoroughly investigated. These charters never should be renewed, and a remedy should be offered by which we could have an elastic currency rather than one which produces too much when there is already too much, and too little when there is already too little, and puts the control of the volume of the money of the country in the hands of a combination of national bankers. I therefore object to the bill.

The PRESIDENT pro tempore. The bill goes over.

MELVINA GREENAWALT.

The bill (H. R. 3491) granting a pension to Melvina Greenawalt was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Melvina Greenawalt, widow of Abraham Greenawalt, late of the Quartermaster's Department, United States Army, and to pay her a pension at the rate of $12 per month.

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

DEVISEES OF CASPER BARBER.

The bill (H. R. 11830) for the relief of the devisees of Casper Barber and their assigns from the operation of the act restricting the ownership of real estate in the Territories and the District of Columbia to American citizens was considered as in Committee of the Whole.

The bill was reported from the Committee on the District of Columbia with an amendment, in line 4, after the name "Casper Barber," to insert "and to George E. King;" so as to make the bill read:

Be it enacted, etc., That all real estate lying in the District of Columbia heretofore purchased by and conveyed to Casper Barber and to George E. King, of said District, prior to the passage of this act be relieved and exempted from the operation of an act entitled "An act to restrict the ownership of real estate in the Territories to American citizens," approved March 3, 1887, and all forfeitures incurred by force of said act are in respect of such real estate hereby remitted.

The amendment was agreed to.

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

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

The bill was read the third time, and passed.

ELIZABETH M. KILLEN.

The bill (H. R. 11303) granting a pension to Elizabeth M. Killen was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Elizabeth M. Killen, the dependent and helpless daughter of James Killen, late of Company D, Tenth Regiment Indiana Volunteer Infantry, and to pay her a pension of $12 per month.

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

ELIZABETH CAUSEY.

The bill (H. R. 7202) granting a pension to Elizabeth Causey was considered as in Committee of the Whole.

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

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Elizabeth Causey, widow of Ajax Causey, late of Company K, Eighteenth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Wiley Causey, helpless and dependent child of said Ajax Causey, the additional pension herein granted on account of such child shall cease and determine.

The amendment was agreed to.

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

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

The bill was read the third time, and passed.

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

WILLIS BRADY.

The bill (H. R. 12801) granting a pension to Willis Brady was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Willis Brady, late of Company F, Ninth Regiment Missouri Volunteer Infantry, and to pay him a pension of $12 per month.

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

PENSIONS OF CERTAIN WIDOWS.

Mr. GALLINGER. The bill (H. R. 9886) to restore certain widows to the pension roll was objected to by the Senator from Connecticut [Mr. PLATT] on the ground that as the bill was to be amended it probably would not get consideration in the House. I am assured that it will be considered in the House if it is passed, and I now ask that we recur to that bill and take it up.

Mr. PETTIGREW. Is that a Senate bill?

Mr. GALLINGER. It is a House bill. It is the first House bill on the Calendar.

The PRESIDENT pro tempore. The bill will be read.

The bill (H. R. 9886) to restore certain widows to the pension roll was read and considered as in Committee of the Whole.

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

That section 4708 of the laws of the United States governing the granting of Army and Navy pensions be, and the same is, amended to read as follows:

The remarriage of any widow, dependent mother, or dependent sister entitled to pension shall not bar her right to such pension to the date of her remarriage, whether an application therefor was filed before or after such marriage; but on the remarriage of any widow, dependent mother, or dependent sister having a pension, such pension shall cease: *Provided, however*, That any widow who was the lawful wife of any officer or enlisted man in the Army, Navy, or Marine Corps of the United States during the period of his service in any war, and whose name was placed or shall hereafter be placed on the pension roll because of her husband's death as the result of wound or injury received or disease contracted in such military or naval service, and whose name has been or shall hereafter be dropped from said pension roll by reason of her marriage to another person who has since died or shall hereafter die, or from whom she has been heretofore or shall be hereafter divorced, upon her own application and without fault on her part, and if she is without means of support other than her daily labor as defined by the acts of June 27, 1890, and May 9, 1900, shall be entitled to have her name again placed on the pension roll at the rate now provided for widows by the acts of July 14, 1862, March 3, 1873, and March 19, 1886, such pension to commence from the date of the filing of her application in the Pension Bureau after the approval of this act: *And provided further*, That where such widow is already in receipt of a pension from the United States she shall not be entitled to restoration under this act: *And provided further*, That where the pension of said widow on her second or subsequent marriage has accrued to a helpless or idiotic child, or a child or children under the age of 16 years, she shall not be entitled to restoration under this act unless said helpless or idiotic child, or child or children under 16 years of age, be then a member or members of her family and cared for by her, and upon the restoration of said widow the payment of pension to said child or children shall cease.

SEC. 2. No claim agent or other person shall be entitled to receive any compensation for services in making application for pension under this act.

Mr. SULLIVAN. I should like to hear read the report made in connection with that bill.

Mr. GALLINGER. Will the Senator from Mississippi allow me to make a brief statement?

Mr. SULLIVAN. Certainly.

Mr. GALLINGER. This bill proposes to relieve the Committee on Pensions and Congress from passing a large number of private bills. We probably have passed twenty-five or thirty bills of this nature this year.

It simply provides that where a woman who was the wife of a soldier during the war has remarried and becomes a widow again, and is in utter destitution, she may be placed upon the pension roll at the rate she was receiving at the date of her remarriage. We are passing such private bills; there is no objection to them. This bill will simply send the matter to the Pension Bureau, and there will not be any more of them pensioned there than were pensioned here. It is a very meritorious measure, and it ought to be passed.

Mr. SULLIVAN. As I understand the Senator, then, this provision is that after she becomes a widow the second time and is left in poverty she may receive her former widow's pension?

Mr. GALLINGER. Yes; when she is in absolute poverty.

Mr. HOAR. I should like to ask the Senator from New Hampshire if ever such an application has been denied by Congress?

Mr. GALLINGER. I know of no instance. Let the bill be put on its passage.

The PRESIDENT pro tempore. The question is on agreeing to the committee amendment which has been read.

The amendment was agreed to.

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

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

The bill was read the third time, and passed.

The title was amended so as to read: "An act amending section 4708 of the Revised Statutes of the United States in relation to pensions to remarried widows."

ESTATE OF PATRICK KAVANAGH.

The bill (H. R. 13068) to waive and release all claims of the United States by way of escheat to the real estate in the District of Columbia of which Patrick Kavanagh or his sons, Charles W. Kavanagh and William Kavanagh, died seized, was announced as next in order.

Mr. McCOMAS. I ask that that bill may be passed. It has passed the House.

The Secretary read the bill, and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

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

PROOF OF EXECUTION OF WILLS.

The bill (H. R. 12331) to amend an act entitled "An act conferring on the supreme court of the District of Columbia jurisdiction to take proof of the execution of wills affecting real estate, and for other purposes," approved June 8, 1898, was read.

Mr. PETTIGREW. I object to that bill.

Mr. McCOMAS. I hope the Senator will not object. It simply allows unknown heirs to be included in a partition.

Mr. PETTIGREW. I shall insist on my objection at present.

The PRESIDENT pro tempore. The Senator from South Dakota objects, and the bill will be passed over.

AMERICAN FLORISTS AND ORNAMENTAL HORTICULTURISTS.

The bill (H. R. 13609) to incorporate the Society of American Florists and Ornamental Horticulturists within the District of Columbia was read.

Mr. PETTIGREW. I should like to know the necessity of this legislation. It seems to me these people can incorporate under existing law. If they can not, they certainly can under the code which we have just passed.

Mr. PROCTOR. This is a matter that has once passed the Senate in a more enlarged shape. Foreign countries generally have such bodies, and it is a great aid to the horticulturists of this country to have an official organization. It enables them to correspond and exchange seeds and flowers. It seems to me a very laudable purpose, and the bill is well guarded. There are scores of precedents for such incorporations. It is limited to the District of Columbia. There is to be no stock. It is to be supported by voluntary contributions.

Mr. PETTIGREW. I shall not object if the bill is amended by a provision that they shall not erect any building upon any of the parks of the city. With such an amendment I shall not object; otherwise I shall. I understand that several years ago we did pass a law giving a tract of land for a flower market, and if this is for the purpose of incorporating a company to occupy that park I object to it.

Mr. PROCTOR. It has no connection with it whatever.

Mr. PETTIGREW. The next thing they will be building a market for flowers, and so on, and occupy one more park in the city.

Mr. PROCTOR. There is no such purpose. The bill has no connection with that former proposition.

Mr. PETTIGREW. Then there will be no objection to my amendment.

The Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. PETTIGREW. I move to add the following proviso:

Provided, however, That this corporation shall not be permitted to occupy any of the parks of the city of Washington.

Mr. PROCTOR. I do not object to that amendment, if the Senator insists upon it.

Mr. PETTIGREW. I do insist upon it, because I know that will follow if we do not amend the bill.

Mr. COCKRELL. Insert the amendment at the end of line 14, page 3.

The SECRETARY. At the end of line 14, page 3, insert:

Provided, That this corporation shall not be permitted to occupy any of the parks of the city of Washington.

The amendment was agreed to.

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

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

The bill was read the third time, and passed.

CHARLES F. KRAMER.

The bill (H. R. 11828) to remove charge of desertion from military record of Charles F. Kramer was considered as in Committee of the Whole. It proposes to remove the charge of desertion from the military record of Charles F. Kramer, late of Company G, Sixty-Seventh Regiment Pennsylvania Volunteer Infantry, and to grant him an honorable discharge as of the 29th day of December, 1862.

The bill was reported to the Senate without amendment.

Mr. CARTER. Let the report in that case be read.

The PRESIDENT pro tempore. The report will be read.

Mr. BATE. I will say that that bill was passed on by the Committee on Military Affairs without objection.

Mr. CARTER. The Senator from Wisconsin assures me that he has read the report and the bill, and it is all right.

Mr. BATE. I reported the bill.

Mr. CARTER. I withdraw the request.

The PRESIDENT pro tempore. The request is withdrawn.

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

GEORGE A. WINSLOW.

The bill (H. R. 4204) to correct the military record of George A. Winslow was considered as in Committee of the Whole. It proposes to set aside the findings of the court-martial and revoke the orders issued against George A. Winslow, late lieutenant, Company M, Third Arkansas Cavalry Volunteers, and to issue to him a certificate of honorable discharge dated from the 9th day of May, 1835.

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

INDIANS IN INDIAN TERRITORY.

The bill (H. R. 10701) to amend section 6, chapter 119, United States Statutes at Large No. 24, was considered as in Committee of the Whole. It proposes to amend section 6 of chapter 119 of the United States Statutes at Large No. 24, page 390, after the words "civilized life," in line 13, by inserting the words "and every Indian in Indian Territory."

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 agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14018) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1902, and for other purposes; recedes from its disagreement to the amendment of the Senate numbered 88, and agrees to the same with an amendment in which it requests the concurrence of the Senate; insists upon its disagreement to the other amendments upon which the committee of conference have been unable to agree; asks a further conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. CANNON, Mr. MOODY of Massachusetts, and Mr. McRAE managers at the conference on the part of the House.

JOHN H. FINFROCK.

The bill (H. R. 2472) to correct the military record of John H. Finfrock was considered as in Committee of the Whole. It directs the Secretary of War to revoke the order dismissing from

the military service of the United States John H. Finfrock as a captain of the Sixty-fourth Regiment of Ohio Infantry Volunteers, and to issue an honorable discharge for him, to date from the 22d of January, 1863; but no pay, bounty, or other allowances shall become due or payable by virtue of the passage of this act.

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

HERMAN VON MARSDORF.

The bill (H. R. 8270) for the relief of Herman Von Marsdorf, late a lieutenant of Company D, First Maryland Cavalry, was considered as in Committee of the Whole. It directs the Secretary of War to revoke the order dismissing Herman Von Marsdorf as a lieutenant of Company D, First Maryland Cavalry, and to grant him an honorable discharge as of the date of said order; but no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act.

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

EXECUTION OF WILLS IN THE DISTRICT OF COLUMBIA.

Mr. PETTIGREW. I wish to withdraw the objection I made a few moments ago to House bill 12331.

The PRESIDENT pro tempore. The bill has been read.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12331) to amend an act entitled "An act conferring on the supreme court of the District of Columbia jurisdiction to take proof of the execution of wills affecting real estate, and for other purposes," approved June 8, 1898.

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

SALLIE B. WILSON.

The bill (H. R. 10758) granting a pension to Sallie B. Wilson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Sallie B. Wilson, widow of Samuel B. Wilson, late of Company C, Eighth Regiment United States Infantry, and to pay her a pension of $12 per month, and $2 per month additional for each of the two minor children of said soldier, until such children shall have arrived at the age of 16 years.

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

AQUILLA J. DAUGHERTY.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 14028) for the relief of Aquilla J. Daugherty. It directs the Secretary of the Treasury to cause to be investigated and examined the circumstances of the alleged burglary of the office of the collector of the fifth internal-revenue district of Illinois, at Peoria, Ill., on or about the 25th day of January, 1901, when it is alleged that United States internal-revenue documentary stamps of the face value of $24,974.15 and United States internal-revenue proprietary stamps of the face value of $6,902.31½ were stolen from the vault in the office of the collector, the stamps having been received by Aquilla J. Daugherty, collector of the fifth internal-revenue district of the State of Illinois, and in his possession as such collector at the time of the alleged burglary and the alleged stealing of the stamps; and if upon investigation and examination the Secretary of the Treasury is satisfied that none of the stamps were ever issued or used by the collector or his employees, and that all of the stamps were stolen and the office burglarized without the fault of the collector, then the Secretary of the Treasury shall credit Aquilla J. Daugherty with the number and value of the stamps and release him from further responsibility therefor.

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

HAMILTON M. SAILORS.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 628) for the relief of Hamilton M. Sailors. It directs the Secretary of the Treasury to pay Hamilton M. Sailors, Company K, One hundred and first Indiana Volunteers, the difference in pay between that of a private and a second lieutenant from May 26, 1863, to October 10, 1863, he having performed the duties of the office under proper appointment and assignment.

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

DEPOSITARIES OF PUBLIC MONEY.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 13195) to amend section 5153 of the Revised Statutes of the United States. It proposes to amend section 5153 of the Revised Statutes of the United States so as to read as follows:

SEC. 5153. All national banking associations, designated for that purpose by the Secretary of the Treasury, shall be depositaries of public money, except receipts from customs, under such regulations as may be prescribed by the Secretary, but receipts derived from duties on imports in Alaska, the Hawaiian Islands, and other islands under the jurisdiction of the United States may be deposited in such depositaries subject to such regulations; and such depositaries may also be employed as financial agents of the Government; and they shall perform all such reasonable duties as depositaries of public moneys and financial agents of the Government as may be required of them.

The Secretary of the Treasury shall require the associations thus designated to give satisfactory security, by the deposit of United States bonds and otherwise, for the safe-keeping and prompt payment of the public money deposited with them, and for the faithful performance of their duties as financial agents of the Government. And every association so designated as receiver or depositary of the public money shall take and receive at par all of the national currency bills, by whatever association issued, which have been paid in to the Government for internal revenue or for loans or stocks.

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

POST-OFFICE APPROPRIATION BILL.

Mr. WOLCOTT. Mr. President, I desire to present the conference report on the Post-Office appropriation bill, and I also desire, with the permission of the Senate, to make a brief statement regarding it.

Upon this important bill, which carries with it appropriations aggregating $125,000,000, there has been for some days a somewhat serious disagreement upon two amendments to the bill offered by the Senator from North Carolina [Mr. BUTLER] and adopted by the Senate.

One of those amendments was to the effect that the Postmaster-General should investigate and report whether or not in municipalities and towns having a population of less than 10,000 or with postal revenue less than $25,000, but too large to be entitled to the benefits of free rural mail delivery, there should be an attempt to ascertain whether or not there might be, by means of boxes in certain portions of those communities, facilitation of mail delivery.

The other amendment was an amendment requiring the Postmaster-General to report to Congress as to the cost and feasibility of adopting as a part of the postal service of the United States the use of the telephone and telegraph.

Upon these amendments we have for a number of days differed. I feel bound to say that the conferees of the Senate have yielded in substance but preserved in form something of the amendments, and that what is left of them involves no appropriation whatsoever of money, but simply calls upon the Post-Office Department to report as to whether or not rural free mail delivery shall be applied to the smaller towns of the country, and as to whether or not, if he has the facts at his disposal, he would recommend the acquiring by the Government of telegraph and telephone facilities. Upon that we have differed day after day, and we differ still.

I believe that the conferees of the other legislative body and the members of that body will not see this great bill fail because of the insertion of these amendments which call for the appropriation of no money.

For the first time in the history of the Post-Office appropriation bill the Senate has not added a single dollar to the public appropriations. We have yielded upon every amendment calling for the appropriation of an additional penny. We have yielded to the House bill as it was presented to us, and I ask that the Senate vote to insist upon its amendments and ask for a further conference with the House.

The PRESIDING OFFICER (Mr. GALLINGER in the chair). The conference report presented by the Senator from Colorado [Mr. WOLCOTT] will be read.

The Secretary read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13729) "making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1902, and for other purposes," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

As to amendments numbered 2 and 3, the conferees are unable to agree.

E. O. WOLCOTT,
WILLIAM E. CHANDLER,
MARION BUTLER,
Managers on the part of the Senate.

E. F. LOUD,
GEORGE W. SMITH,
CLAUDE A. SWANSON,
Managers on the part of the House.

The PRESIDING OFFICER. The Senator from Colorado [Mr. WOLCOTT] moves that the Senate still further insist upon its amendments to the bill disagreed to by the House of Representatives and ask for a further conference with the House thereon.

The motion was agreed to.

By unanimous consent, the Presiding Officer was authorized to appoint the conferees on the part of the Senate; and Mr. WOLCOTT, Mr. CHANDLER, and Mr. BUTLER were appointed.

MONONGAHELA RIVER BRIDGE.

Mr. BATE. Regular order, Mr. President.

Mr. SEWELL. I inquire if the order of the Senate has been executed?

The PRESIDING OFFICER. It has not been. The next bill on the Calendar will be stated.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 13436) to authorize the Charleroi and Monessen Bridge Company to construct and maintain a bridge across the Monongahela River; which had been reported from the Committee on Commerce, with amendments.

The first amendment was, on page 1, line 3, after the word "That," to insert "the Charleroi and Monessen Bridge Company;" so as to read:

That the Charleroi and Monessen Bridge Company, a corporation existing under the laws of the State of Pennsylvania, is hereby authorized to construct, etc.

The amendment was agreed to.

The next amendment was, on page 2, line 9, after the word "water," to insert the following proviso:

Provided, That any bridge constructed under this act and according to its limitations shall be a lawful structure and shall be known and recognized as a post route, and the same is hereby declared to be a post route, upon which, also, no higher charge shall be made for the transportation over the same of the mails, the troops, or munitions of war of the United States than the rate per mile paid for transportation over railroads or public highways leading to the said bridge.

The amendment was agreed to.

The next amendment was, on page 4, after line 17, to insert the following proviso:

Provided, That all street-railroad companies desiring the use of said bridge shall have and be entitled to equal rights and privileges relative to the passage of railway trains or cars over the same, and over the approaches thereto; and all telephone and telegraph companies shall be granted equal rights and privileges in the construction and operation of their lines across said bridge.

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

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

The bill was read the third time, and passed.

NAVAL APPROPRIATION BILL.

Mr. HALE. I present a conference report.

Mr. HOAR. I desire to make a parliamentary inquiry. How many bills are there left on the Calendar to be acted upon?

The PRESIDING OFFICER. There are a few bills remaining.

Mr. HOAR. I wish the Senator from Maine would not intervene until those bills have been disposed of.

Mr. HALE. It is important that the conference report on the naval appropriation bill should be considered.

The PRESIDING OFFICER. The Chair is informed that under the order there are seven more bills to be considered.

Mr. BATE. There is one more bridge bill on the Calendar.

Mr. HALE. I submit a conference report.

The PRESIDING OFFICER. The report will be read.

The Secretary read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13705) making appropriations for the naval service for the fiscal year ending June 30, 1902, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 3, 9, 10, 81, and 82.

That the House recede from its disagreement to the amendments of the Senate numbered 8, 25, 39, 40, 42, 65, 79, 80, 84, 85, and 86; and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$250,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$600,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment as follows: In line 5 of said amendment strike out the words "four hundred" and insert in lieu thereof the following: "three hundred and fifty;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 60, and agree to the same with an amendment as follows: In line 5 of said amendment strike out the word "two" and insert in lieu thereof the word "one;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 61, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$6,775,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 67, and agree to the same with an amendment as follows: In line 3 of said amendment, after the word "President," insert the words "by and with the advice and consent of the Senate;" and in line 38 of said amendment, after the word "be," insert the words "until further legislation by Congress;" and the Senate agree to the same.

On the amendment numbered 89 the committee of conference have been unable to agree.

EUGENE HALE,
W. E. CHANDLER,
B. R. TILLMAN,
Managers on the part of the Senate.
GEORGE EDMUND FOSS,
ALSTON G. DAYTON,
AMOS J. CUMMINGS,
Managers on the part of the House.

Mr. HALE. This is an entire agreement upon all the matters in the appropriation bill, with the exception of amendment numbered 89, as to which a disagreement is reported. That is the torpedo-boat amendment.

Mr. WOLCOTT. I move that the Senate recede from its insistence upon amendment numbered 89, it being the amendment containing the appropriation for additional torpedo boats.

Mr. STEWART. I hope that will not be done.

The PRESIDING OFFICER. The question is, Shall the report be agreed to?

The report was agreed to.

Mr. STEWART. I hope the motion of the Senator from Colorado [Mr. WOLCOTT] will not prevail. It seems to me that to take this out of conference, without taking it back to the House in the usual way, is very extraordinary. It seems to me there has been a very zealous fight made against these torpedo boats. I do not see where it could come from. I have the testimony of a great many naval officers, and I state that every naval officer who has seen one of the torpedo boats commends it in the highest terms. The submarine torpedo boat which the Government now owns has been tested for some months.

Mr. HOAR. I rise to a question of order. What is the question before the Senate?

The PRESIDING OFFICER. The question is upon the motion made by the Senator from Colorado, that the Senate recede from its amendment relating to torpedo boats.

Mr. HOAR. I did not observe that that motion was stated by the Chair.

The PRESIDING OFFICER. It was stated by the Chair.

Mr. HOAR. The Senator from Colorado made the motion, but the Chair stated the question was on the acceptance of the report, and I was not aware that any other motion had been stated.

The PRESIDING OFFICER. Possibly the Chair did not put the motion made by the Senator from Colorado. He will do so now. The question is on the motion of the Senator from Colorado, that the Senate recede from its amendment numbered 89, relating to torpedo boats.

Mr. STEWART. I hope that will not be done. If you will examine the testimony of Admiral Dewey and others, you will find they all concur that this is the best coast defense that has been or that can be, as we all know, gotten within a reasonable time. These torpedo boats have been tested. The Holland Company has a contract for the building of six, which is now being executed. The Government has one of these boats in use now. This amendment provides that there is to be no new contract made until one of the six shall have been completed and tried to the satisfaction of the Navy Department.

It makes the conditions very severe. The Navy Department need not accept them unless they come up to the conditions, but by providing for these boats this industry will be kept alive. The Holland Company has made wonderful experiments, which have met the approval of everyone who sees them. I believe those who have not seen a torpedo boat—the Construction Bureau—are against it, but everyone who has seen it, and every naval officer who has seen it, reports favorably upon it. Most of them contend that it is past the experimental point. Now, for a few hundred thousand dollars you can have your coast defense advanced more than you could for a great many million dollars spent on your ironclads.

It is cheap; it can be done speedily; and if the naval officers who have testified can be relied on at all, it has effectually passed the experimental stage. The reason why there ought to be an appropriation is in order that the industry can be kept alive. If we stop and there is an interval of six months or a year in which there is no construction going on, the experts will be dispersed, the organization will be broken up, and we will then have to commence anew. It will be a tremendous disadvantage.

I do not see why there should be this opposition. I have heard no statement against these boats. They have passed the experimental stage, according to the best testimony that can be had on the subject. No one has undertaken to testify against them. These three will enable the work to go on. I hope the Senate will insist once more. That is all I ask. The vote was very close in the House. On a vote of 250 they succeeded, by a very strenuous effort, in beating it only 14 votes.

The conferees refused to send it back. If it had gone back in the usual ways, it would have been disposed of hours and hours ago, and no words would have been said here. But they held out and demanded that the Senate should surrender. They held them up and demanded that they surrender or lose the bill. If they had taken another vote, the Holland boats would have succeeded. They knew it very well. That is the reason why they did not go back. This is not the way to legislate. I hope the Senate will stand by this amendment, and once more let the House vote on it, and let us see whether those people are scared or not. If it had gone back in the usual way, it would have been smoothed out long ago.

Mr. TILLMAN. Mr. President, I think it well for the Senate to understand the situation. Last year, it will be remembered,

the Committee on Naval Affairs, in making up their amendments, did not put any Holland torpedo boats in the bill. The House had not put them in. But when the matter came into the Senate and the facts were brought out as to the value of this new means of warfare, the House authorized a contract for six, thus overriding its Naval Committee. This year the matter came up before the Naval Committee again on a proposition offered by somebody to contract for seven more.

Mr. President, I have examined into the matter by being on board of a tug which went down the Potomac. Other members of our committee were present, at least a majority of them, and I was so much impressed with the value and utility of the *Holland*, the crude first experimental boat, that when the amendment was brought in before the Naval Committee this year to contract for seven additional boats I was disposed to give it my assent. I wanted to have more of these boats, because, as I will show before I get through, I consider them a very valuable adjunct to our national defense.

But with the proposition coming from the House of four more battle ships, or two battle ships and two armored cruisers, involving an expenditure of $5,000,000 each or thereabouts, and the opposition on the part of the authorities at the Navy Department—three of the bureau chiefs being opposed to any new boats, while Admiral Hichborn, the Chief of the Bureau of Construction and Repair, was emphatic in his indorsement of them I agreed to compromise on a reduction of the number proposed to be contracted for this year from seven to three. The Naval Committee put in that number because we expected——

Mr. HANNA. May I ask the Senator from South Carolina a question?

Mr. TILLMAN. With pleasure.

Mr. HANNA. Was there any formal action on the part of the Naval Committee when those were inserted?

Mr. TILLMAN. There was formal action.

Mr. HANNA. By vote?

Mr. TILLMAN. By vote.

Mr. CHANDLER. Yes.

Mr. HANNA. Was there a quorum present?

Mr. TILLMAN. There was a quorum present.

Mr. HANNA. I was not aware of it.

Mr. CHANDLER. All of the members of the committee were not present. I think the Senator from Ohio was not there. There was a meeting of the committee with a quorum present. That is true.

Mr. TILLMAN. If we are going to have any such points made in regard to the action of the Naval Committee, we had better cut out all these amendments here, because the Senator knows that with the multiplicity of duties he is called on to perform, or thinks he is called on to perform, he has not very often honored us with his presence in the Naval Committee.

Mr. HANNA. I will say to the Senator that I have been there fully as often as he has, and I think more so.

Mr. TILLMAN. I will leave that to our colleagues, and we will not bring in question our relative importance in naval affairs or our knowledge of them.

Mr. HANNA. The Senator from South Carolina raised the question. I did not.

Mr. CHANDLER. I have never timed the Senator from South Carolina nor the Senator from Ohio, and therefore I can not testify.

Mr. TILLMAN. You have not timed us, but you can testify that I am always there.

Mr. CHANDLER. Yes; and the Senator from Ohio is nearly always there when he is not absent——

Mr. TILLMAN. Oh!

Mr. HANNA. I should like to see the minutes showing this action.

Mr. TILLMAN. That is not the issue here. If the chairman will say that the action of the committee was not warranted and was not lawful and binding, and that it is not a committee amendment, then why does the chairman bring it in here? Why has he insisted twice on disagreeing to the House proposition to strike this out. There is your culprit, not I. I stand here saying it is the action of the Senate in putting on these three boats. But the question at issue is not whether the committee has done this officially and according to law, because nobody, I presume, doubts that except the Senator from Ohio. The question at issue is whether we shall stand by the Senate amendment putting on three boats or whether we shall recede; and that involves the question as to what is the use and value of these boats if we buy them.

We have six under contract and the experimental one now in existence. The six, let me call to your mind, will be completed in the near future—sometime in July, possibly—and they are being constructed under the most stringent contract that the opponents of the Holland boat could frame in the requirements as to what those boats should do. I have not the contract with me, but the opponents of this system of naval construction and of these torpedo boats framed the contract, the requirements of which are as exacting and binding as any set of men can possibly expect; and upon those conditions the Senate Naval Committee put in the three boats.

Why did we do that? I confess I know nothing about the Holland Torpedo Boat Company, and care nothing about it; but I have heard many pleas here for keeping alive and encouraging American genius and American manufactures and all that sort of thing, and I do not see why this enterprise should be knocked on the head. It involves only a small amount of capital, because I do not think the company have much capital.

I know nothing about it; but that company have told us—at least, I have heard it, more from the Senator from Nevada than anybody else, and you can see for yourselves—that if they are given no contracts to keep alive their organization; that if, after these six boats are completed, their men are to be thrown out of work and their company tied up, so to speak, with nothing more to do, their skilled mechanics, who have been experimenting with this system of submarine navigation, will have to be discharged or go to Europe if they can not get contracts here. I confess it appealed to me somewhat to think of this association or organization or corporation being, you might say, knocked on the head by this great Government.

But that is not the question here. The question is, Are these boats of any use to us? I desire to read you the testimony of Lieutenant Caldwell, who has been in command of the *Holland*, the experimental boat, as given in a letter to the Hon. R. B. HAWLEY, of the House Committee on Naval Affairs. I hope Senators will listen, and let us get at this thing in some judicious and proper spirit:

1. Q. How long have you commanded the *Holland*?
A. The *Holland* has been under my charge from June 25, 1900, to the present time. She was formally placed in commission under my command on October 12, 1900.
2. Q. What is the longest submerged run you have made in her?
A. About 1½ miles.
3. Q. Do you consider her durable, habitable, and reliable as a vessel of war for coast and harbor defense?
A. Yes.
4. Q. Commander Mason, of the torpedo station, says, in a report to the Secretary: "During the late combined maneuvers of the fleet, shore defenses, and the torpedo flotilla the *Holland* made a successful attack upon the fleet at night by herself, without convoy, at a distance of 7 miles out from the mouth of the harbor and with the naval crew alone in her." Did you command the *Holland* upon this occasion? If so, describe how you made the attack, and whether you considered it a success.
A. The *Holland* was under my command on the occasion mentioned. She left the torpedo station at sundown and was placed in a partially submerged condition, with the turret and about 6 inches of the hull above water, ready to dive at short notice. Cruised in this condition to southward and eastward of Brentons Reef light-ship. Sighted 2 vessels of blockading fleet and fired torpedo signal at them, but was not answered, and they disappeared before I could ascertain their identity. About 9 p. m., about 7 miles south-southeast from harbor entrance, sighted U. S. S. *Kearsarge* within range and fired torpedo signal. Followed her, and getting within 100 yards without being discovered, showed light, hailed her, and informed her commanding officer that she had been torpedoed. The *Holland* was not seen by any vessel of the blockading fleet or torpedo boat, although she was within torpedo range of 3 of the former and several of the latter. I consider that the attack was a success, because the *Holland* could, in all probability, have torpedoed 3 blockading vessels without being discovered.

Admiral Dewey says this is one of the most valuable of modern inventions for naval warfare. Commander Wainwright, at the Academy, is in favor of it. Three bureau chiefs are against this system, while Admiral Hichborn, whose genius as a practical shipbuilder is recognized everywhere, is in favor of it.

Mr. STEWART. Have any of those who are against the boat ever seen it operate?

Mr. TILLMAN. I do not know and I do not care. What is the cost of one of these boats? Mind you, the new boats are to be constructed, under the limitations of the committee amendment, after the Secretary of the Navy has examined the six that are now under construction, and has seen that they comply in every particular with the exacting conditions under which they are contracted for. Therefore, with the first one, the experimental one, giving us an example of its success, according to the testimony of its commanding officer, an accomplished naval officer of the United States, what is the reason why we can not build three more? We ought to build fifty more.

Here we are spending $5,000,000 on a battle ship, and the Senator from Ohio knows that he himself is doubtful whether the Gathmann gun will not sink it with one shell. We have appropriated a hundred thousand dollars for the Isham shell and for thorite, a new explosive, just simply to purchase the right to use them. Here is an implement of naval warfare. We will say it costs too much. I do not know what the cost is or what it ought to cost, but that does not make any difference.

If we want to throw it open to competition, or to build them in our own navy-yards by Government employees, let us do it. But what I am after is to get something that will relieve us of the burden of building a battle ship when nobody up to this time knows whether it can stand a shell such as two or three men claim they have invented and discovered; whereas, with these little boats—these little, sneaking snakes—that can dive and go

under water for a mile and a half, with a turret shaped like a barrel, so that the boat can come up and they can get a sight and get some fresh air and dive again, and which is painted like the ocean, so that even in daylight, as I have been informed, you can hardly distinguish it—with these boats sneaking around in front of our harbors, what hostile fleet would dare approach?

The moral effect of having a large flotilla of such implements of war on the Atlantic and Pacific coasts would be such that any foreign navy under the sun would hesitate before it came in reach of our harbors, where these little snakes, as I call them, these water moccasins, could go out and go under water and approach with all the appliances which they have. The battle ship, the *Kearsarge*, and the other three vessels that were blockading in the maneuvers, were all on the watch—they were looking to see what they could discover—and yet Lieutenant Caldwell says that he torpedoed three of them, or could have done it.

The moral effect of having these vessels in our Navy would be good. Suppose we built fifty; there would be eight and a half million dollars, or something like that, at a cost of $170,000 each, which is the cost of one and a half battle ships; and I do not hesitate to say, so far as my opinion is worth anything—and I have tried, as a member of the Naval Affairs Committee, to do my duty there and to investigate these matters and to do what I can to build up the American Navy and make it a means of defense for this country—in my honest judgment the Holland boat in the entrance of any harbor in the United States is worth two battle ships for the defense of that harbor.

Mr. PLATT of Connecticut. Mr. President, this is coming to be a question of very practical legislation. It is now after 7 o'clock of the last day and the last night of the session. There has been an intense disagreement between the conferees of the Senate and the conferees of the House upon this amendment. There has been some feeling about it. There was a time when the House conferees refused to report either an agreement or a disagreement.

That was reported to the Senate, and the Senate insisted that the conference should go on. The conference has gone on; an agreement has been made upon all the items of the bill except this one, and the question comes within sixteen or seventeen hours of adjournment, when the bill has to be engrossed fully and signed by the President or fail, whether the Senate shall stand out obstinately on this amendment, to the peril of the bill.

Mr. TILLMAN. Will the Senator from Connecticut allow me? I did not state it, and as the chairman did not, I will take the liberty of doing it. The Senate conferees have not come here asking that they be instructed to recede. They come here contending, as they have contended twice before, that it was a proper thing to do to put in these boats, and they have simply reported a disagreement again, and the Senate need not be imposed on with the idea that we want to be instructed to recede. The House only threw out these boats by a majority of 14, and if the Senate will stand fast and insist, and then the House also insists, I will be willing to give way. I do not think we ought now to be instructed to give way.

Mr. PLATT of Connecticut. A great deal of time will be consumed in that way—time which is needed for the enrollment of the bill. I beg to assure the Senator from South Carolina that I said nothing to the effect that the Senate committee was ready to recede or asked to be instructed to recede. I think it is best that we should recede and the bill be passed, and passed now.

I can not understand why the Senate committee and the Senate conferees should insist so strenuously that these three boats shall be contracted for. We have six boats under contract. When they are to be finished no one knows. The Senator from South Carolina hopes——

Mr. TILLMAN. They are all under contract, to be finished some time between now and August.

Mr. PLATT of Connecticut. The Senator from South Carolina hopes they will be finished between now and August.

Mr. TILLMAN. They have to be, under the contract.

Mr. PLATT of Connecticut. I did not interrupt the Senator from South Carolina when he was making his statement.

Mr. TILLMAN. I beg pardon.

Mr. PLATT of Connecticut. I should like to be permitted to make mine.

I do not think, from what I have heard on this subject, that these boats have passed the experimental stage. I think this amendment, as it is contained in the bill, shows that the Committee on Naval Affairs do not think they have passed the experimental stage, because I find in the amendment a provision that the Secretary of the Navy shall not contract for these boats until the first boat already contracted for has been completed and tested and works satisfactorily, in the opinion of the Secretary of the Navy. I think that is sufficient evidence that even in the opinion of the Naval Committee the boats are still in an experimental stage.

The Senator from South Carolina says if we do not contract for these three boats the company and those building them will be out of employment, and may have to go to Europe.

Mr. TILLMAN. The Senator from Nevada said that.

Mr. PLATT of Connecticut. I understood the Senator from South Carolina to say the same thing.

Mr. TILLMAN. I got my information from the Senator from Nevada.

Mr. PLATT of Connecticut. What is the effect of that argument? Have we to keep them at work always, whether the Government needs these boats or not? The Senator from South Carolina says there ought to be 50 built. I suppose there will come a time when he thinks no more will be required, and then they will have to go to Europe. But I do not wish to enter into a discussion as to the merits of these boats or the merits of the company that is constructing them, but I want to say that the time has come when we can pass the bill by receding from this amendment, and it does not seem to me it is so important that these boats should be contracted for now as that we ought further to delay and impede and perhaps imperil the passage of the bill. I hope the Senate will recede.

Mr. HAWLEY. Mr. President, I am led to concur with my colleague by other considerations. I can name several gentlemen of abundant means who are ready—more than ready and more than willing—to build a submarine boat for $100,000, with which they think they can challenge the world, and they have not been able to get a hearing.

Mr. HANNA. Mr. President, I do not want to delay this matter except for a moment. I wish to say, being a member of the Committee on Naval Affairs, that I have taken fully as much interest in these matters as any of my colleagues, and experience has taught me something in regard to vessels. I was perfectly willing at the beginning to give this boat a fair experimental test, and in allowing the construction of the six boats we have been very liberal toward the inventors and those who are constructing them. The practical judgment of the Navy Department to-day, through the heads of the bureaus having in charge the construction of this work and the responsibility for it, has reported to the committee against the policy of ordering any more of these boats at present.

The fact that the Holland boat has been something of a success, and that the Government has adopted it to the extent of ordering six more, will and has stimulated the inventive genius of this country, and brighter minds are at work to-day in developing other methods of construction. I predict that inside of twelve months, before Congress will have another opportunity to vote upon the construction of these boats, the cost of this vessel, or something better, will be reduced more than one-half. I think it is poor policy at this time to urge the construction of any further number of these boats, particularly when it will delay this whole measure.

Mr. SPOONER. I should like to inquire why this proposition was incorporated in the bill. Did it come from the House in the bill or was it incorporated here?

Mr. HANNA. It was incorporated here.

Mr. SPOONER. Why was it put into the bill, if it is not advisable to construct the three additional boats?

Mr. HANNA. I do not know.

Mr. TILLMAN. I have given my reason.

Mr. SPOONER. If it ought to have gone in the bill, if it is in the public interest that these boats should be constructed, it seems to me the Senate ought, within reasonable limits, to insist upon its proposition. If the boats ought not to be constructed, the provision ought not to have been put in by the committee, and we should recede. I have not myself examined the subject, but I for one feel quite like insisting on the proposition reported by the Naval Affairs Committee, undoubtedly upon good, sound reasons of public policy. I do not think it would defeat the bill if there should be another conference.

Mr. ALDRICH. This is largely a question whether the Senate shall recede now or a little later, according to the statement of the Senator from South Carolina.

Mr. TILLMAN. I beg the Senator's pardon.

Mr. ALDRICH. The intimation.

Mr. TILLMAN. The Senator from South Carolina made no such statement.

Mr. ALDRICH. The intimation of the Senator from South Carolina.

Mr. TILLMAN. I intimated, and I will repeat, so that there will not be any intimation, that in the event that the House of Representatives shall later on, on a vote, insist, as this is the only item left, that we shall recede, I shall be willing to do it. That is all.

Mr. ALDRICH. That was my inference. It seems to me more important that the bill should be passed——

Mr. TILLMAN. The bill will pass without any doubt.

Mr. ALDRICH. Than that this item should be retained in the bill; and I hope the Senate will recede.

Mr. BUTLER. Mr. President, there is no danger about this bill not passing. There is no use to deal with this question on any such specious plea. As a member of the Naval Affairs Committee

I have taken every opportunity, when the committee has been invited, to inspect the operations of this torpedo boat, and from the first time that a demonstration was made to the committee I was impressed that it had possibilities of terrific influence upon naval warfare in the future.

I am convinced to-day that before we have another naval battle with any great naval power the chances are that our great battle ships on which we spend $5,000,000 apiece will be practically worthless, because they are such a target for an engine of warfare like the Holland boat that they will not dare to get where they can be hit. The only way to save the magnificent battle ships from going to the bottom will be to keep them tied up in sheds inside of harbors and to mine the harbor. If the development in gun cotton and other explosives to be used in torpedo boats goes on there is not a battle ship afloat that would stand the resistance of a torpedo shot from the Holland boat any more than a piece of cardboard.

That being true, why shall we continue to spend $5,000,000 on every battle ship that may be worthless, when we can build 40 of these Holland torpedo boats for what one battle ship costs?

Now, Mr. President, this is not a small question. This question is just as big as is the question of national defense. Let some foreign power have 50 of these Holland torpedo boats built and ready for action, and let us have none or practically none, and let them bring them against our whole fleet, and we have not got a commander or an admiral, as brave as they are, who would dare to let them get near enough to our fleet if he knew they would shoot a torpedo at it.

Shall we sit down when this has demonstrated itself as a success as the most terrific engine of warfare that the world has ever seen, not only terrific in its actual execution, but terrific in the fact that it goes up under its enemy, out of sight, and rises and fires a deadly shot within a few hundred yards, and dives again and is protected? Shall we allow foreign nations to build these and we stand still? I want to know what has gone with all the patriotic talk and feelings that we have heard about national honor and national defense and building up the Navy?

I have heard it ever since I came into the Senate. I have heard it from Senators who are to-day opposing these little Holland torpedo boats. When I have claimed that we were paying $4,000,000 or $5,000,000 extra to the armor trust, they have said the nation's honor may be attacked, or the national defense may be endangered, and we have had eloquent speeches. Now, what I want to know is this: From whence comes the opposition to this vote, and what is the motive behind it? That is what I want to know.

Mr. President, the thing that is significant is the opposition that has developed to this little boat that does not cost much money. There is a cat in the meal tub, and it seems like those who have caught that cat are those who have talked national defense in the past for buncombe or for a corporation that was making money out of the Government, and not for national defense.

Mr. President, I must say, for I believe it, that the opposition to this little, cheap Holland boat is not an opposition from healthy American sentiment, but it is some class or commercial interest of some other concern or interest that is fighting it, one that is sordid, coming from men who have regaled us with their patriotic speeches in the past when they were appealing to us to give $5,000,000 or $10,000,000 to the armor trust.

Is it possible that the armor-plate trust does not want it done? Let us build forty or fifty of these Holland boats, and let it be seen that they can destroy any battle ship, and the armor trust is out of business; it can never make another raid on the Treasury and get $7,000,000 at one haul. The ironclads are out of business. The great ship-subsidy trust is out of business unless they go into the torpedo-boat business.

Mr. President, here is the cheapest and most effective engine of warfare that any nation has ever had a chance to build. You can build 40 of them for what one battle ship costs. I say that it is almost criminal for us not to build these and have them ready for the emergency when we have a chance to do it. It comes in poor taste from those who have favored immense corporations for questionable means to oppose this pitiful appropriation for a worthy object—for a most effective engine of war, one that costs so little and that is worth so much in the hour of need.

Whence this opposition, and what does it mean? I want to say that if there was not some powerful interest and influence behind this there would not have been the stubborn holding out that there has been against this proposition. That is a thing which is significant to me. That is a scheme that deserves to be crushed, and I hope the Senate will do it.

Mr. CHANDLER. Mr. President, the Government has bought and owns the first torpedo boat, and it is a useful and, I think, an important implement of war. Last year the Senator from Nevada [Mr. STEWART] introduced a bill to build twenty more of these boats. The Committee on Naval Affairs reported against building any more, but in the Senate it was decided to authorize the Secretary of the Navy to build five more. So the bill passed in that form last year.

The Secretary of the Navy has made a contract for those boats. The company wants the United States to make a contract to build some more, and the Senate committee reported that three more might be contracted for, to be taken by the Secretary of the Navy in case the trials of one of the new five should be successful.

The company are presenting these torpedo boats upon the other side of the water; they expect to make contracts with foreign nations for the boats; and the question being up in the Naval Committee of this Congress upon the proposition of the Senator from Nevada that ten more should be built, and there being a difference of opinion in the committee, it was decided to report this amendment in favor of three more of the boats. It was a compromise report in the committee, and all the members of the committee who were present agreed to sustain the proposition that on the whole it would be wise to authorize the construction of three more of the boats.

Mr. President, the committee were the more willing to do this because the Senate committee reported in favor of striking out the provision for two battle ships and two armored cruisers. Instead of retaining the clause that came from the House, the committee deemed it advisable to report to the Senate a proposition that the Secretary of the Navy should report at the next session of Congress the plans for two more battle ships and two more armored cruisers, designed according to the latest improvements in naval construction. That proposition was adopted by the Senate and has been concurred in by a vote of the House of Representatives. So, if we do not authorize these three torpedo boats we shall authorize no increase of the Navy at this session of Congress.

Now, Mr. President, the committee concluded on the whole that that would be a wise thing to do, and it is my opinion to-night that the Senate had better insist upon its amendment. The vote against these torpedo boats, if I may be permitted to say so, was carried in the House of Representatives by a very small majority. If we vote now that we want these three torpedo boats the House will vote again, and after the votes in the two Houses have been taken it will be very easy for the conferees to determine whether or not the Senate should insist upon building the three torpedo boats. Now, that is the whole case. It is not a big question, and the committee, so far as I understand them, are willing that Senators should vote exactly in accordance with their judgment.

Whether, with the two battle ships and the two armored cruisers stricken out, we shall now continue the construction of the Navy to the extent of three Holland torpedo boats is all there is to the question.

Mr. President, I speak moderately on the subject because the place from which I speak and my surroundings are such as to impel me to moderation.

Mr. PLATT of Connecticut. Before the Senator takes his seat, may I ask him a question? Do I understand that if this company that want the Government to contract with them can get a contract for three boats now they are not going to foreign countries to present their matter and get contracts there, when if they do not they are going to foreign countries?

Mr. CHANDLER. I do not understand the case to be as the Senator states it.

Mr. PLATT of Connecticut. I thought the Senator so stated.

Mr. CHANDLER. I said, in view of the fact that they were going there, it would be an encouragement and a help to the company. Undoubtedly that is one reason for the anxiety of the company. If we need these boats, if these boats have passed beyond the experimental stage so that we can wisely contract for three more of them, we ought not to refrain from doing that because it will help this company in their transactions with foreign governments.

Mr. PERKINS. Mr. President, as a member of the Committee on Naval Affairs, I desire to say only one word.

This matter came from the House of Representatives in the bill making appropriations for the support of the Navy, and was presented to the Committee on Naval Affairs of the Senate. The amendment offered by the Senator from Nevada was duly considered by your committee, and we added three Holland torpedo boats to the bill out of policy, and, I might say, too, out of sympathy for the enterprise of the inventor of the Holland torpedo boat and those who are associated with him.

And yet parenthetically I want to say that the Government has dealt most liberally with the inventors or promoters of this peculiar line of coast defense. We have ordered one already, which we have bought, as they admit, for a very much larger sum than the vessel cost. We have contracted for six more. The contract is not yet completed. Therefore the Government has had no opportunity as yet of demonstrating their utility, although I am frank to admit that the experimental test which I saw in the Potomac River was most satisfactory, and I believe them to be a

formidable armament of coast defense. Yet they are in that transitory state where improvements are daily being made.

There is no length of time required in which these boats may be constructed that would jeopardize or hazard the interests of our country were we at war with any foreign nation. You can build any one of these torpedo boats within ninety days, and while we wish to encourage the company, as they stated to your committee, they have had negotiations on foot for the purpose of introducing them into foreign countries. That was the principal motive which induced your committee to incorporate into the bill a provision for the three torpedo boats that had not yet been fully demonstrated by an experimental test.

I think, therefore, Mr. President, in view of the fact that the testimony before your committee was that there was a margin of profit of nearly $100,000 upon each one of these boats, and in view of the fact that we will have seven of them under contract, and that the House of Representatives having considered this proposition, have twice voted upon it, and they come direct from the people and are supposed ro represent the people's interests in this Government——

Mr. TILLMAN. Mr. President——

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

Mr. PERKINS. I yield to the Senator.

Mr. TILLMAN. I desire to call the attention of the Senator from California to the fact that there was no evidence produced before the committee showing any such profit, because if there had been I for one would have never agreed to give any company $100,000 profit on a contract of $70,000.

Mr. PERKINS. Perhaps not, Mr. President, excepting by inference. Those of us who have had experience in the construction of maritime vessels know that a vessel of that dimension, with that displacement of tonnage, and the machinery in it can be built for from $75,000 to $100,000.

Mr. TILLMAN. Can the vessels the Senator speaks of dive and come up and swim under the water and go like a fish? Does this vessel have nothing new or strange?

Mr. PERKINS. That is simply pumping out the air of the vessel and filling the different compartments. The machinery—the power of propelling the vessel—is not more complicated than in the ordinary maritime vessel. But that is not the question now before us. We have had it in conference here for three or four days. My friend from South Carolina has been on the committee of conference with the conferees on the part of the House of Representatives. They have discussed it, and he has spoken, as he always does, in that logical and forcible manner which is characteristic of his nature, and he has failed to convince them that he was right and that they were wrong. The House of Representatives have twice voted upon it.

Mr. TILLMAN. Only once.

Mr. PERKINS. Once, then, Mr. President. This bill carries $70,000,000 with it. It means the support of the Navy of this great Government of the United States. It seems to me, with only twenty hours intervening between the present time and the close of this Congress, the Senate of the United States ought to recede from their amendment. No possible wrong, no possible injurious results can accrue to our Government by simply postponing this question until next December. In the meantime the six torpedo boats contracted for by our Government will have been completed. The test will have been made, the trial will have been completed, and then we will have it fully demonstrated whether it is business policy for the Government to build more of them or not.

I have upon my desk, or in my office, propositions from other contractors, who claim that they have great advantages over the Holland torpedo boat. But that is not the question now. The question simply is one of policy, one of expediency, one of advisability. Shall the Senate, which is only coordinate with the House of Representatives in the legislative affairs of the Government, recede, or shall we persist in the position we have taken? I for one shall vote to recede from our position and concur with the House of Representatives upon this proposition.

Mr. JONES of Arkansas. Mr. President, I regret exceedingly to have heard from the Senator from California some statements made by him on the floor. We are compelled to rely to a very large extent on committees here for whatever we do in the transaction of public business. It is a physical impossibility for individual Senators to fully advise themselves with respect to all the details of important measures that come here for consideration. We are compelled to rely on the judgment and tact and common sense of the committees having charge of the different important measures.

I regret exceedingly that the Senator from California has stated that an amendment of this character, an important amendment, has been reported by the Committee on Naval Affairs to the Senate not because the public interest required it, not because the public good would be promoted by the adoption of the amendment, but from motives of sympathy for some contractor who was to do the work for the Government.

I think if the Committee on Naval Affairs have taken any such action as that, they are not entitled to the respect I have always accorded to that as one of the ablest, most upright, strongest, and best-informed committees of this body. I have believed that whenever they made a report here they reported what they believed in their consciences was best for the public good. When they came here and reported that there should be three more of these boats built, I thought it was because the public good required it and not because we proposed to give $300,000 of net profit to some company to do $450,000 worth of work.

Now, it seems to me the question is this: The Committee on Naval Affairs have reported in favor of putting these three torpedo boats in the bill. The Senate have adopted their suggestion. We have followed their judgment. I was willing to follow it because I was not informed, and I had faith in the men who compose that committee and who have had charge of the bill. When they made a report which led me to think the public interest required that it should be done, I was in favor of it.

When they go to conference, and the House is not willing to yield to their judgment, if they believed that the public interest requires that we should recede, I am willing to follow their judgment in that; and when they come to the Senate and say that they have disagreed, and they believe we should send the matter back to another conference, I am still willing to trust their judgment, although what has been stated by the Senator from California shakes me somewhat in that respect.

Mr. PERKINS. I simply desire to say to my friend from Arkansas, in justice to myself, that he somewhat distorts my remarks, at least those which I intended to make. These boats are in a process of development, of evolution. While experimental tests made on the Potomac River, of which I was an observer, seemed to satisfy us in a great measure of their utility and of their value, yet it has not been fully demonstrated. The Senator has been, I think he said a few days since, at times in his life engaged in agriculture. There are times when our crops look splendidly, when we have a fine cotton crop promised us, but a north wind or blight comes on, and our expectations are not realized.

So with these boats. I believe it to be a valuable vessel for coast defense. But it has not been fully demonstrated to the satisfaction of any scientific or practical nautical man, because they have never been in action. We do not know what the enemy, if there was one which they approached, would have to defend himself against their approach, and perhaps make that defense wholly inoperative and ineffective. That is all. My objection to increasing the number of the Holland torpedo boats is because we have not fully demonstrated to our satisfaction their great usefulness. The *Merrimac* was an experiment, and yet Ericsson's *Monitor* came down and demonstrated that she was not what her builders expected her to be, for the *Monitor* was far superior to her. So it is with the Holland torpedo boats. There are other builders of submarine vessels, who claim superiority over these vessels.

I want to say to my friend from Arkansas that I know how jealously he guards the interests of our Government, and all honor is due to him for it. I agree with him, for when he reports from his committee any proposition I accept it after he has thoroughly examined it, and I usually vote with the majority of that committee. So he only does right, in my opinion, to take the majority opinion of the Committee on Naval Affairs when they have investigated and given their best thought and their conscientious investigation and report to the Senate their result.

Mr. BUTLER. Will the Senator from California pardon me for a moment?

Mr. PERKINS. Certainly.

Mr. BUTLER. The Senator says these boats are in an experimental stage. I should like to ask him if the Naval Committee in our various conferences at the opening of the Spanish war did not time and again express fear about our battle ships and admit that they were experimental. Still we had been going on and building them at the rate of from two to four and five a year at $5,000,000 apiece, and we looked each other in the face across the committee table when that war was declared and said we knew not whether they were a success or not.

Mr. PERKINS. That is very true.

Mr. BUTLER. Now, the Senator says we are not fully convinced that these boats are up to perfection yet. Suppose we had waited to build battle ships until they satisfied us, when the Spanish war occurred we would not have had any, because we all admitted that they were experiments, and we had put over $5,000,000 in each one of these experiments.

Mr. PERKINS. Mr. President, the good battle ship *Maine* went into the harbor of Habana, and there, while swinging safely, as they supposed, at the buoy at her anchorage, in the twinkling

of an eye, by the touch of an electric button, those on board that ship were launched into eternity and went to "that bourne whence no traveler e'er returns." It is believed that a submarine torpedo was the cause of the destruction of that vessel. So it is that our harbor at Newport News, the Potomac River, New York Harbor, and other points were guarded by torpedoes and the electrician who controlled them stood on guard day and night, and yet the opportunity did not come whereby we might demonstrate their great utility.

Mr. WOLCOTT. May I ask the Senator from California a question?

Mr. PERKINS. Certainly.

Mr. WOLCOTT. I share with him the splendid tribute and compliment he paid to the Senator from Arkansas when he referred to the fact that the Senator from Arkansas was the chairman of an important committee, which reported bills from time to time to Congress which the Senator from California was glad, to be sure, in voting in favor of. I have looked in vain to see what committee it was.

Will the Senator kindly inform me what committee it is that the Senator from Arkansas is chairman of, where we all follow blindly in his lead because we know his high character and intelligence would permit him to report only bills which we would want to vote for?

Mr. PERKINS. I will say to my friend from Colorado that in 1893——

Mr. WOLCOTT. Oh!

Mr. PERKINS. I had the pleasure of joining with my friend from Arkansas when he was chairman of a committee. Now he tries to throw the responsibility upon my friend from Colorado, and I try to follow him, but the path is so circuitous that I find myself sometimes in a darkness that I am unable to emerge from.

Mr. WOLCOTT. I still would like to know the name of the committee of which the Senator from Arkansas is chairman, whom we all follow so blindly. Will the Senator kindly inform me what committee it is?

Mr. TILLMAN. The national Democratic committee. [Laughter.]

Mr. PERKINS. The Committee on the Five Civilized Tribes. I have been down in the Choctaw Nation and the Cherokee Nation. My friend has never led me astray.

The PRESIDING OFFICER. The question is on the motion of the Senator from Colorado.

Mr. PETTIGREW. Mr. President, in view of the fact that there has been some statement with regard to the experimental stage of the Holland torpedo boat, I wish to read some of the testimony on the subject. I do not care to discuss the question at any length; but it does seem to me if we can defend our harbors and coasts with boats that cost but $170,000, apiece which are more valuable than battle ships which cost $5,000,000, the change ought to be made, even if the armor-plate factories and great shipyards have to go out of business for the Government. I read from the testimony of officers of the Navy:

> Commander N. E. Mason, United States Navy, in charge of the torpedo station at Newport, R. I., makes a lengthy report to the Department on the workings of the *Holland*, under date of October 1 last, in which he says:
> "In my opinion, the *Holland* has been a grand success so far, and for some time the naval crew have had entire charge of her, under command of Lieutenant Caldwell, running and working her both night and day without the presence of any of the *Holland* experts."

Mr. ALDRICH. Will the Senator from South Dakota yield to me for a few moments?

Mr. PETTIGREW. I yield to the Senator.

Mr. ALDRICH. I should like to make a motion that the Senate take a recess until 11 o'clock.

Mr. HOAR. There are three bills undisposed of on the Calendar, which I wish to see passed.

Mr. ALDRICH. Those will come up first in order after 11 o'clock.

Mr. HOAR. I should think the Senate would be willing to take them up now.

Mr. ALDRICH. I am afraid the Senator from South Dakota [Mr. PETTIGREW] would not consent to that.

Mr. HOAR. I hope the Senate will be willing to devote two or three minutes to the consideration of those bills.

Mr. ALDRICH. I shall not object, if the Senator from South Dakota does not.

Mr. HOAR. I hope the Senator from South Dakota will consent.

Mr. JONES of Arkansas. We should like to know what is going on on the other side of the Chamber. We are afraid a recess will be taken without our hearing about it on this side.

Mr. HOAR. The Senator from Rhode Island [Mr. ALDRICH] proposed that a recess be taken until 11 o'clock, and I called his attention to the fact that the Calendar of unobjected House bills, which had been taken up, was completed except three bills, which could probably be passed in three or four minutes; and I appeal to him to allow the Senate to deal with those. My particular interest in them is that one of them is a bill drawn by the Attorney-General, which is very important, and which nobody will object to. It is in regard to the custody of prisoners, and it is very important not only to their comfort, but to the Government of the United States. I hope that and the other unobjected House bills on the Calendar will be disposed of before the Senator from Rhode Island moves a recess until 11 o'clock.

Mr. JONES of Arkansas. I cordially agree with the Senator from Massachusetts [Mr. HOAR], but I further wish to say that I do not know anything better that the Senate can do than undertake to dispose of the conference reports as they are presented one by one to the Senate. It seems to me the sooner they are disposed of the better it will be for the public interest. I can see no special purpose of taking a recess now until 11 o'clock. I think we had better dispose of the conference reports mentioned by the Senator from Massachusetts, and also the pending measures.

Mr. CHANDLER. I shall object to a recess until the conference report is disposed of.

Mr. ALDRICH. Let us have a vote on the conference report now, and then take a recess.

Mr. CHANDLER. That is right.

Mr. BATE. There are three House bills on the Calendar that ought to be disposed of, which will not take more than three minutes.

Mr. ALDRICH. The Senator must be aware that when we come back after the recess the bill of the Senator from Tennessee will be first in order.

Mr. BATE. I am not speaking of my bill particularly.

Mr. ALDRICH. All the unobjected House bills on the Calendar will then be in order.

Mr. CHANDLER. I call for the regular order, Mr. President.

The PRESIDENT pro tempore. The regular order is the motion to recede from the amendment in disagreement on the conference report on the naval appropriation bill.

Mr. PETTIGREW. I had the floor in the midst of this discussion. I have tried to hold it. I want to finish the paragraph which I commenced to read.

Mr. TILLMAN. Will the Senator from South Dakota allow me a minute?

The PRESIDENT pro tempore. Does the Senator from South Dakota yield to the Senator from South Carolina?

Mr. PETTIGREW. I will yield for a question, but I do not wish to be taken off the floor.

Mr. TILLMAN. I am not going to interrupt the Senator by a speech. I merely wanted to remark that the solicitude of certain Senators here lest this great naval bill fail is very remarkable, when they offered to throw away the time and burn it rather than discuss it.

Mr. ALDRICH. It is very evident to me, as it must be to the Senate, that the Senator from South Carolina and other Senators do not propose to have this conference report acted upon at any time in the near future.

Mr. TILLMAN. The Senator might get us into a temper when we would not have it acted on. We do not want anything of that sort. I am ready to vote now, but I am not going to take the Senator from South Dakota [Mr. PETTIGREW] off his feet.

Mr. ALDRICH. I appeal to the Senator from South Dakota——

Mr. PETTIGREW. I should have been through long ago if the Senators had let me alone.

The PRESIDENT pro tempore. The Senate will be in order. The Senator from South Dakota [Mr. PETTIGREW] has the floor.

Mr. PETTIGREW. I want to complete the reading from the testimony of Commodore Mason. He further says:

> Having made several dives in the boat myself, with the naval crew alone, I am of the opinion that they are competent in every way to maneuver and manipulate the boat successfully.
> During the late combined maneuvers of the fleet, shore defenses, and the torpedo flotilla, the *Holland* made a successful attack on the fleet, at night, by herself, without convoy, at a distance of 7 miles out from the mouth of the harbor, and with the naval crew alone in her.
> If the boat is sent to some place like the Naval Academy for the winter months, a great deal of instruction could be given to the officers of the service in a boat which is bound to be one of the future types.

The testimony of other officers of the Navy is that this boat operated successfully; that she dived and reached the side of a battle ship 7 miles from the shore, and could have successfully torpedoed the battle ship before the persons on the ship knew of her presence.

The torpedo boat is not an experiment; it is a success, and it seems to me that if we want to defend our coast this is the cheapest way to it.

I could read from the testimony of Commander Wainwright, the testimony of Admiral Philip Hichborn, constructor of the United States Navy, all to the same effect, and even more emphatic. But still we continue to build battle ships, and you are

afraid about spending $510,000 for three more of these boats, which, in my opinion, are the most effective engines of defense of modern times.

Mr. President, I do not care to go further. It seems to me, however, that this matter is important enough so that we should do what the members of the conference committee of this body ask us to do—adopt their report—send the bill back to conference, and make another effort to see if the House will recede.

It is rather remarkable that the members of the conference committee come in here and recommend one thing and then get up and make speeches advising us to do another thing, or else they get somebody to make speeches to induce the Senate to recede, when the conference committee report that we should insist upon our amendment. I do not know what their purpose is. It is hard to tell.

Mr. TILLMAN. The conferees have done nothing of the kind, but two members of the committee have opposed their own work.

Mr. PETTIGREW. I supposed the Senator from New Hampshire was on the conference committee. If I am mistaken, I apologize.

Mr. CHANDLER. I am in favor of the amendment. I am going to vote for that, and I am in favor of the ships.

Mr. JONES of Arkansas. When I was on the floor some time ago, and was interrupted by the Senator from California [Mr. PERKINS] for a question, when his question was finished I was so far from the beginning, that I suppose everybody else in the Senate except myself had forgotten that I had the floor. I want to finish what I then began to say.

I have entire confidence in this committee of conference, in their judgment, in their management, and in their integrity; and I believe the shortest way to dispose of this matter is to send it back to the conference committee. I have no doubt they will come here with a report, and that the report will be adopted without a word of debate.

I think the best way to do is to follow the committee; to show our confidence in and reliance upon them, and let them work the matter out in conference. They understand the sense and the feeling of the Senate; they understand what motives have moved the committee; and notwithstanding what has been said by my friend from California, whose judgment I am always willing to follow, I have faith enough in him to believe that, when the bill goes back to conference, he will manage to get the best thing for the country out of the situation, and that the report which will be made to the Senate will be adopted without trouble. I hope that will be done by general consent.

The PRESIDENT pro tempore. The question is, Will the Senate recede from its amendment numbered 89 to the naval appropriation bill?

Mr. CHANDLER. I ask for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. CHILTON (when his name was called). I have a general pair with the Senator from West Virginia [Mr. ELKINS]. Not seeing him present, I withhold my vote.

Mr. CLAY (when his name was called). I have a pair with the junior Senator from Massachusetts [Mr. LODGE], who is absent. If he were present, I should vote "yea."

Mr. HANNA (when his name was called). I have a general pair with the Senator from Utah [Mr. RAWLINS], which I transfer to the Senator from Kansas [Mr. BAKER], and vote. I vote "yea."

Mr. HARRIS (when his name was called). I am paired with the Senator from Wyoming [Mr. CLARK]. I see he is not present in the Chamber, and therefore I withhold my vote,

Mr. HEITFELD (when his name was called). I am paired with the senior Senator from New York [Mr. PLATT].

Mr. MORGAN (when his name was called). I am paired with the Senator from Pennsylvania [Mr. QUAY]. If he were present, I should vote "nay."

Mr. SEWELL (when his name was called). On this question I am paired with the Senator from West Virginia [Mr. ELKINS].

The roll call was concluded.

Mr. SCOTT. I have a general pair with the junior Senator from Florida [Mr. TALIAFERRO], who is not in the Senate Chamber. I do not know how he would vote if present, but in order to protect my pair, I will transfer my pair with the Senator from Florida to the Senator from Idaho [Mr. HEITFELD], so that the Senator from Idaho and I may vote. I vote "yea."

Mr. HEITFELD. Under that transfer of pairs I am at liberty to vote, and I vote "nay."

Mr. BURROWS. I inquire if the senior Senator from Louisiana [Mr. CAFFERY] has voted?

The PRESIDENT pro tempore. The Chair is informed that the Senator from Louisiana has not voted.

Mr. BURROWS. I am paired with that Senator, but I will transfer my pair to the Senator from Maryland [Mr. MCCOMAS], and vote. I vote "yea."

The result was announced—yeas 32, nays 18; as follows:

YEAS—32.

Aldrich,	Fairbanks,	Kyle,	Proctor,
Allison,	Foraker,	Lindsay,	Scott,
Bard,	Foster,	Mallory,	Teller,
Berry,	Frye,	Money,	Thurston,
Burrows,	Hanna,	Nelson,	Vest,
Clapp,	Hawley,	Perkins,	Warren,
Cullom,	Hoar,	Pettus,	Wetmore,
Dillingham,	Kearns,	Platt, Conn.	Wolcott.

NAYS—18.

Bate,	Hale,	Kean,	Tillman,
Butler,	Hansbrough,	McBride,	Turner,
Carter,	Heitfeld,	Pettigrew,	Wellington.
Chandler,	Jones, Ark.	Shoup,	
Gallinger,	Jones, Nev.	Stewart,	

NOT VOTING—38.

Allen,	Daniel,	McEnery,	Quay,
Bacon,	Deboe,	McLaurin,	Rawlins,
Baker,	Depew,	McMillan,	Sewell,
Beveridge,	Dolliver,	Martin,	Simon,
Caffery,	Elkins,	Mason,	Spooner,
Chilton,	Harris,	Morgan,	Sullivan,
Clark,	Kenney,	Penrose,	Taliaferro,
Clay,	Lodge,	Platt, N. Y.	Turley.
Cockrell,	McComas,	Pritchard,	
Culberson,	McCumber,	Quarles,	

So the Senate receded from its amendment.

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 report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14236) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1901, and for prior years, and for other purposes.

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. 11900) granting a right of way to the Jamestown and Northern Railway through the Devils Lake Indian Reservation, in the State of North Dakota;

A bill (H. R. 14163) to authorize the Portland, Nehalem and Tillamook Railway Company to construct a bridge across Nehalem Bay and River, in the State of Oregon; and

A bill (H. R. 14236) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1901, and for prior years, and for other purposes.

PROPOSED RECESS.

The PRESIDENT pro tempore. The Secretary will state the next House bill on the Calendar.

Mr. ALDRICH. I now ask unanimous consent that the Senate take a recess until 10 o'clock——

Mr. BATE. I hope the Senator will allow us to dispose of the few remaining House bills on the Calendar.

Mr. ALDRICH. With the understanding that at that time the order of the Senate in regard to the consideration of unobjected House bills shall be proceeded with.

Mr. HOAR. We can dispose of the unobjected House bills on the Calendar in three or four minutes, and I hope the Senator from Rhode Island will withhold his request.

The PRESIDENT pro tempore. The Senator from Rhode Island [Mr. ALDRICH] asks unanimous consent that the Senate take a recess until 10 o'clock.

Mr. ALDRICH. On the urgent appeals of Senators around me, I withdraw the suggestion, but I give notice that as soon as the House bills on the Calendar are disposed of I shall then ask that the Senate take a recess until 11 o'clock.

Mr. BATE. Regular order, Mr. President.

CUMBERLAND RIVER BRIDGE.

The Senate, as in Committee of the Whole, proceeded to consider the the bill (H. R. 14228) to authorize the city of Nashville, Tenn., to construct a free public bridge across the Cumberland River within the corporate limits of said city, which had been reported from the Committee on Commerce, with an amendment, on page 2, after line 21, to insert as a new section the following:

SEC. 5. That the bridge constructed, maintained, and operated under this act and according to its limitations shall be a lawful structure, and shall be recognized and known as a post route, upon which also no higher charge shall be made for the transportation over the same of the mails, the troops, and the munitions of war of the United States than the rate per mile paid for transportation of said mails, troops, and munitions over the railroads and public highways leading to said bridge; and the United States shall have the right of way for postal, telegraph, and telephone purposes over said bridge; and equal privileges in the use of said bridge shall be granted to all telegraph and telephone companies.

Mr. BATE. Mr. President, that amendment was put there, I think, by mistake. The very face of the bill shows it. I have

consulted with the Senator from West Virginia [Mr. ELKINS] who had charge of it, and he agrees that the amendment be withdrawn. It is a free bridge, and the amendment provdes that certain tolls shall not be charged. That is inconsistent.

The PRESIDENT pro tempore. Does the Senator say that the committee authorizes the withdrawal of the amendment?

Mr. BATE. I say the Senator in charge of the bill. I can say nothing else. Perhaps the amendment had better be retained. I do not want any misunderstanding about it.

The PRESIDENT pro tempore. Without objection, the amendment will be disagreed to.

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

NAVAL EQUIPMENT FOR MILITARY SCHOOLS.

Mr. CHANDLER. I am directed by the Committee on Naval Affairs, to whom was referred the bill (H. R. 3003) to authorize the Secretary of the Navy to loan naval equipment to certain military schools, to report it without amendment. I ask unanimous consent for the present consideration of that bill.

Mr. ALDRICH. Mr. President, that is contrary to the unanimous-consent agreement, and I shall have to object. Let the bill go to the Calendar.

The PRESIDENT pro tempore. The bill will be placed on the Calendar.

RED RIVER BRIDGE.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 14093) to authorize the Paris, Choctaw and Little Rock Railway Company to construct and maintain a bridge across Red River, in the State of Texas.

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

ST. JOHN'S LODGE, NEWBERN, N. C.

Mr. BUTLER. Mr. President, I was absent from the Senate, engaged with a conference committee, when Calendar No. 2222 was passed over. I now ask unanimous consent that the bill be taken up.

The PRESIDENT pro tempore. This is a bill which was objected to and passed over. The title of the bill will be stated.

The SECRETARY. A bill (H. R. 636) for the relief of St. John's Lodge, Ancient Free and Accepted Masons, No. 3, of Newbern, N. C.

Mr. ALDRICH. Mr. President, that bill has been objected to once.

The PRESIDENT pro tempore. The bill was objected to.

Mr. ALDRICH. The Senator from Massachusetts [Mr. LODGE], who is now absent from the Senate, is opposed to it and gave notice that he would object to it. On his behalf I object to the present consideration of the bill.

The PRESIDENT pro tempore. Objection is made, and the bill goes over.

JAMES A. SOMERVILLE.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 7603) to correct the military record of James A. Somerville. It directs the Secretary of War to remove the charge of desertion now standing against James A. Somerville, late of Company D, Fifth New Jersey Volunteer Infantry, on the records of the War Department, and to issue to him an honorable discharge dated December 10, 1862, but no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act.

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

Mr. JONES of Arkansas. Mr. President, do these bills come under the unanimous-consent agreement?

The PRESIDENT pro tempore. Yes; they come under the agreement.

J. W. PEGLOW.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 14269) confirming a lease between J. W. Peglow and the Seneca Nation of New York Indians. It proposes that the agreement of lease dated October 11, 1900, entered into between the Seneca Nation of Indians in council assembled and J. W. Peglow, of Silver Creek, N. Y., on October 11, 1900, granting to said Peglow the right of excavating and removing sand from the premises described in the agreement be ratified and confirmed.

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

TRANSPORTATION OF CRIMINALS CONVICTED BY CONSULAR COURTS.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 13396) to amend section 5546 of the Revised Statutes. It proposes to amend section 5546 of the Revised Statutes so as to make it read:

SEC. 5546. All persons who have been, or who may hereafter be, convicted of crime by any court of the United States, including consular courts, whose punishment is imprisonment in a District or Territory or country where, at the time of conviction or at any time during the term of imprisonment, there may be no penitentiary or jail suitable for the confinement of convicts, or available therefor, shall be confined during the term for which they have been or may be sentenced, or during the residue of said term, in some suitable jail or penitentiary in a convenient State or Territory, to be designated by the Attorney-General, and shall be transported and delivered to the warden or keeper of such jail or penitentiary by the marshal of the District or Territory where the conviction has occurred; and in case of convictions by a consular court the transportation shall be by some properly qualified agent or agents designated by the Department of State, the reasonable actual expense of transportation, necessary subsistence, and hire and transportation of guards and agent or agents to be defrayed from the appropriation for bringing home criminals; and if the conviction be had in the District of Columbia, the transportation and delivery shall be by the warden of the jail of that District, the reasonable actual expense of transportation, necessary subsistence, and hire and transportation of guards and the marshal, or the warden of the jail in the District of Columbia only, to be paid by the Attorney-General out of the judiciary fund.

But if, in the opinion of the Attorney-General, the expense of transportation from any State, Territory, or the District of Columbia in which there is no penitentiary will exceed the cost of maintaining them in jail in the State, Territory, or the District of Columbia during the period of their sentence, then it shall be lawful so to confine them therein for the period designated in their respective sentences.

And the place of imprisonment may be changed in any case when, in the opinion of the Attorney-General, it is necessary for the preservation of the health of the prisoner, or when, in his opinion, the place of confinement is not sufficient to secure the custody of the prisoner, or because of cruel and improper treatment: *Provided, however*, That no change shall be made in the case of any prisoner on the ground of the unhealthiness of the prisoner or because of his treatment, after his conviction and during his term of imprisonment, unless such change shall be applied for by such prisoner, or some one in his behalf.

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

ARBA N. WATERMAN.

Mr. ALDRICH. I am instructed by the Committee on Finance, to whom was referred the bill (H. R. 523) for the relief of Arba N. Waterman, to report it favorably without amendment.

The PRESIDENT pro tempore. The bill will be placed on the Calendar.

Mr. CULLOM. I ask unanimous consent that that bill be immediately acted upon.

The PRESIDENT pro tempore. The bill will be reached on the Calendar in a minute.

AMERICAN REGISTER FOR SHIP BALCLUTHA.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 13530) to provide an American register for the foreign-built ship *Balclutha*.

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

GRAND PORTAGE INDIAN RESERVATION.

Mr. NELSON. From the Committee on Commerce I report back the bill (H. R. 14138) to authorize the Pigeon River Improvement, Slide, and Boom Company, of Minnesota, to enter upon the Grand Portage Indian Reservation, and improve the Pigeon River in said State at what is known as the cascades of said river, and ask unanimous consent of the Senate for its present consideration.

Mr. JONES of Arkansas. It can not be considered now, under the rule.

Mr. NELSON. I ask unanimous consent. I trust the Senator will not object. I have to go out on a conference committee.

Mr. JONES of Arkansas. A unanimous-consent order is now being executed by the Senate, and it can not be set aside.

Mr. TURNER. I insist upon the regular order.

The PRESIDENT pro tempore. The bill will go to the Calendar. The next bill on the Calendar will be stated.

NATIONAL BUREAU OF STANDARDS.

The bill (H. R. 11350) to establish the National Bureau of Standards was considered as in Committee of the Whole.

The PRESIDENT pro tempore. The bill has been read in full, and was placed on the Calendar on account of the unanimous-consent agreement.

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

EQUIPMENT FOR CERTAIN MILITARY SCHOOLS.

The bill (H. R. 3003) to authorize the Secretary of the Navy to loan naval equipment to certain military schools was considered as in Committee of the Whole.

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

ARBA N. WATERMAN.

The bill (H. R. 523) for the relief of Arba N. Waterman was considered as in Committee of the Whole. It authorizes the Secretary of the Treasury to issue duplicate to Arba N. Waterman in lieu of United States 6 per cent coupon bond for $100, together with all unpaid coupons thereto belonging, and which said bond, with coupons attached, is alleged to have been lost.

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

GRAND PORTAGE INDIAN RESERVATION.

The bill (H. R. 14138) to authorize the Pigeon River Improvement, Slide and Boom Company, of Minnesota, to enter upon the Grand Portage Indian Reservation and improve the Pigeon River in said State at what is known as the cascades of said river, was considered as in Committee of the Whole.

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

HOUSE BILL REFERRED.

The bill (H. R. 10454) to amend section 1 of an act entitled "An act to amend sections 5191 and 5192 of the Revised Statutes of the United States, and for other purposes," was read twice by its title, and referred to the Committee on Finance.

WASHINGTON TELEPHONE COMPANY.

Mr. ALDRICH. I renew the request which I made some time ago, that the Senate now take a recess until 11 o'clock.

Mr. JONES of Arkansas. I desire to make a motion which I hope the Senator from Rhode Island will allow me to make before he presents his request for a recess. I should like to have the motion pending.

The PRESIDENT pro tempore. Does the Senator from Rhode Island yield to the Senator from Arkansas?

Mr. ALDRICH. I have no objection to the motion being made, and then I shall have to press my request for a recess.

Mr. JONES of Arkansas. I have no objection to the Senator making the request for a recess after I have made the motion. I should like to make the motion. The unanimous-consent order has been executed, I understand?

The PRESIDENT pro tempore. It has.

Mr. JONES of Arkansas. I move that the Senate proceed to the consideration of 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.

Mr. ALDRICH. Pending the motion of the Senator from Arkansas, I renew the request I made that the Senate take a recess until 11 o'clock.

Mr. BERRY. One moment. I ask the Senator from Rhode Island to make it not later than 10 o'clock.

Mr. GALLINGER. I hope it will be 11 o'clock.

Mr. BERRY. It is important, on account of a bill with which the Senator from Minnesota is familiar, that the Senate should be in session before 11 o'clock, and if the request is made for a recess until 10 o'clock I shall not object. The bill will be back here from the House by 10 o'clock, and I shall not object to taking a recess until that hour.

Mr. ALDRICH. The bill to which the Senator from Arkansas refers is not likely to be before the Senate to be considered before 11 o'clock, and none of the conference reports will be. It seems to me it would be very much better to make it 11 o'clock; and therefore I ask the Senate to take a recess until that hour.

Mr. BERRY. It is not likely to be before the Senate, but I repeat that when it comes here it ought to be in conference, because the conferees will not get together until it does come, and 11 o'clock will be very late. It will be back here, I am told, in a short time.

Mr. ALDRICH. The Senators can go on with their conference. They have been conferring upon this bill for two or three days without having a formal conference ordered, and I think they can probably go on for an hour or two longer.

Mr. MORGAN. I should like to know some reason for the recess.

Mr. ALDRICH. I insist upon my motion.

Mr. MORGAN. I should like to have some reason stated for the recess.

Mr. ALDRICH. I beg the Senator's pardon.

Mr. MORGAN. What is the reason for the request?

Mr. ALDRICH. It is impossible to hear the Senator from Alabama.

The PRESIDENT pro tempore. The Senate will please be in order. The Senator from Alabama asks what is the reason for this request.

Mr. ALDRICH. To suit the convenience of Senators who desire to go to their homes for dinner or to look after other matters, and as there is no pressing business before the Senate, I supposed all Senators would be agreeable to that request.

Mr. NELSON. I suggest to the Senator from Rhode Island that we take a recess until 10 o'clock.

Mr. GALLINGER. I trust it will be 11 o'clock. We have been here for six hours, on the Sabbath day, and I think we ought to have a little chance to have some leisure.

Mr. ALDRICH. I will compromise on half-past 10.

The PRESIDENT pro tempore. The Senator from Rhode Island now asks that the Senate take a recess until half past 10. Is there objection?

Mr. BUTLER. I do not want to object to that, if the Senator from Rhode Island knows the state of public business so that he is satisfied I can have twenty to thirty minutes at least to make some remarks of which I have already given notice. Of course, if I can not make them at any other time I will make them on a conference report, but I do not want to interfere with the public business in that way.

Mr. ALDRICH. We will have twelve or thirteen hours after 11 o'clock. There will be no trouble about it.

Mr. BUTLER. I want the Senate to know that I have given notice, as I have given it, and that I expect to occupy the time.

Mr. President, before agreeing to the request I desire to give another notice. A few moments ago, when I asked the Senate to take up this little bill—and I want the attention of the Senator from Rhode Island—the Senator from Rhode Island objected because, he said, another Senator was absent.

I give notice now that I shall ask to take it up when we meet after 11 o'clock, and any Senator who feels it is his duty to object because that Senator is absent I hope will notify him and let him be here or not object, for I do not think it is fair, if Senators choose to stay away all night, that this bill should die. I wish to give notice now that I will call it up, and I do not think any Senator ought to object if that Senator is not here.

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

Mr. JONES of Arkansas. What is the last proposition?

Mr. ALDRICH. For a recess until half past 10.

The PRESIDENT pro tempore. Foa a recess until half past 10.

Mr. JONES of Arkansas. I can not see any good reason for stopping now two hours when none of us are going to sleep. During the next twelve or thirteen hours, to which the Senator from Rhode Island refers as existing after 12 o'clock, some of us will want to be asleep, or part of the time. It seems to me, when we are all awake and in the Capitol, it is unwise to take a recess; and I hope the Senator will not make the request.

Mr. ALDRICH. The Senator from Arkansas knows as well as I do that the only business that can possibly be disposed of to-night or to-morrow morning are conference reports. It is simply useless to try to pass Senate bills with an idea of sending them to the House and expecting them to be acted on there.

Mr. JONES of Arkansas. There is one House bill which I think is quite important, and I should like to have it voted upon.

Mr. ALDRICH. I have not the slightest doubt that the bill to which the Senator refers will lead to prolonged discussion.

Mr. JONES of Arkansas. If so, we had better be at it.

Mr. ALDRICH. That may be. If Senators want to stay here and discuss that bill, I have no objection. I believe that a vast majority of the Senate prefer to go than to take up that bill.

Mr. PETTIGREW. It can not pass. They do not propose to let it pass.

Mr. CHANDLER. We ought to have an executive session, and I move that the Senate proceed to the consideration of executive business.

The motion was rejected.

RECESS.

Mr. ALDRICH. I ask now that my request may be put.

The PRESIDENT pro tempore. The Senator from Rhode Island asks unanimous consent that the Senate take a recess until half past 10 o'clock to-night. Is there objection? The Chair hears none.

Thereupon (at 8 o'clock and 45 minutes p. m.) the Senate took a recess until 10 o'clock and 30 minutes p. m., at which time it reassembled.

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 report of the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 13189) making appropriations for the construction, repair, and preservation of certain rivers and harbors, and for other purposes, insists on its disagreement to the amendments of the Senate numbered 168, 219, 220, and 221, agrees to a further conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. BURTON, Mr. REEVES, and Mr. CATCHINGS managers at the conference on the part of the House.

The message also announced that the House further insists on its disagreement to the amendments of the Senate numbered 2 and 3 to the bill (H. R. 13729) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1902; agrees to a further conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. LOUD, Mr. SMITH of Illinois, and Mr. SWANSON managers at the conference on the part of the House.

The message also anncunced that the House had passed the bill (S. 6048) to amend chapter 559 of the Revised Statutes of the United States, approved March 3, 1891.

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

A bill (H. R. 9835) to establish a code of law for the District of Columbia; and

A bill (H. R. 13436) to authorize the Charleroi and Monessen Bridge Company to construct and maintain a bridge across the Monongahela River.

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 (S. 5573) to amend section 203 of the act entitled "An act making further provision for a civil government for Alaska, and for other purposes;"

A bill (H. R. 2619) for the relief of Agnes and Maria De Leon;

A bill (H. R. 10698) to amend an act amending the act entitled "An act to authorize the receipt of United States gold coin in exchange for gold bars;"

A bill (H. R. 11350) to establish a National Bureau of Standards; and

A bill (H. R. 14093) to authorize the Paris, Choctaw and Little Rock Railway Company to construct and maintain a bridge across Red River, in the State of Texas.

WASHINGTON TELEPHONE COMPANY.

The PRESIDENT pro tempore. The pending question is on the motion made by the Senator from Arkansas [Mr. JONES], that the Senate proceed to the consideration of 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.

Mr. HANSBROUGH. I desire to ask the Senator from Arkansas if he intends to insist upon proceeding with the bill to-night.

Mr. JONES of Arkansas. I hope there will be no difficulty about it, Mr. President. It is a House bill, and I am ready to vote upon it without debate, as far as I am concerned. The first question is to take it up, and then the Senate can determine what it will do with it.

Mr. HANSBROUGH. I am advised that quite a number of Senators desire to be heard upon this measure, and I submit to the Senator from Arkansas that in the very short time remaining of the session we can not do much in the way of debating a great question of this kind.

Mr. JONES of Arkansas. As far as I am concerned, I would be delighted to have a vote without debate.

Mr. CARTER. Mr. President, this is a very important bill. It is manifestly not understood. I therefore request that the bill be read in full for the information of the Senate.

Mr. GALLINGER. Mr. President, I want to make one observation before that is done. The Senator from Arkansas suggests that this is a House bill. It is a House bill, Mr. President, but it did not get the support of a majority of the Committee on the District of Columbia, and is reported without recommendation. I want the Senate to understand that.

The PRESIDENT pro tempore. The bill will be read.

The Secretary read the bill.

Mr. CARTER. Mr. President——

The PRESIDENT pro tempore. The question is on the motion to proceed to the consideration of the bill, and that motion is not debatable.

Mr. GALLINGER. On that I ask for the yeas and nays.

Mr. CARTER. For the further information of the Senate I should like to have the report read, if there is a report on the bill.

Mr. JONES of Arkansas. The motion is not debatable, Mr. President.

The PRESIDENT pro tempore. The bill is not yet before the Senate. The question is on taking it up.

Mr. GALLINGER. Let us have the yeas and nays.

The PRESIDENT pro tempore (putting the question). By the sound, the noes have it.

Mr. JONES of Arkansas. I ask for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. HANNA (when his name was called). I have a general pair with the Senator from Utah, which I will transfer to the Senator from Kansas [Mr. BAKER], and vote. I vote "nay."

Mr. HARRIS (when his name was called). I am paired with the Senator from Wyoming [Mr. CLARK] and withhold my vote.

Mr. HEITFELD (when his name was called). I am paired with the senior Senator from New York [Mr. PLATT].

Mr. MORGAN (when his name was called). I am paired with the Senator from Pennsylvania [Mr. QUAY]. If he were present I should vote "yea."

Mr. PETTUS (when his name was called). I am paired with the senior Senator from Massachusetts [Mr. HOAR]. If he were present, I should vote "yea."

Mr. SPOONER (when his name was called). I have a general pair with the Senator from Tennessee [Mr. TURLEY]. I do not know how that Senator would vote, and therefore I withhold my vote.

The roll having been concluded, the result was announced—yeas 26, nays 28; as follows:

YEAS—26.

Bate,	Foraker,	Mallory,	Teller,
Berry,	Hale,	Martin,	Thurston,
Beveridge,	Jones, Ark.	Money,	Tillman,
Burrows,	Kyle,	Perkins,	Turner,
Carter,	Lindsay,	Proctor,	Warren.
Clay,	McComas,	Simon,	
Dolliver,	McEnery,	Taliaferro,	

NAYS—28.

Aldrich,	Foster,	Kean,	Pritchard,
Bard,	Frye,	Kearns,	Scott,
Butler,	Gallinger,	Kenney,	Shoup,
Chandler,	Hanna,	McBride,	Stewart,
Cullom,	Hansbrough,	Mason,	Wellington,
Deboe,	Hawley,	Pettigrew,	Wetmore,
Fairbanks,	Jones, Nev.	Platt, Conn.	Wolcott.

NOT VOTING—34.

Allen,	Culberson,	McCumber,	Quay,
Allison,	Daniel,	McLaurin,	Rawlins,
Bacon,	Depew,	McMillan,	Sewell,
Baker,	Dillingham,	Morgan,	Spooner,
Caffery,	Elkins,	Nelson,	Sullivan,
Chilton,	Harris,	Penrose,	Turley,
Clapp,	Heitfeld,	Pettus,	Vest.
Clark,	Hoar,	Platt, N. Y.	
Cockrell,	Lodge,	Quarles,	

So the Senate refused to proceed to the consideration of the bill.

THE NICARAGUA CANAL.

Mr. MORGAN. Mr. President, I desire to make a statement to the Senate and to make an appeal to the Senate, which I have drawn up in writing in order not to consume any more of the precious time of this dying session of the Congress than is absolutely necessary. I ask the Secretary to read, if he pleases, the joint resolution that I reported to-day from the Committee on Interoceanic Canals.

The PRESIDENT pro tempore. If there be no objection, the Secretary will read the joint resolution.

The Secretary read as follows:

A joint resolution (S. R. 166) to complete the agreements entered into with the Governments of Nicaragua and Costa Rica in regard to future negotiations for the construction of an isthmian canal by way of Lake Nicaragua.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is authorized by law to complete the agreement entered into by him with the Governments of Nicaragua and Costa Rica in the words following:

"Protocol of an agreement between the Governments of the United States and of Costa Rica in regard to future negotiations for the construction of an interoceanic canal by way of Lake Nicaragua,

"It is agreed between the two Governments that when the President of the United States is authorized by law to acquire control of such portion of the territory now belonging to Costa Rica as may be desirable and necessary on which to construct and protect a canal of depth and capacity sufficient for the passage of vessels of the greatest tonnage and draft now in use from a point near San Juan del Norte, on the Caribbean Sea, via Lake Nicaragua, to Brito, on the Pacific Ocean, they mutually engage to enter into negotiations with each other to settle the plan and the agreements, in detail, found necessary to accomplish the construction and to provide for the ownership and control of the proposed canal.

"As preliminary to such future negotiations it is forthwith agreed that the course of said canal and the terminals thereof shall be the same that were stated in a treaty signed by the plenipotentiaries of the United States and Great Britain on February 5, 1900, and now pending in the Senate of the United States for confirmation, and that the provisions of the same shall be adhered to by the United States and Costa Rica."

Mr. MORGAN. Mr. President, the House bill No. 2538—the Hepburn canal bill—has had such treatment at the hands of the majority in the Senate, for reasons that seem to be entirely political, that I do not care to have the great nonpartisan vote that passed that bill through the House of Representatives again rebuked by the Senate, by its further refusal even to consider it.

This action exposes some rights and privileges of the highest possible value to the country, to secure which the President has concluded a convention with Nicaragua and Costa Rica, to repudiation by those States, if this session of Congress is closed without passing the resolution, which has been read at the desk. I can only perform my duty by asking for action on this important matter.

It seems to be a mistake that nothing can excuse to leave this matter open, and I decline to be responsible for it as a Democratic chairman of a Republican committee. That committee has reported this resolution, and it, at least, deserves the respect of a Republican Senate.

It is due also to the high reputation of this Congress that this dangerous situation should be provided for.

If there is a time for all things, "a time to plant and a time to pluck up that which is planted," we have in this hour a time in which the Senate can do more for the honor of our country by planting this canal across the Isthmus of Darien than it could have done at any moment during the life of the Fifty-sixth

Congress. Instead of that, we are about to tear up what the President has there planted.

This Congress is the golden link between the nineteenth and the twentieth centuries. It opened in the year 1899 and is about to close in 1901, I fear in dishonor. Its work, so far accomplished, announces distinctly a new era in American history.

2. Meeting a national and moral necessity which had compelled the United States to accept a war with Spain, which had resulted in the treaty of Paris, the Fifty-sixth Congress has proceeded to open up to the islands acquired under that treaty the opportunity for free, constitutional self-government, in which the basis of all true liberty is the separation of church and state. Our influence in the Spanish-American governments has made republics of them all, and our forced intervention in the islands of the Caribbean Sea and in the Philippine Archipelago has laid the foundation of this supreme political blessing, on which the happiness of those people will rest in perfect security.

The American people will never permit those foundations to be disturbed or the principles of our free constitutional government that we have implanted in those islands to be shaken.

The thrift of our people under laws that are administered with honesty and wisdom and organic institutions that permit their freedom of action and secure their enjoyment of the results of their labor and enterprise has made our country the granary, the clothier, the mechanician, and the scientific herald of inventive genius, in the forefront, if not in the advance, of any other country.

The Fifty-sixth Congress has a just claim to high eminence among its predecessors for vigorous and careful efforts to give support and encouragement to our people in this great and unexampled progress made by them in this brief period of its existence.

With the hands of the people, working out great destiny, this Congress has marked its era with monuments that can not perish from our national history.

It has but one vote to give, for which we are prepared by years of laborious study and debate, that the world is expecting with anxious solicitude and our people demand with one united supplication, to make this Congress supreme in reputation as the servant of a great country and the benefactor, the peacemaker, of all mankind.

Shall we, for the want of will, or in deference to a sense of national prosperity that is not only imaginary but is not just to our country, refuse to give that vote?

The legislative branch of our Government for twenty-six or more years has been dealing with this great question, without protest or criticism from any other government, including that of Great Britain. For sixteen years we have been dealing with the Nicaraguan Canal question in Congress, in aid of concessions made by Nicaragua and Costa Rica to our own people, and the Senate has passed bills, on that basis of right, twice, by very great majorities.

Congress, convinced that such a basis was not broad and secure enough to meet all the demands of our national necessity or the rightful claims for protection due to the commerce of the world, abandoned that basis and began to institute legislation to acquire national rights for the construction of a canal.

The Hepburn House bill is the outcome of this new line of action. After full deliberation the House of Representatives has sent it to the Senate, by a vote that is almost unanimous, and asks our concurrence.

This change in our line of legislative action is also in accordance with the fact that Nicaragua has declared that the concessions made to our citizens are forfeited, leaving no concessions recognized by Nicaragua as being in existence, either to the United States or to any of our people.

To obtain any canal rights or privileges in Nicaragua it is necessary to acquire them; and without such rights, either by agreement or conquest, it is not possible to construct a canal by the United States.

Seeing this situation, the President, in December, 1900, made an agreement with Nicaragua in identical terms, granting such rights upon the sole condition that Congress will authorize the President to acquire such rights and privileges. I will read one of those agreements—both are in the same words—which I had the honor to report to the Senate from the committee.

Protocol of an agreement between the Governments of the United States and of Costa Rica in regard to future negotiations for the construction of an interoceanic canal by way of Lake Nicaragua.

It is agreed between the two Governments that when the President of the United States is authorized by law to acquire control of such portion of the territory now belonging to Costa Rica as may be desirable and necessary on which to construct and protect a canal of depth and capacity sufficient for the passage of vessels of the greatest tonnage and draft now in use from a point near San Juan del Norte, on the Caribbean Sea, via Lake Nicaragua, to Brito, on the Pacific Ocean, they mutually engage to enter into negotiations with each other to settle the plan and the agreements, in detail, found necessary to accomplish the construction and to provide for the ownership and control of the proposed canal.

As preliminary to such future negotiations it is forthwith agreed that the course of said canal and the terminals thereof shall be the same that were stated in a treaty signed by the plenipotentiaries of the United States and Great Britain on February 5, 1900, and now pending in the Senate of the United States for confirmation, and that the provisions of the same shall be adhered to by the United States and Costa Rica.

In witness whereof the undersigned have signed this protocol and have hereunto affixed their seals.

This agreement is not only indispensable, but it must be a cause of anxiety on the part of the President, inasmuch as he made a part of it to take effect forthwith. The President was then engaged with Great Britain in the effort to remove any possible obstruction arising out of the Clayton-Bulwer treaty that might stand in the way of such an agreement.

He did not intend to affront Great Britain or in any way to affect any right she might have to the making of such a contract with Nicaragua and Costa Rica. To accomplish this great purpose, he copied into these agreements the text of House bill 2538, known as the Hepburn bill. He could not have done this and he could not have stipulated that the most important part of the agreement should take effect forthwith if he considered that the House bill is in conflict with any right of Great Britain or any courtesy due that Government.

It is an undeniable fact that the Hepburn bill is not in conflict with any right Great Britain could possibly assert arising out of the Clayton-Bulwer treaty. Full power over all such possible claims remains to the President in his diplomatic powers and functions under these agreements and under the Hepburn bill.

We can not fathom the danger of letting these agreements fall by our refusal to confer on the President the authority to make them. This would be a fatal misfortune to the country.

In making these agreements the President, by implication at least, has consented to the attitude of Nicaragua in declaring all the concessions to our citizens are annulled, and we are left without any canal rights unless we get them under these agreements.

What is it that stands in the way of the passage of the House bill, which would resolve this perilous situation into one of safety and perfect respect to all the rights and sensibilities of Great Britain?

While Congress was rightfully legislating on the canal question and providing authority for the President to acquire canal rights and privileges in those Republics, the President employed his diplomatic powers to remove objections to the exclusive right of the United States to construct, own, and control a ship canal in Nicaragua and Costa Rica, as I suppose, and, as the whole world understands, to enable Congress to legislate on this subject without giving offense to Great Britain.

This intervention of the diplomatic branch of the Government had one of two purposes, namely, either to aid Congress in legislating or else to take the whole control of the subject out of the hands of Congress. If it was to aid Congress, it was legitimate, but unnecessary. If it was to usurp the control of this great subject in the hands of the diplomatic department, it was utterly inexcusable, and so it remains. The Senate acted upon the Hay-Pauncefote treaty, which is the outcome of this negotiation, and made amendments to it. I will not discuss these amendments.

The time fixed by treaty with Great Britain for exchanging ratifications of this treaty as amended expires on the 4th of March, as I remember. We are now within a few hours of the expiration of that time, and it is certain that the Hay-Pauncefote treaty as amended has failed. No other result is possible.

We must go forward and legislate to acquire the rights defined in the Hepburn bill and in these protocols of agreements with Costa Rica and Nicaragua, or we must abandon all effort to acquire these rights, and thus abandon the canal and the right to legislate on the subject until Great Britain shall give her consent.

It can not be that we are in such desperate straits that we must wait for the expiration of the few hours of this Sabbath day as a courtesy to Great Britain. She could not demand a delay so brief, with no indicated purpose on her part to use it in consenting to the Hay-Pauncefote treaty, for it is now manifest that she does not mean to accept those amendments.

This attitude returns to us the horrid incubus of the Clayton-Bulwer treaty, under which we have struggled with pain and national humility for a half century. I have no desire to travel over that dismal journey, and recall the resentments our people justly feel on this subject. I will leave that to those who are willing to adopt the shame of it and live another half century under its shadow.

There is no reason why this bill should not now pass, and every reason of justice and necessity why it should pass, unless it is that we have surrendered our rights as a nation, and an essential part of the sovereign powers belonging to us, into the keeping of Great Britain. Shall this Congress, great in its history, proud in its courage, and grand in its patriotism, chain itself to the will of Great Britain and link its destiny with so shameful an act, instead of completing its splendid record by an act that will make the pageant of to-morrow a proud delight to the whole American people?

May this Sabbath day, Mr. President, open a week in our national century which shall be followed by other weeks and months and years and centuries, in all of which the nations yet unborn will bless this Congress for a measure that is full of good for all mankind. It is a healing act that will cure us and the world of ills that no other act can heal, and will develop what is our manifest destiny—to march abreast with the greatest nations that have ever existed in all that can bless mankind.

We have long suffered with a paralysis that has caused us the loss of power on land and sea, in commerce, in sea power, and in ship communication with our own ports. The Master who hears us to-night, as we are working on this excepted day from labor, will bless us if we follow his example on that historic Sabbath, when he said to a paralytic Jew, "Rise, take up thy bed, and walk." But this blessing was not bestowed without objection by the Jewish lawyers who witnessed (to question the divine authority) this blessed miracle.

The Jews therefore said unto him that was cured: "It is the Sabbath day; it is not lawful for thee to carry thy bed." The rejoicing invalid, who had been such for all his days, said: "He that made me whole said unto me: 'Take up thy bed and walk.'"

This Congress will vindicate its action before heaven and earth when it shall say to this people, so long imbecile under the paralysis of Great Britain: "Rise, take up thy bed, and walk."

Mr. NELSON. Mr. President——

Mr. MORGAN. I have not yielded the floor, Mr. President.

Mr. NELSON. I desire to make a request of the Senator from Alabama.

Mr. MORGAN. What is it?

Mr. NELSON. Will the Senator yield to me to call up the report of the conference committee on the river and harbor bill?

Mr. MORGAN. In a very few moments.

Mr. NELSON. Very well.

Mr. MORGAN. I wish to ask unanimous consent of the Senate that they will consider and pass this resolution. If it is sent to the other House, I do not think that House can possibly fail to see that it is of the utmost possible consequence to the people of the United States. If we pass this resolution, we shall save those two contracts with Costa Rica and Nicaragua, without which they will be perfectly free to repudiate and turn aside from them. They are to give us all the rights that we desire in Costa Rica and Nicaragua, and without this agreement we can not get those rights. Those agreements provide that when the President is authorized by law to acquire those rights from Nicaragua and Costa Rica they will grant them and engage with us in treaty negotiations as to the terms upon which those agreements shall be fully executed.

A part of this agreement takes effect forthwith. What part? That part which defines the terminals of the canal; that part which gives to us what we tremble to grasp at and have been working to get for more than fifty years. Now the Senate of the United States, for some inscrutable reason, which appears to me upon its face to be one of political partisanship, turns aside from that and engages here to-night, Mr. President, in passing little bills of claims, pensions, and the like of that, when in ten minutes' time we could pass that great Nicaragua Canal bill, and gratify the people of the United States, by the passage of that great measure, more than they have been gratified since the Declaration of Independence.

I hope the Senate will consent to do it, and I ask unanimous consent that the resolution be put upon its passage.

The PRESIDENT pro tempore. The Senator from Alabama asks unanimous consent that the resolution which has just been read be taken up for consideration. Is there objection?

Mr. ALDRICH. I object.

The PRESIDENT pro tempore. Objection is made.

PRINTING OF LAWS.

Mr. JONES of Arkansas. I ask for an order for a reprint of the usual number of public acts numbered 111 and 112. The copies are exhausted and, as I understand, they are very much needed.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Arkansas? The Chair hears none, and the order will be made.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 9886) to restore certain widows to the pension roll; asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. GIBSON, Mr. MIERS of Indiana, and Mr. CALDERHEAD managers at the conference on the part of the House.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on 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; further insists upon its disagreement to the amendments of the Senate numbered 168, 219, 220, and 221, upon which the committee of conference have been unable to agree; asks a further conference on the disagreeing votes of the two Houses thereon, and had apointed Mr. BURTON, Mr. REEVES, and Mr. CATCHINGS managers at the conference on the part of the House.

The message further announced that the House had passed the bill (S. 3670) authorizing and directing the Secretary of the Interior to issue a patent to the heir or heirs of one Tawamnoha, or Martha Crayon, conveying to them certain lands in the State of North Dakota, confirming certain conveyances thereof, and for other purposes.

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. 6591) for the relief of Austin A. Yates; and

A bill (H. R. 13436) to authorize the Charleroi and Monessen Bridge Company to construct and maintain a bridge across the Monongahela River.

WIDOWS' PENSIONS.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 9886) to restore certain widows to the pension roll, and asking a conference of the Senate on the disagreeing votes of the two Houses thereon.

Mr. GALLINGER. I move that the Senate insist upon its amendments and agree to the conference asked for by the House.

The motion was agreed to.

By unanimous consent the President pro tempore was authorized to appoint the conferees on the part of the Senate, and Mr. GALLINGER, Mr. SHOUP, and Mr. KENNEY were appointed.

RIVER AND HARBOR BILL.

Mr. NELSON. I call up the conference report on the river and harbor bill.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives further insisting upon its disagreement to certain amendments of the Senate to 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, and asking for a further conference with the Senate on the disagreeing votes thereon.

Mr. NELSON. Mr. President, it is unnecessary to read the report. We have agreed upon it. There are only four items in dispute. The second disagreement is on but four items.

Mr. BERRY. Mr. President, if the Senator will permit me, the conferees this evening reported an agreement on all the items except four, or five rather, one being omitted by mistake. The report then went to the House that the Senate had insisted and asked for a conference.

The House refused to recede, and granted the conference. That conference was appointed. They again conferred and again disagreed, and reported the disagreement. It was reported to the House, and the House has again sent it over here, still insisting on its amendments. That is the condition.

Mr. SPOONER. What are the points of disagreement?

The PRESIDENT pro tempore. What is the motion of the Senator from Minnesota?

Mr. NELSON. The motion is that the Senate further insist. The committee of conference have had another conference and still disagree in respect to the four items that we reported a disagreement on this evening, and I move that the Senate insist.

Mr. SPOONER. Will the Senator state what the items are?

Mr. NELSON. Yes; but I stated it this afternoon.

Mr. SPOONER. I was not here then.

Mr. NELSON. The four items in dispute are these: The first item is to pay to the Brazos Improvement Company $400,000 for improvements that they made at the mouth of the Brazos River. The next item in dispute is the provision for a reservoir in the State of Wyoming, which has been examined and estimated for by the War Department. The third item in dispute is the one providing for a reservoir in Wyoming. That proposition has also been examined and looked into by the Geological Survey. The remaining item in dispute is the one providing for a small reservoir on the Sioux River in South Dakota.

Mr. CHANDLER. Will the Senator kindly state the amounts involved?

Mr. NELSON. The amount involved in the Brazos amendment is $400,000. The amounts involved in respect to the reservoirs are as follows: The first reservoir in Wyoming is $50,000 direct appropriation and $165,000 continuing contract. As to the second reservoir in Wyoming the direct appropriation is $50,000 and the continuing contract is $25,000. As to the reservoir on the

Sioux River, in South Dakota, the appropriation is direct, $52,500. Those matters are in issue. It is evident from the work we have so far done that it is very doubtful whether the conferees can agree.

I move that the Senate still further insist on its amendments. I should like to have that motion discussed and debated here, and a yea-and-nay vote taken, so that we can get the sense of the Senate regarding it.

Mr. GALLINGER. Let the report be first agreed to.

Mr. PLATT of Connecticut. The motion, I suppose, is to accept the report, then the question of further insisting will be in order.

Mr. ALDRICH. That has been done.

Mr. BERRY. There is no acceptance.

Mr. WARREN. I understand the Senator from Minnesota moves now that the Senate insist upon its amendments, and ask for a further conference.

Mr. PLATT of Connecticut. Has the report been accepted?

The PRESIDENT pro tempore. The conferees simply report a disagreement.

Mr. NELSON. The report as to the other items which we have agreed upon has been adopted in both Houses.

The PRESIDENT pro tempore. Everything has been agreed to by the Senate except these four amendments, and the Senator from Minnesota moves that the Senate still further insist upon its amendments, and agree to the conference asked for by the House.

Mr. BERRY. I hope that question will not be put just yet. I thought the Senator from Wyoming [Mr. WARREN] was going to debate the question.

Mr. WARREN. I have no desire to debate the question, unless the motion of the Senator from Minnesota is antagonized, when I should be glad to have a few moments to debate it.

Mr. BERRY. I want to make a statement, if the Senator will permit me.

Mr. WARREN. Certainly.

Mr. BERRY. We have had these items in conference and have debated them a great many hours. We finally reported a disagreement. The report came here, and the Senator from Minnesota moved that the Senate agree to it. It went to the House, and the House insisted on their disagreement by a large majority. It again went into conference.

We conferred about it, and the House members absolutely refused to recede from their position, stating that they were instructed by an immense majority not to agree, so we reported another disagreement. It went back to the House and was again voted down.

It is useless to meet the conferees again, because they will not agree. Therefore I hope the Senate will fully discuss this question, decide it on a yea-and-nay vote, and instruct the conferees in that way, because it is simply a consumption of time to talk to the House conferees further as matters stand.

They have all positively informed us that they could not under any circumstances agree to the Senate's proposition, especially after the House had twice by an overwhelming majority voted not to do so. Therefore I hope the matter will be settled now by a yea-and-nay vote, so that if the report does go back, the House conferees will understand that it has been after a full and fair discussion in the Senate.

Mr. STEWART. I should like an explanation of the $400,000 item that first comes up. I presume the Senate is uninformed on it.

Mr. BERRY. Some years ago there was an act of Congress passed authorizing the Brazos River Improvement Company to build certain works at the mouth of the Brazos River, in Texas, at their own expense, and to charge tolls. The company undertook the matter and a large amount of work was done, the value of which they claim amounted to more than a million dollars—I do not remember the precise amount.

In the course of time they had not succeeded in accomplishing all they started out to do. It turned out that the proposition would not pay, and they came back to Congress. In the original bill authorizing this company to act, it was provided that Congress might take the work up at any time by paying for it. They came here and wanted Congress to take it. Congress refused to do so. So it went on for some years, and finally an appropriation was made.

Before this, however, a board was sent down there to determine the value of the work. The board reported that it was worth $600,000. Still it was not paid for, the committee of Congress declining to report in favor of paying for it. Then an appropriation was made of $85,000 for an improvement, but not to be expended unless the company deeded their rights in this improvement to the Government. They did so deed them. They then claimed, and claim now, that while they made an absolute deed to us they always said to everybody that they would rely on Congress as to whether or not they would be paid for the improvement.

That is their claim. The committee refused to report to pay $600,000 for the work, but the matter was compromised, and afterwards the committee reported in favor of paying $400,000. That is the item. I do not care to debate the merits of it. There are other gentlemen here who will debate it. I leave that to others. I am one of the conferees.

I do not care to go into the matter. That is the general outline of it. The merits will be presented. What I insist on is not to go through the useless ceremony, without debate, of sending this committee up there to meet the other one whom we know will not agree to it. So I hope that the Senate will take up the matter and discuss it and determine by a yea-and-nay vote whether or not the items shall remain in the bill.

Mr. CARTER obtained the floor.

Mr. MORGAN. Will the Senator from Montana yield to me for a moment that I may ask a question of the Chair?

Mr. CARTER. With pleasure.

Mr. MORGAN. I desire to inquire of the Chair whether a motion to recede from these amendments is now in order?

The PRESIDENT pro tempore. The Chair has no doubt that it is.

Mr. MORGAN. I enter that motion.

The PRESIDENT pro tempore. It was said that there was no report here. There is a report here, and it will be read, if the Senator from Montana will wait a few moments.

Mr. CARTER. Certainly.

The PRESIDENT pro tempore. The report will be read.

The Secretary read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate, numbered 168, 219, 220, 221, and 222, to 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, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate numbered 222, and agrees to the same.

As to amendments numbered 168, 219, 220, and 221, the conferees have been unable to agree.

KNUTE NELSON,
JAMES McMILLAN,
JAMES H. BERRY,
Managers on the part of the Senate.

THEODORE E. BURTON,
WALTER REEVES,
T. C. CATCHINGS,
Managers on the part of the House.

The PRESIDENT pro tempore. The question is, Will the Senate agree to the conference?

Mr. BERRY. I hope the vote will not be taken yet.

The PRESIDENT pro tempore. The conference report should be agreed to, and then there will follow such action as the Senate pleases.

Mr. BERRY. That leaves the other question open.

The PRESIDENT pro tempore. The question is on agreeing to the report.

The report was agreed to.

Mr. MORGAN. I move that the Senate recede from its amendments.

The PRESIDENT pro tempore. The Senator from Alabama moves that the Senate recede from these four amendments.

Mr. CARTER. Mr. President——

Mr. HANSBROUGH. Will the Senator from Montana yield to me for a moment?

Mr. CARTER. Is it as to a matter in relation to this bill?

Mr. HANSBROUGH. I desire to make an inquiry.

Mr. CARTER. I yield for that purpose.

Mr. HANSBROUGH. I desire to ask some member of the Committee to Audit and Control the Contingent Expenses of the Senate to explain the reason for not reporting in some form or other the resolution which I was authorized to report from the Committee on Public Lands the other day and which was sent to that committee and of which I have not heard since. I should be glad to be informed.

Mr. CARTER. I desire to suggest to the Senator from North Dakota that the inquiry is scarcely germane to the subject under discussion.

Mr. HANSBROUGH. I did not know there was anything under discussion, Mr. President, except the Senator from Montana.

Mr. CARTER. The question before the Senate is on agreeing to the conference report, I understand.

Mr. HANSBROUGH. I beg pardon of the Chair. I understood the Chair to announce that the conference report had been agreed to.

The PRESIDENT pro tempore. Yes. Then a motion was entered by the Senator from Alabama that the Senate recede from its amendments.

Mr. HANSBROUGH. I beg pardon of the Chair.

The PRESIDENT pro tempore. That is the question before the Senate.

Mr. CARTER. Mr. President, I have no hesitation in saying in the presence of the Senate that the basis upon which this bill

and all river and harbor bills for a dozen years, within the scope of my knowledge, have been constructed is vicious and entirely contrary to just and equitable principles of legislation. Any Senator who will carefully read this bill and in conjunction with it the report upon which it is based will inevitably be driven to the conclusion, unhappy though that conclusion may be and humiliating as it is, that the bill is framed, constructed, and completed upon the despicable principle of division and silence.

This bill from first to last, and not a page of the bill need be excepted, is surcharged with items repugnant to the judgment of every Senator, items which every Senator is conscious are lacking in merit, and should not be incorporated in any bill appropriating money from the public Treasury.

The first 47 pages of the bill relate to harbors. These items carry large sums of money. They go to a great extent to swell up the aggregate of sixty-odd million dollars carried by this bill. Then follow a number of rivers.

But before taking up the rivers, let me call attention briefly to the harbors. I fully realize, Mr. President, that when a committee starts out to frame a bill of this kind it is the set purpose of every member of the committee to provide for those harbors that should be improved in the interest of commerce; it is the purpose of every member of the committee to expend public money only in the public interest in this behalf; but this bill grows from day to day and hour to hour until a sufficient number of States and districts are satisfied to secure its passage.

We start out, for instance, with an appropriation in the bill at Porcupine Island, in the State of Maine. I presume the waters in the vicinity of Porcupine Island should be considered, but if you will turn to page 26 you will find, very shortly after looking after the harbor in the vicinity of Porcupine Island, we take up Sakonnet Point, in the State of Rhode Island. It was necessary, in order to get Porcupine through, to get down to Rhode Island.

This is a new work—

Says the report. Listen to the persuasive eloquence of the report in this behalf, which calls for the sum of $10,000 from the public Treasury:

Sakonnet Point is a rocky headland on the eastern side of the mouth of Sakonnet River, and lies about 6 miles east of Newport.

Sakonnet Point, in connection with Churchs Cove, just north of it, forms an anchorage protected from the southeast to northeast, but exposed to storms from the south to the northwest.

About the year 1827 somebody concluded that they would build a little breakwater in connection with this point. That was abandoned for more than fifty years. Now we take it up as a new work and propose to put in the sum of $10,000, to be collected in public taxes to improve this work that was abandoned in the days of sailing vessels—the improvement of a harbor that can never be made of any avail whatever in this day of steam navigation and deep-water vessels. But this is a meritorious proposition compared with others that appear in the bill. I think this point ought to be improved if a thousand other things in this bill are to be taken care of at all.

For instance, we have the sum of $5,000 appropriated to take care of Mattituck Harbor, New York. Who ever heard of Mattituck Harbor before to-night? Where is Mattituck Harbor in New York? One of the Senators from New York is present. He may be able to locate it. But I doubt to-night if a single member of the Committee on Commerce can tell where this harbor is. And yet we are to put $5,000 of money in the improvement of that harbor. If you will turn to page 40 of the report, you will find where Mattituck Harbor is. The location of it is to be buried forevermore in this report that is to find its place in the crypt of the Capitol shortly after 12 o'clock to-morrow.

This harbor is a tidal inlet extending about 2 miles south from Long Island Sound to the village of Mattituck, on Long Island, about 70 miles east from New York City.

Now mark this unheard-of basis for an appropriation—astonishing revelation!

The natural depth of water at the entrance is from 1 to 2 feet

[Laughter.]

We are to start in with from 1 to 2 feet of water to dig out a harbor to get up to the village of Mattituck, unknown to anybody outside of the postal authorities of the United States and the persons living in the immediate vicinity.

Mr. CHANDLER. What is the depth of water we are to get?

Mr. CARTER. They want 30 feet of water at Mattituck Harbor. The Senator from West Virginia very aptly suggests to me at this point that the turkeys are required as towboats to tow the catfish out of that place when the water gets low. [Laughter.] The Senator from Maryland says to me we had better sink a well up there and pump the water out in order to get a harbor. This sounds ridiculous, but the naked, cold truth remains that out of the toiling millions whom we are empowered to tax we are to take $5,000 for this purpose.

That takes the opera-bouffe aspects from this case and makes it something of a tragedy. I will not touch all of these ridiculous propositions as we pass by, but only the high places where the low water is found. [Laughter.]

We have next:

For the improvement of the harbor at Carnarsie Bay, New York: Continuing improvement, $10,000.

That is found on page 43 of this report. I am free to say that I never before heard of that harbor, but I find from this report that in 1896, 50,000 tons of freight went into that harbor. This is something of a proposition possessed of merit. The maximum draft that can be carried is 6 feet in the main channel—I suppose 6 inches on the edges—and 3 feet in the south channel over the shoalest part.

Yet the estimated cost of this project to get ocean-going and coastwise steamers into that alleged harbor is $23,000 plus $15,000, and in this bill we provide for that particular harbor the sum of $10,000, the money to be collected in one form and another from the people of the United States.

We next find in the bill the sum of $5,000 appropriated for Flushing Harbor, in the State of New York. Flushing Harbor is dealt with on page 44 of the report. It appears that we are starting out to make a harbor at Flushing, with 3 feet and 9 inches of water to begin with. Will anybody explain, in an age when a steamship is from 300 to 620 feet in length, with a draft of from 20 to 30 feet, how much it is going to cost to get a harbor at Flushing, N. Y., with 3 feet and 9 inches of water to begin with?

But, Mr. President, we do not confine ourselves to the coast when we get to the State of New York. We are easy of our favors in the framing of this bill. We desire to interest everybody, and we naturally desire to throw bouquets at Senators; and consequently we take up the harbor at Peekskill, N. Y., amongst other places in that State, and I find upon page 11 this item, not inserted by the Senate. I have been reading from the original text of the bill. Up to this time I have not made any remark in relation to any Senate amendment to the river and harbor bill. It is a part of the original text of the bill as it came to us:

Improving the harbor at Peekskill, N. Y.: Continuing improvement, $5,000.

I presume that Peekskill is spoken of in terms of respect in this report. If it is not, it ought to be. I have never heard an evil report from the town of Peekskill. [Laughter.] This is the statement. I believe it is not flattering. I presume it is confined to the truth, as all stories relative to Peekskill have been:

HARBOR AT PEEKSKILL, N. Y.

This harbor is a prominent indentation on the eastern shore of the Hudson River at Peekskill, N. Y., about 45 miles above New York City. It has an area of about 1 square mile, approximately—

Not quite, I suppose, but approximately a square mile. [Laughter.] That is, the harbor—not Peekskill—

east of the 12-foot curve of the river, and the outlying flats, 3,500 feet wide, have a maximum depth over them of 5 feet at mean low water.

There must be quite an extent of flat, or what the report terms "the outlying flats."

A narrow channel 6 feet deep at mean low water follows the shore from north to south past the town wharves. The range of the tide is 2.9 feet.

Very important, if true.

The original project for this improvement, adopted by the river and harbor act of June 3, 1896, consists in widening the channel along the wharf front to 100 feet and deepening it to 10 feet; also in extending it north and south until the deep-water channel in the Hudson River was reached. The estimated cost was $50,000.

The amount expended to June 30, 1899, was $10,122.74. The condition of the channel in the harbor at that time was such that boats drawing 9.5 feet of water could be brought to the wharves.

I will not pretend to read the Peekskill case through, because of the many cases I have encountered in this report, outside of the large harbors of the country, Peekskill is one of the most meritorious, and if any item of this great mass of appropriations is to be retained I confidently hope and I earnestly plead for the retention of Peekskill.

But, Mr. President, I will not delay the Senate with any further reference to New York, save to refer briefly to two or three items. We have here, for instance, the improvement of Oak Orchard Harbor, $2,000. In the immediate vicinity of Oak Orchard Harbor the school children know of the harbor, but there is not anybody in the Senate who ever heard of it before. There is not anybody in my State who ever heard of it; and the population of Montana is a traveling population. [Laughter.] I find with reference to Oak Orchard Harbor, New York, for which we are to contribute the sum of $2,000:

The harbor is Oak Orchard Creek.

Not a river, but a creek. [Laughter.]

I recall a survey demanded by a member from Texas, during my brief service in the House of Representatives, of a river in that State, with a view to having some improvements made upon the river in the interest of navigation. When the engineer of the United States Army went down there to examine the river, with a view to having deep water for a hundred miles up through the

channel, the member met him at the mouth of the river and said: "Do you think we would be more comfortable going up the river in a buckboard than on horseback?" [Laughter.]

I have no doubt that this Oak Orchard Creek is one of that class of public improvements. Is there anyone on this floor or anywhere in public life who would stand in the presence of men charged with public duty and attempt to justify the expenditure of $2,000 of the public money on a trifling proposition like this? *Silence will* reign everywhere in the presence of that question. That is not, however, a Senate amendment.

The improvement of Wilson Harbor, New York, is another of the class to which I have referred. Maryland has not been neglected at all. We have had Maine and New York. You will find Connecticut in here with rivers and harbors never heard of by mariner or landsman 20 miles from the location, for the improvement whereof bunches of money ranging from $2,000 to $50,000 are appropriated in this bill.

New Jersey has not been overlooked, and the Senators from New Jersey are unable to-night, I will warrant, without any fear of contradiction, to tell the Senate where half the places are located for which appropriations are made.

Mr. WELLINGTON. The Senator alluded to Maryland a moment ago.

Mr. CARTER. I will give specific cases in reference to Maryland.

Mr. WELLINGTON. I should like to hear them.

Mr. CARTER. I will take pleasure in giving specific cases.

If the Senator will turn to page 16 of the bill he will find the sum of $5,000 appropriated for the improvement of Rock Hall Harbor, Maryland, in accordance with the report submitted to the House in a document that no one has ever seen outside of the member from that district and the man who made it. Let us see how it is.

"The following is the report of the local engineer on a recent examination of this harbor." It is printed in House Document No. 99, Fifty-sixth Congress, first session. The substance of this document is that "in 1891, after a survey made under my direction, I recommended a channel 10 feet deep at mean low water and 100 feet wide from the channel in Swan Creek Inlet to the wharf at Rock Hall, at an estimated cost of $9,515."

Now, that has grown by subsequent estimates to the sum of $31,515, to be spent in and about Swan Creek, and for what purpose will that subserve the general commercial interests of the United States? I do not pretend to go over the case of Queenstown Harbor, Maryland, nor the improvement of Claiborne Harbor, Maryland, or the various other projects for Maryland. It is a sad commentary upon my geographical information, but I say, without any semblance of a blush, in this presence that I never have heard of three-fourths of these harbors.

Mr. WELLINGTON. Has the Senator never heard of Claiborne Harbor?

Mr. CARTER. I have heard of it here.

Mr. WELLINGTON. Has he never heard of it before?

Mr. CARTER. I probably have heard of Ocean City, where a town-lot speculation has been in progress for some time. [Laughter and applause in the galleries.]

The PRESIDENT pro tempore. There must not be a repetition of applause in the galleries. That is against the rules of the Senate.

Mr. WELLINGTON. If the Senator has never heard of Claiborne Harbor he is very deficient in historical knowledge, so far as our State is concerned. But I made the inquiry for this purpose not to defend any of the appropriations so far as Maryland is concerned. I asked not one of them from the Committee on Commerce in this body, nor did I do anything in the other House to give one dollar for any of these projects.

I believe to-night that the river and harbor bill should not be passed by the Senate of the United States. It is one of those iniquitous measures that is attempted to be passed upon each and every occasion by interesting this, that, and the other Senator in this, that, and the other State. It is "the old flag and an appropriation." Now, I am not responsible for one of them, and I shall take great pleasure in voting against this bill. I believe it to be an iniquitous measure—to use the vulgar term, a steal.

Mr. CARTER. I am glad to have a recruit who is so enthusiastic as my friend from Maryland.

Mr. President, it would be tiresome to the Senate to go over these items in detail. What I wish to impress upon the Senate is that, beginning with the State of Maine on the northeast, through no fault of the committee dealing with this matter in either body, but in obedience to a custom so pernicious that it should be discontinued, the legislation has been framed upon a theory not based upon merit or discriminating judgment as to the interests of the public service, but with a view to getting votes, wholly without regard to the merit of many of the propositions involved.

I have passed from Maine to Massachusetts, from Massachusetts to Connecticut, from Connecticut to New York, from New York to New Jersey, from New Jersey to Delaware, and thence to Maryland. Strike the coast of Virginia, get down to North Carolina and South Carolina, Florida, turn the corner and come to Georgia, and you will find Doboy Bar, Georgia. Before this appropriation bill was brought to the attention of the Senate, whoever here in this body heard of Doboy, in the State of Georgia?

Now, it seems that this is a reasonably meritorious proposition for Doboy Bar. Instead of 1 foot of water to start with they have 12 feet. But the channel is very crooked, so that the entrance is not much used. The project for its improvement was adopted in 1899, and provides for creating a channel by dredging 24 feet deep at mean high water and 300 feet wide, at a cost of $70,000.

Mr. CHANDLER. Read the first two lines.

Mr. CARTER. I will read the whole of that item, to the end that the character of the improvement may be fairly understood.

In 1888, $5,795.40 was spent in harrowing and water-jet work on this bar without result.

Now, I have no knowledge of harrowing and water-jet work; I have put in a good deal of time harrowing for corn planting and wheat sowing and things of that kind, but I suppose there are Senators here who understand what harrowing and water-jet work on a bar means—without result. It is to me, as the Senator from Nebraska [Mr. THURSTON] suggests, a harrowing proposition. [Laughter.]

Failing in this harrowing and water-jet work, an effort was made to reach the Treasury for dredging purposes.

Dredging under contract began April 9, 1900. At the close of the fiscal year 47,000 cubic yards of material had been removed.

The amount expended to June 30, 1899, was $960.79.

The funds appropriated will complete the channel and maintain it until June 30, 1901. To maintain it the following year it is estimated that $30,000 will be necessary.

This brings up one of the peculiarities of this work. The original appropriation made to dredge out a swamp or to make a harbor where nature refused to aid the work, or any considerable part of it, involves an eternal battle with the elements. The currents of the ocean depositing sand along the coast throughout the years and centuries pursued their way in defiance of our edicts and laws.

It follows, therefore, that when we undertake to dredge a harbor out where a harbor does not exist we entail upon posterity the necessity of either abandoning the work improvidently commenced or else eternally seeking to dredge out what nature insists upon depositing in this artificial harbor. Each and every year the burden upon the Treasury will continue to increase, so that when one of these inconsiderate projects has been entered upon we must either abandon the investment made or continue useless investments for an indefinite time in attempting to do that which is repugnant to nature's general course of action.

But, Mr. President, I do not wish to go over these small harbors any further. You might follow around the line to Mississippi, Louisiana, Texas, leap across the continent to California, Oregon, Washington, and every point of the United States that gives a vote in either House of Congress, and you will find that the whim of the member, the demand of a constituency in a locality, rather than the serious engineering aspects of the case, has constituted the rule of action.

But when we get to the rivers—and we must get to the rivers, Mr. President, because these coast States can not withstand the storm that would arise from the interior—we find in pursuing this bill that, beginning with Vermont, New York, Ohio, Pennsylvania, Michigan, Illinois, Wisconsin, Minnesota, the Great Lakes, every little stream that can by any possibility be tortured into a basis for an appropriation is named in the bill. Not content with this, we go down the Mississippi River. Not content with going down the Mississippi River, we stop at every little creek and inlet that pours water into that majestic stream, and follow that creek or stream up to its source.

It is instructive to read the names of some of these streams. You will naturally think when you read the bill carefully that Maine was taken care of, but after taking care of the harbors, those points in which the nation at large is interested, we tramp over the States again and plaster the districts with little appropriations. So we go back to Maine, and we will find that we have here the sum of $25,000 to improve Lubec Channel, Maine. You will find the explanation of that on page 155 of the report. It is just as good an explanation as any of them; but listen to it.

Originally the channel was but 5 feet in depth at mean low tide and but 2 feet at low water at spring tide.

On the Lubec River, starting in with 2 feet of water, after providing for every estuary and place that could be called a harbor along the coast, we go back to the Lubec Channel and start with 2 feet of water and $25,000—to do what, or go where, or accomplish what? This is probably susceptible of a better explanation than many of the items which follow.

Here is the Bagaduce River, in the State of Maine, and I wish to advise the Senate again that I am not reading from a single Senate amendment to the bill. The Bagaduce River is spoken of

on page 156 of the report. This stream empties into Penobscot Bay at Castine, Me. Most Senators have been at Castine. I venture to say that there is no commercial necessity of any kind, character, or description warranting the spending of $25,000 on the Bagaduce River.

But we will pass over Maine and go down to the Cocheco River, in the State of New Hampshire. The Cocheco River calls for an appropriation in this bill of $10,000, and it starts with 6 inches of water to dredge out a channel. Is this not running mad with appropriations of public money? Yet, Mr. President, the Cocheco River presents a most meritorious case.

Mr. GALLINGER. Has the Senator noticed that the tide rises 7 feet in that river?

Mr. CARTER. I know. We had better let the tide do its deadly work in that river. [Laughter.] Now, Mr. President, after this 6-inch river in the State of New Hampshire, we have the improving of the Exeter River in that State, and the reference to Exeter River will be found on page 160 of the report.

A survey of this river was made in 1874 from its mouth in Great Bay to the wharves at Exeter, a distance of 8¼ miles, and a project was submitted to obtain a towing channel with a minimum width of 40 feet and a minimum depth from the mouth to Oxbow, 5.6 miles, of 12 feet at high tide; that is in a country where the tide rises 7 feet; and from Oxbow to Exeter 10 feet, to remove bowlders all the way up between the 10-foot contour down to a depth of 10 feet below high tide at an estimated cost of $24,000.

A number of additional requirements were made; and it seems that we must put in an amount estimated to be required, for the completion, of $7,000. The amount that can be profitably expended this year is $7,000; and there is no pretense that there is any commerce whatever there, as far as this report shows, except that there are about 10,000 tons of fishing boats, I presume, passing up and down that whole stretch of river each year.

Mr. CHANDLER. Coal.

Mr. GALLINGER. Coal boats.

Mr. CARTER. Ten thousand tons of coal pass up and down this river every year. That would be about—well, two teams would haul it in a month.

But, Mr. President, why delay the Senate? Leave New Hampshire and get down to the Powow River in the State of Massachusetts. Who outside of Massachusetts ever heard of the Powow River?

Mr. GALLINGER. If the Senator will permit me, I want to suggest to him that he has taken the only two items in the bill given to the State of New Hampshire for rivers, so that we have not made a very heavy drain on the Treasury.

Mr. CARTER. Except the harbors.

Mr. GALLINGER. And not much on the harbors. In fact there are only three items in the bill for the State of New Hampshire.

Mr. CHANDLER. I am sorry my colleague takes the Senator from Montana seriously. He has not said anything serious yet.

Mr. CARTER. There is the Powow River, in Massachusetts, $12,000. I will not take up the time of the Senate reading the report with reference to the Powow River. I do not wish to have any trouble about it, but I do say that the commerce of the river is of no importance to the people of the United States, and that it is not fair, it is not just, it is not equitable that the people of Indiana should be taxed to spend the sum of $12,000 upon the Powow River, in the State of Massachusetts, from which they can never reap a farthing's benefit, directly or indirectly.

Mr. KENNEY. Mr. President, I think the remarks of the Senator from Montana are very interesting, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. KEAN in the chair). The Secretary will call the roll.

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

Aldrich,	Dolliver,	McBride,	Shoup,
Bard,	Fairbanks,	McComas,	Simon,
Bate,	Foraker,	McCumber,	Spooner,
Berry,	Foster,	McMillan,	Stewart,
Beveridge,	Frye,	Mallory,	Sullivan,
Burrows,	Gallinger,	Martin,	Taliaferro,
Butler,	Hale,	Mason,	Teller,
Carter,	Hanna,	Morgan,	Thurston,
Chandler,	Hansbrough,	Nelson,	Tillman,
Clapp,	Harris,	Penrose,	Turner,
Clay,	Heitfeld,	Pettigrew,	Vest,
Culberson,	Jones, Ark.	Pettus.	Warren,
Cullom,	Kean,	Platt, Conn.	Wellington,
Daniel,	Kearns,	Proctor,	Wetmore,
Deboe,	Kenney,	Quarles,	Wolcott.
Depew,	Lindsay,	Scott,	
Dillingham,	Lodge,	Sewell,	

The PRESIDING OFFICER. Sixty-six Senators have responded to their names. A quorum is present.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had, on the 2d instant, approved and signed the following acts and joint resolutions:

S. 3339. An act for the relief of Leonard Wilson;

S. 4306. An act for the relief of settlers under the public-land laws to lands within the indemnity limits of the grant to the Northern Pacific Railroad Company;

S. 5978. An act authorizing the Attorney-General, upon the request of the Secretary of the Interior, to appear in suits brought by States relative to school lands;

S. 5698. An act to extend the time for the completion of a bridge across the Missouri River;

S. 3288. An act for the relief of Daniel Coonan;

S. 6054. An act authorizing the Texas and Pacific Railway Company to construct a bridge across Red River, Louisiana;

S. 425. An act for the relief of John M. Davis;

S. 3489. An act authorizing and empowering the Secretary of War to grant the right of way for and the right to operate and maintain a line of railroad through the Fort Ontario Military Reservation, in the State of New York, to the Oswego and Rome Railroad Company;

S. 437. An act for the relief of Isaac McConnaughay, private, Company H, Fortieth Iowa Infantry Volunteers;

S. 5935. An act to authorize the Montgomery and Autauga Bridge Company to construct a bridge across the Alabama River near the city of Montgomery, Ala.;

S. 323. An act granting homesteaders on the abandoned Fort Fetterman Military Reservation in Wyoming the right to purchase one quarter section of public land on said reservation as pasture or grazing land;

S. 6012. An act to provide an American register for the steam yacht *May;*

S. 4171. An act to amend "An act granting additional quarantine powers and imposing additional duties upon the Marine-Hospital Service," approved February 15, 1893;

S. 5022. An act to extend the privileges of the seventh section of the immediate transportation act to Fall River, Mass.;

S. 5331. An act to provide an American register for the barkentine *J. C. Pfluger*, of San Francisco, Cal.;

S. 4787. An act to authorize the appointment of Thomas Lutz Stitt as an officer in the Navy;

S. 1632. An act to amend "An act authorizing certain officers of the Navy and Marine Corps to administer oaths," approved January 25, 1895;

S. R. 164. A joint resolution giving the Commissioners of the District of Columbia authority to provide for the public comfort;

S. R. 115. A joint resolution authorizing the Secretary of the Navy to cause bronze medals to be struck and distributed to certain officers and men who participated in the war with Spain, and for other purposes; and

S. R. 158. A joint resolution ratifying an agreement between Tennessee and Virginia with reference to the boundary lines of said States.

PENSIONS TO SOLDIERS' WIDOWS.

Mr. GALLINGER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9886) to restore certain widows to the pension roll, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the Senate amendments and concur in the same.

J. H. GALLINGER,
GEORGE L. SHOUP,
Managers on the part of the Senate.

HENRY R. GIBSON,
W. A. CALDERHEAD,
ROBERT W. MIERS,
Managers on the part of the House.

The report was agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13729) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1902.

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

A bill (H. R. 2163) granting an increase of pension to Mary L. Cramer;

A bill (H. R. 2617) for the relief of the legal representatives of Edward De Leon, deceased, for $8,000 due him for judicial services;

A bill (H. R. 9503) granting an increase of pension to Samuel Baughman;

A bill (H. R. 10302) to amend an act to promote the safety of employees, etc., by requiring common carriers engaged in interstate commerce to equip their cars with automatic couplers and continuous brakes, etc., approved March 2, 1892;

A bill (H. R. 10334) granting an increase of pension to Nellie G. P. Koehler; and

A bill (H. R. 13080) granting an increase of pension to John F. Carbee.

ENROLLED BILLS SIGNED.

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

A bill (H. R. 364) granting an increase of pension to Lewis Black;

A bill (H. R. 427) for the relief of heirs of Mrs. Tellisse W. Wilson;

A bill (H. R. 523) for the relief of Arba N. Waterman;

A bill (H. R. 568) for the relief of W. T. Fitzpatrick, Bedford City, Va.;

A bill (H. R. 1730) granting an increase of pension to Alfred H. Jones;

A bill (H. R. 1769) granting an increase of pension to Isaac H. Duval;

A bill (H. R. 1959) for the relief of the heirs of George W. Saulpaw;

A bill (H. R. 3491) granting a pension to Melvina Greenawalt;

A bill (H. R. 4853) for the relief of the heirs at law of Edward N. Oldmixon;

A bill (H. R. 5645) granting an increase of pension to William H. H. Bouslough;

A bill (H. R. 7055) granting a pension to John G. Barr;

A bill (H. R. 7072) granting a pension to Mary Barron;

A bill (H. R. 7202) granting an increase of pension to Elizabeth Causey;

A bill (H. R. 7995) granting a pension to Jane Hunter;

A bill (H. R. 8032) to reimburse J. A. B. Miles, E. D. Kelly, and Rawlings Webster;

A bill (H. R. 8270) for the relief of Herman von Marsdo, late a lieutenant of Company D, First Maryland Cavalry;

A bill (H. R. 8946) to pay to J. P. Ouzts $209.50 for services as deputy collector internal revenue for district of South Carolina;

A bill (H. R. 9539) granting an increase of pension to Ella V. Coston;

A bill (H. R. 9843) granting an increase of pension to John A. Hardy;

A bill (H. R. 10001) for the relief of the heirs of Joseph T. Stout;

A bill (H. R. 10701) to amend section 6, chapter 119, United States Statutes at Large, No. 24;

A bill (H. R. 10758) granting a pension to Sallie B. Wilson;

A bill (H. R. 11303) granting a pension to Elizabeth M. Killen;

A bill (H. R. 11453) granting a pension to Charles E. Bonns;

A bill (H. R. 11795) granting a pension to Columbus S. Whitaker;

A bill (H. R. 11828) to remove charge of desertion from military record of Charles F. Kramer;

A bill (H. R. 11998) granting an increase of pension to John H. Horner;

A bill (H. R. 12004) granting an increase of pension to George B. Smith;

A bill (H. R. 12204) granting an increase of pension to Mary A. Tunis;

A bill (H. R. 12331) to amend an act entitled "An act conferring on the supreme court of the District of Columbia jurisdiction to take proof of the execution of wills affecting real estate, and for other purposes;"

A bill (H. R. 12386) granting an increase of pension to William N. Hall;

A bill (H. R. 12392) granting a pension to Henry Smith;

A bill (H. R. 13068) to waive and release all claims of the United States by way of escheat to the real estate in the District of Columbia of which Patrick Kavanagh or his sons, Charles W. Kavanagh and William Kavanagh, died seized;

A bill (H. R. 13195) to amend section 5153 of the Revised Statutes of the United States;

A bill (H. R. 13329) granting an increase of pension to Grotius N. Udell;

A bill (H. R. 13520) granting an increase of pension to Cornelia Hays;

A bill (H. R. 13550) to provide an American register for the foreign-built ship *Balclutha;*

A bill (H. R. 13794) granting a pension to Hix Patterson; and

A bill (H. R. 14138) to authorize the Pigeon River Improvement, Slide, and Boom Company, of Minnesota, to enter upon the Grand Portage Indian Reservation and improve the Pigeon River in said State at what is known as the cascades of said river.

POST-OFFICE APPROPRIATION BILL.

Mr. WOLCOTT. Mr. President, I ask permission to have laid before the Senate the report of the committee of conference on the Post-Office appropriation bill.

Mr. NELSON. I call the attention of the Chair to the fact that we have a conference now under consideration.

Mr. WOLCOTT. Yes; but I ask the Senator to yield to me for a moment for this report.

Mr. NELSON. Will it lead to debate?

Mr. WOLCOTT. There will be no debate at all, I think. I wish simply that the report may be agreed to.

Mr. NELSON. I yield for that purpose.

The PRESIDING OFFICER (Mr. KEAN in the chair). The Senator from Colorado presents a conference report, which will be read.

The Secretary read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13729) "making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1902," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 2.

That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: Strike out said amendment and insert the following in lieu thereof: "The Postmaster-General is directed, if he has sufficient available information to enable him to do so, to report to Congress the probable cost of connecting a telegraph and telephone system with the postal service by some feasible plan;" and the Senate agree to the same.

E. O. WOLCOTT,
W. E. CHANDLER,
MARION BUTLER,
Managers on the part of the Senate.

E. F. LOUD,
GEORGE W. SMITH,
CLAUDE A. SWANSON,
Managers on the part of the House.

The report was agreed to.

RIVER AND HARBOR BILL.

The Senate resumed the consideration of the conference report on the disagreeing votes of the two Houses on certain amendments of the Senate to 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.

Mr. CARTER. I will not detain the Senate by referring at length to the seven rivers in the State of Massachusetts. In addition to the Powow River, I will merely name the Mystic River, $50,000; the Mystic River above the mouth of Island End River, $5,000; Weymouth River, $12,000; Town River, $7,000; Taunton River, $2,500—very modest.

Then comes in Connecticut with a number of rivers. Rhode Island has its rivers as well as its harbors, and I notice quite a long string of Rhode Island and Connecticut rivers.

Passing from Connecticut we come to New York. I find about all the rivers in the State of New York that ever have been heard of, and a great many rivers that have never been heard of, are taken into consideration, receiving sums of money from the public Treasury, for useless improvements in most cases, ranging from $25,000 to $50,000.

We get down to the State of Pennsylvania. "Let me not pass Delaware," says the Senator from that State, who was kind enough to seek for an audience in my behalf.

We find the Delaware is very handsomely taken care of. It has not been overlooked.

Mr. KENNEY. What is that, Mr. President?

Mr. CARTER. I observed that Delaware has been very handsomely taken care of and has not been overlooked.

Mr. KENNEY. In what regard? I have been advised that Delaware was not taken care of.

Mr. CARTER. I find for the improvement of the Delaware River, New Jersey, Pennsylvania, and Delaware, in accordance with the report printed, the sum of $450,000.

Mr. KENNEY. I wish the Senator would charge that to New Jersey and Pennsylvania, and not to the State of Delaware. The Delaware River is mostly in Pennsylvania.

Mr. CARTER. Mostly in Pennsylvania, I presume.

Mr. KENNEY. The fact is that the State of Delaware receives, all told, only about $33,000 of all the appropriations in this bill.

Mr. CARTER. It does not get a fair share, and there ought to be a better divide.

Mr. KENNEY. I am with the Senator from Montana on this proposition. I do not think that Delaware does get a fair share.

Mr. CARTER. I am glad to see that recruits are coming. [Laughter.]

I observe, as corrected by the Senator, that the sum of $1,600,000 is exclusive of the amount hereinbefore appropriated—that is, I suppose, exclusive of the $450,000 that has been appropriated. Pennsylvania is most handsomely disposed of.

Every river, great and small, in the State of Maryland is remembered in this grab bag.

Then we come to Virginia. The Potomac River we all know, and reasonable improvements on that stream all Senators will favor; but where is Machodoc Creek, in the State of Virginia, for which the sum of $2,100 must be appropriated? Where is New River, and what has it done in the way of prosecuting commercial enterprises upon that stream? Then my family had a creek named

after them down there, and that creek is not forgotten—Carters Creek, Virginia—in accordance with the reports submitted in a document that no one has ever seen, $3,000.

Improving the Pagan River, Virginia, $10,870. Where is the Pagan River, and what kind of commerce is conducted upon the Pagan River?

Mr. BUTLER. Will the Senator yield to me?

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from North Carolina?

Mr. CARTER. I shall be glad to get some information relating to the Pagan River.

Mr. BUTLER. Will the Senator yield to me to make a request? This evening, under the unanimous-consent arrangement, while we were passing unobjected House bills, the Senate passed House bill 10701. I wish to enter a motion to reconsider the vote by which that bill was passed, and request the House to return it.

Mr. THURSTON. What bill is it?

Mr. BUTLER. It is a bill to amend section 6, chapter 119, United States Statutes at Large, No. 24.

Mr. PLATT of Connecticut. What is the nature of the bill?

Mr. KENNEY. Let the question be stated.

The PRESIDING OFFICER. The Senator from North Carolina [Mr. BUTLER] enters a motion to reconsider the vote by which a bill was passed.

Mr. BUTLER. I wish to enter a motion to reconsider the vote by which a bill was passed, and to request the House to return the bill.

Mr. NELSON. I decline to yield. This is a privileged matter which is at present under consideration.

Mr. BUTLER. It will lead to no discussion. I want the bill to be sent back to the Senate, so that it will be in order. I do not press the motion now. I simply enter the motion.

Mr. GALLINGER. Will the Senator kindly state what the bill relates to?

Mr. BUTLER. It is, as I understand—I have not examined it—a bill amending the banking laws in Porto Rico and other places. It is a very important bill that was passed here by unanimous consent.

Mr. PETTIGREW. Will the Senator state the Calendar number of the bill?

Mr. BUTLER. The Calendar number is 2513.

Mr. NELSON. I decline to yield, Mr. President.

The PRESIDING OFFICER. The Senator from Minnesota declines to yield.

Mr. PETTIGREW. The bill referred to by the Senator from North Carolina is one simply conferring citizenship upon the Indians in the Indian Territory. It does not refer to the banking law at all.

Mr. THURSTON. The Senator from North Carolina has the wrong number.

Mr. PETTIGREW. The Senator evidently has the wrong Calendar number.

The PRESIDING OFFICER. The Senator from Montana [Mr. CARTER] has the floor.

Mr. CARTER. Mr. President, Senators will find little instruction, but much of amusement in reading over the names of the various rivers provided for in the State of Virginia. The interest will increase when you pass Virginia, down to the coast of North Carolina. I would at this point like to have the aid of the Senator from that State who is present [Mr. BUTLER], in the vain attempt, which I shall make, to properly pronounce the names of some of the rivers which are provided for in a most bountiful manner here. First is:

Improving Scuppernong River, North Carolina, $14,000.

I desire to know from the Senator whether my pronunciation of that name is correct?

Mr. BUTLER. The Senator's pronunciation is eminently correct and very euphonious; but the Senator unfortunately is attached to a locality in a part of the earth so far west that he has never yet become acquainted with that luscious grape that is indigenous to North Carolina known as the Scuppernong.

Mr. CARTER. Oh, that furnishes ample justification for the proposed appropriation. I did not connect the grape with the river. [Laughter.] As happily suggested by the Senator from Massachusetts [Mr. LODGE], I was thinking of water and not of wine. [Laughter.]

Passing the Grape River, letting $14,000 pass down the stream, we come next to the Pamlico River. I have heard of that river; but the Tar River, never. And yet I suppose the Tar River is well known—in the locality through which it runs. [Laughter.]

Mr. BUTLER. Why, Mr. President, does not the Senator remember when he was a boy studying geography that the men who made geographies in those days were so ignorant that they put down in those geographies that North Carolina was noted for its production of tar, pitch, and turpentine. Surely in his youthful days the Senator was afflicted with geographies that were written by men who were so ignorant that they put that sentence in them as the things that North Carolina was especially noted for. If the Senator did not know that, if he had been in the Union Army in the late war he would have learned something about tar, because during that war the saying became famous that a soldier from North Carolina had so much tar about him that he would stick and never run.

Mr. CARTER. Mr. President, I understood that the tar related to the heels of the citizens and not to the rivers of the State. [Laughter.]

But we must pay the sum. Now, Mr. President, mark the words: we must pay the sum of $25,000 out of the public Treasury to those comparatively unknown streams during the fiscal year ending June 30, 1902.

The next river in North Carolina that is taken care of, to the extent of $15,000, is the Neuse River, an old timer——

Mr. BUTLER. Surely the Senator is familiar with that river.

Mr. CARTER. Yes; that is probably an old residenter. That is probably entitled to $15,000, if any of these rivers is.

Then comes the Trent River in North Carolina.

Then we come down to the creeks in North Carolina—Contentia Creek——

Mr. BUTLER. I will say to the Senator from Montana that while we call it a creek in North Carolina, he would consider it a river if it were in his State.

Mr. CARTER. I have no doubt of that.

Mr. BUTLER. We call ordinary rivers creeks.

Mr. CARTER. Mr. President, judging by the names in this bill, there are more rivers in the State of North Carolina than in any equal portion of the earth's surface anywhere to be found. [Laughter.]

We have then "improving the Northeast River," then the Cape Fear River, then another item for improving Cape Fear River, and then the Black River in North Carolina. Then we come down to the creeks again. We strike a place called Tom Creek, and we drop $1,000 at that point.

Then we come to the Waccamaw River, North Carolina. "For continuing improvement" we give them $5,000.

Then the Little Pedee gets a thousand dollars, and the Great Pedee gets $5,000.

I will not go further into the merits of the North Carolina case, but respectfully request Senators to turn to the report and carefully consider the merits of the respective creeks and rivers of that State. It is one of the most magnificently watered sections of the American Union. [Laughter.]

We pass then to South Carolina, and we have the Santee River, $20,000. Then the Wateree River. Here we are getting down to the genuine article—"water." [Laughter.]

Then, passing from the Wateree, we come to the Congaree, and the Congaree has $3,500 allowed for improvement—for what purpose is not stated.

Mr. TILLMAN. Mr. President——

Mr. CARTER. I have no doubt the Senator from South Carolina can give me an ample and sufficient reason for the appropriation.

Mr. TILLMAN. The Senator from South Carolina is responsible for but two items in the bill. If the Senator from Montana will permit me, I will say for his benefit and information that Almighty God blessed our country with sufficient rain to give us a stock of water in the soil that will cause rivers to flow, and we do not have to dam up the melting snow in order to get reservoirs to endeavor to irrigate. I sympathize with the Senator, for I have been out through this country, and I never could see what it was made for except to hold the world together. [Laughter.]

The rivers which he mentions are every one of them larger than the Potomac after you get above the Georgetown bridge. The Santee drains three-fourths of the entire State of South Carolina, and the Wateree is a confluent of that stream.

You will understand that these are Indian names. Every one of the Indian names in our country ended with a double "e." There is the Pedee, the Santee, the Wateree, the Congaree, and another one which is called Salkehatchee, but we abbreviate it and call it "Saltketchee."

I hope the Senator will be able to get some water in his eloquent effort to-night; but he had better let South Carolina alone, because there is nothing in this bill for South Carolina that is not honest and decent.

Mr. CARTER. Mr. President, I am very glad to have the Senator sustain his well-known reputation for good conscience and rectitude by disclaiming responsibility for these items. [Laughter.] The great abundance of water in South Carolina evidently led the Senator when charged with the destinies of that State to undertake to regulate the whisky traffic through the State authorities.

Now, we have for the Congaree, $5,000——

Mr. TILLMAN. I will say, if the Senator will permit me, that we do not have to import water to mix with our whisky. We can

always get enough water; but the Senator would have in some portions of his State to carry it along with him.

Mr. CARTER. We do not drink at all. [Laughter.]

Mr. TILLMAN. The Senator means that they do not drink any water at all. [Laughter.]

Mr. CARTER. For this item the Senator from South Carolina is not responsible, to wit, the Ashley River, $25,000; nor is he responsible for this item: Improving Wappoo Cut, $8,000. Now, I have no doubt——

Mr. TILLMAN. I am not responsible, but I will enlighten the Senator as regards that. From the harbor of Charleston clear through to the harbor at Port Royal we have inland navigation by reason of salt water estuaries behind the sea islands. This is not a river at all, it is merely an arm of the sea running around behind the sea islands; but in order to give a means of transportation for the smaller craft, which can not go out to sea, this inland navigation has been improved by deepening the shallow points in the estuary at Wappoo Cut. Does the Senator want any more?

Mr. CARTER. I would like to have the Senator explain this report, which purports to state the facts:

> Wappoo Cut in its original condition was a narrow, crooked tidal stream with not over 2 feet depth in some places. It connects Ashley and Stono rivers.

Now I realize, but I did not realize before, the necessity for the large appropriation. I could not readily comprehend why the amount should be so large—$8,000; but if you start with only 2 feet of water and are confronted with the engineering feat of getting 30 feet, then of course you have got to have $8,000.

Mr. TILLMAN. I do not know what scheme started that; but I have myself been through that cut in a steamer that was a couple of hundred feet long.

Mr. CARTER. Yes; and I suppose it had just 2 feet of water. So the report states. Possibly it may be deeper than that at certain seasons of the year.

Mr. TILLMAN. The Senator must recollect that tides in our State sometimes rise 7 feet; and a stream that is only 2 feet at low tide is 9 feet deep at high tide.

Mr. CARTER. That would be very natural, I should think, of course. [Laughter.]

Mr. TILLMAN. The Senator had better turn his microscope in some other direction. He does not find anything in there that will give him much comfort in trying to dig up the snow out in the West.

Mr. CARTER. Let us see about this. Improving of Beaufort River, South Carolina, $2,000. Then we have "Improving Savannah River"—that is a good river—" above Augusta, $1,000;" and that is the maximum amount given to a good project. The large sums go to projects too small for anything.

Mr. TILLMAN. If the Senator will permit me, the Savannah River flows between the States of Georgia and South Carolina, and above Augusta is navigable only for poled boats; that is, boats that are propelled by hand. There are a good many shoals in the river because of the falls, and I do not imagine that that thousand dollars will ever do any good, because there is a railroad up the bank, and it hauls pretty nearly all the produce carried up and down that part of the country. So far as I am concerned, I am willing to strike out that provision.

Mr. CARTER. I should think the Senator would be, for when we get down to preparing a way for ordinary skiffs and canoes to pass over the shoals and up the creeks, I think we had better stop.

Mr. SPOONER. The Senator from Montana does not make any point on that.

Mr. CARTER. Not at all. There is only 2 feet of water there to start with. An ordinary canoe could hardly be paddled there.

Mr. TILLMAN. The Savannah River at Augusta, where navigation ends by reason of rocks and ledges, is larger than the Platte where it enters the Missouri.

Mr. BEVERIDGE. It will probably take the thousand dollars to buy poles.

Mr. CARTER. Yes; it is probably to buy poles. Now, I believe that the explanation of the Senator from South Carolina will be accepted by the Senate, and I will therefore pass on to Georgia.

Mr. TILLMAN. I am perfectly willing for the Senator to get to Georgia, but I want him to understand that South Carolina has not got any beef in that pot. [Laughter.]

Mr. CARTER. Under the truce, waiving no rights of any other Senator to comment further on the rivers of South Carolina, I wish to call attention to the Oconee River in the State of Georgia, for which we are to appropriate the sum of $30,000. I regret exceedingly that one of the Senators from Georgia is not in the Chamber at this moment, to the end that we might have some explanation upon a constitutional basis of the reason why $30,000 should be paid from the public Treasury to improve the Oconee River in the State of Georgia. If there is not a constitutional question involved in this class of expenditure, it is difficult to conceive where the Constitution can apply to expenditures within a State for purely local purposes. Probably in order to get a greater depth of water for the fish to swim in in that section of the country or to reelect a member.

There are some names in Georgia that were attached to the Indian tribe about the time that James Oglethrope landed in that part of the country and took possession, and I do not pretend at this time to tell just how the aborigines pronounced their names; but you will find by turning to page 64 of the bill the Altamaha River, a great highway of commerce unknown outside of the vicinity, which is to be improved by the expenditure of $10,000, money to be collected up in the State of Wisconsin and out in Michigan——

Mr. TILLMAN rose.

Mr. CARTER. And down in South Carolina, if you please.

Mr. TILLMAN. In the absence of the Senators from Georgia, as I live near by, I will give the Senator from Montana a little information on geography.

Mr. CARTER. I shall be glad to have it.

Mr. TILLMAN. The Altamaha is formed by the juncture of the Oconee with the Ocmulgee. These two rivers form a junction at or near Macon, Ga., some 200 miles from the ocean, and steamers can run up to Macon, Ga., from the ocean. We are not trying to dredge any channel through dry land down there in order to get river and harbor appropriations.

Mr. CARTER. You come pretty near it. This case comes within 1 foot of dry land. [Laughter.]

Mr. TILLMAN. Which river does the Senator allude to?

Mr. CARTER. I am referring to the Altamaha. Now, permit me to read from the report, for I submit to the Senate that the description that the Senator from South Carolina has furnished of the location of this river gives no general information to any person present as to where the river is, except that it is in the State of Georgia.

Mr. TILLMAN. It flows into the Atlantic Ocean, of course.

Mr. CARTER. Through some other stream?

Mr. TILLMAN. No; it enters into the Atlantic through its own mouth.

Mr. CARTER. It does? Now, if the Senator will permit me——

Mr. TILLMAN. Certainly.

Mr. CARTER. I will read the best statement that a gentleman could make. Sitting down, inspired by the silent surroundings, and the midnight oil burning, and peace and quiet prevailing everywhere, he deliberately wrote this about the Altamaha:

> The Altamaha is the most important river in Georgia, lying entirely within the boundaries of that State.

That would carry the idea that it was quite a river, but listen:

> It is formed by the confluence of the Oconee and Ocmulgee rivers, and has a total length of some 155 miles. It flows in a southeasterly direction, and empties into the Atlantic Ocean through Altamaha Sound, below the town of Darien.
>
> The chief obstructions to the navigation of the Altamaha River consist in rock ledges, sand bars, snags, sunken logs, and overhanging trees.

[Laughter.]

We have got to cut down the forests.

> The rock ledges were confined to the upper portion of the stream, while the other obstructions were found throughout its entire course. The low-water depths at some points did not exceed 1 foot.

I will not read any further from this report. I think that conveys a good general description to the Senate.

Mr. TILLMAN. It is not my funeral or my fun in any sense of the word, but the Senator's information in regard to Southern rivers is so lamentable in its deficiency that I wish he would come down there on a visit and see what sort of streams we have. The Altamaha River, of which he has just spoken, I have crossed up near the junction of the two, the Oconee and the Ocmulgee. It is something over a half mile wide. Of course it varies in depth according to the shallows or sand bars at various points; but I venture to say that there is not at any point in its whole course a place where the water ever gets so low as 1 foot deep clear across it or anywhere near it. I do not care what the engineers may say. Too much water flows through it.

These other streams, the Oconee and Ocmulgee, both rise in the Blue Ridge Mountains, 300 miles from the Atlantic Ocean, and they have confluence and tributaries which, flowing together, form a river as large or larger than the Hudson, until it gets way down nearly to Peekskill, of which the Senator has just spoken, and which they are improving.

Mr. PETTIGREW. It is only a foot deep, according to the engineer.

Mr. TILLMAN. I do not care what that thing says. I know it is not true.

Mr. CARTER. I suppose——

Mr. TILLMAN. I call the Senator's attention to this phase of the river and harbor bill: We have a large number of engineers who must be kept employed, and it is very probable that a great many Senators and Representatives have gone to the War Department and insisted that surveys shall be made of various streams, and that this and that improvement must be entered upon for the

purpose of improving navigation. It is notorious that nearly every one of these schemes involves simply the possibility of securing lower freight rates by giving the towns on the rivers the possibility of running a line of steamboats which will force the railroads to give competitive water rates.

The Mississippi itself has quit having any steamboats on it almost, and the whole scheme of river improvement is a humbug and a steal; but if you are going to steal, let us divide it out [laughter], and do not go to complaining.

Mr. CARTER. With a frankness that has always characterized the Senator he comes to my rescue in this good work. I do not pretend to denominate these matters either as grand or petty larceny or as ordinary stealing, as the plain vernacular of South Carolina would put it, but I do say that in order to expose the monumental abuse that has grown up and around this bill it is only essential to go over its details. It appears ridiculous, utterly absurd, wholly indefensible from any standpoint whatever. It is an unhappy condition of things to contemplate when we are brought face to face with the fact that the harbor of New York, with its majestic commerce, the harbor of San Francisco, the harbor of Charleston, the great harbors around the country, upon which the nation at large depends for incoming and outgoing commerce, can not be honestly improved without filtering the public money out through these various little channels, causing men who realize the value of the money they are appropriating to blush in the act when the facts are brought before them.

Mr. President, I do not feel that we ought to stop at this point. To go through the State of Georgia is but to recapitulate another series of humiliating facts involved in this farcical compilation called an appropriation bill. There are meritorious items in the bill, items indispensable for the good of the country, indispensable to the development and maintenance of its commerce; but they are weighted down, not because of the merits of items, but because of the necessities, which I believe are only supposed necessities, connected with the passage of the bill through the respective Houses.

This bill has become known in the most remote corners of the United States, out in the villages and hamlets of the Rocky Mountains, throughout the Mississippi Valley, all along the respective coasts, as the pork bill of Congress. Every man who has a piece of pork in the bill is expected to keep his mouth shut, and to square his conscience with his duty under his oath as best he can. This bill will fail in each Congress in which it is brought up in the future, in my humble judgment, unless correct principles of legislation are employed in the preparation of the bill, and it should fail. Nine-tenths of the items are without merit, without justification.

No member of either body expects to do a wrong in insisting upon the insertion of one of these items. To rush upon the river and harbor bill has become a current mania. Any sort of showing, a foot of water in an unheard of stream, becomes the basis of a $25,000 appropriation in this bill. The meritorious items in the bill will ultimately suffer seriously unless this bill, like the sundry civil bill, like the Post-Office appropriation bill, like the bill for the support of the Army or the upbuilding and maintenance of the Navy, is constructed upon business principles, with due regard to the public interest and without this logrolling system which has heretofore been employed in getting through the river and harbor bill. It is regarded in this Chamber and elsewhere as a sort of pusher. Men have stood mute upon this floor during the present session of Congress, if I judge correctly, because they wished to get things out of the way of the river and harbor bill. The honest convictions of members have frozen on their lips because they had some trifling river appropriation or some little harbor snap in the river and harbor bill which they wished to bring home to their districts and deliver to their constituents.

But let us see what is left of Georgia. I am not through with it. Not at all. You will find these items, generally speaking, not based upon the merits of the respective cases, but generally upon the number of members of Congress from the State. I will not pretend to say that this holds absolutely good throughout the bill, for I have not analyzed it sufficiently, but there are about 36 members from New York. I warrant you will find about 36 items in the bill for the State of New York, and you will find just about as many items from the State of Georgia as there are members of the House and Senators from that State. If you look over the electoral college and determine the number of electoral votes from a State, you can tell about the number of items and the aggregate amount of the items, judged by general proportions, to be found in the river and harbor bill. It does not make any difference whether there is a foot of water or 6 inches of water or no water at all in the river in the State, the appropriation goes there by common custom.

This is an unfortunate condition of things; no one will gainsay that, and it must be stopped. Occasionally, in the few years past, a President of the United States, moved by a sense of duty, realizing the scandalous nature of this extravagant waste of public money, has vetoed this bill, and I believe that if the bill could be put before any President of the United States a sufficient number of days before the adjournment of Congress to enable him to scrutinize it with care, you could not get any President to sign any one of these river and harbor bills and make it part of the law of the country and a warrant upon the Treasury of the United States, but that the veto would be interposed every time this aggregation was thrown forward with a proposition that it be signed by the President.

Passing down through Georgia we have here the Chattahoochee River, $63,750. Then for the improvement of Flint River, in Georgia, a large amount of money. Strange to tell, Flint River, in Georgia, is to have the sum of $25,000 spent upon it. For whose benefit or for what purpose? No one can fairly answer. No one will pretend to. Each and every answer to these trifling projects will, in the end, come back to the fair and candid declamation of the Senator from South Carolina: "It is a general steal, and each fellow wants his share."

Here is the Oostenaula and the Coosawattee doubled up, and they are given $5,000. I suppose they extend out into the edge of another district. Then we come to the Skiddaway Narrows, in Chatham County. They had to give the county. When they came to Skiddaway Narrows they had to name the county in which it is located in order to enable the engineers to find it. It is a skid way, I suppose.

But Florida is not to be overlooked. You will find in going down through this list the most ample provision made for the State of Florida. The provision reflects great credit upon the representation in both branches of Congress from that far distant Southern State. The amounts appropriated are large and the rivers, generally speaking, are very small. The names are unpronounceable, and, speaking with reasonable accuracy, I will say they are unknown outside of the immediate vicinity through which these rivers wind their weary course to the sea. There are several pages devoted to the State of Florida. I do not know the aggregate amount, but that it is large goes without saying, because it is satisfactory to the delegation of Florida.

Then we come to Alabama. Now, mark you, they do not skip a coast State anywhere, nor do they leave out a State in the interior. All who come and demand will be served in this bill, providing they have votes to deliver in support of the bill. Take the State of Alabama, and the first river you find is on page 67, the Coosa River, in Alabama. This is to be improved between Wetumpka and the railroad bridge. They have to locate this by reference to a railroad bridge in order to enable the parties to know where to go to work.

Mr. TILLMAN. Mr. President——

Mr. CARTER. I shall be glad to hear from the Senator from South Carolina.

Mr. TILLMAN. The ignorance in geography of my friend is so lamentable that I must even go westward beyond Georgia to give him a little light. The Coosa River is formed by the Oostenaula and the Etowah, two other rivers which rise in the Blue Ridge and form a junction at Rome, Ga., flowing southwestward into Alabama for 200 miles; a very large stream—larger than the Potomac here—as soon as you get above the tidal summit, and it flows on down—it may be shallow in spots. I see my friend the Senator from Montana is looking it up. I am merely giving information. The Coosa River is navigable in the winter months when the cotton crop has to go out.

Mr. CARTER. Send it out on the ice.

Mr. TILLMAN. No; in summer it is not necessary to have any navigation much on this river, and I do not know that it is necessary in winter, because, as I said, the railroads are taking all the transportation in the South as well as elsewhere. But the Coosa River is a very respectable stream. It forms the Alabama, and it flows into the Gulf of Mexico at Mobile, some 500 miles from Rome, Ga. The Senator's geography or ignorance of geography tempts me to give him this information.

Mr. CARTER. I have been in Rome, Ga., and I have been on the Etowah River, but I am willing to take the written report, the official document, which is on file here and intended to support this bill, and upon that rely, rather than upon the memory of the Senator from South Carolina with reference to the geography of a country that he has not visited lately. I think I have been there since the Senator from South Carolina was there. But let me read a description of this river:

> The river was formed of a series of short, deep pools, seldom more than a mile in length, separated from each other by a series of rock reefs and shoals, some of which are as much as 12½ miles in length.

Here is a chain of pools, separated at times by rocks 12½ miles in extent. That does not apply during flood time, when the logs come down in spring, but that is the description upon which this appropriation is based.

> It was therefore not available for purposes of navigation.

They want to put some locks and dams on there in this era of steam and electricity.

Mr. TILLMAN. Have they not got locks and dams all through Pennsylvania, on the Allegheny and around there? I have been around there and seen them.

Mr. CARTER. Those were erected in the time of George Washington, or shortly after.

Mr. TILLMAN. In those days the South stood back and did not claim anything for public improvements, on the ground that it was unconstitutional, and our friends up North got all the swag. We have come to think that we are entitled to our share. That is all the Senator is complaining of.

Mr. CARTER. I do not wish to make any special charge against this particular river. It consists, so the report says, of a series of pools, sometimes disconnected by the intervention of 12 to 15 miles of rocks between the pools. It is the intention to appropriate money out of the public Treasury to connect these pools together and navigate the river that may thus be formed.

Mr. TILLMAN. If the Senator will turn his eagle eye in the direction of Muscle Shoals, in the Tennessee River, between Chattanooga and Corinth, lasting 125 miles or more, he will learn that that great river, the Tennessee, heading way up in southwest Virginia and in western North Carolina and bending around down through north Georgia and on through northern Alabama, and then coming clear back to the Ohio, near Paducah, something like that, is obstructed by these very pools of which he speaks; and the Government has spent several millions in improving Muscle Shoals in order to try to make the river navigable. In our country we have a great many rocks, because the Blue Ridge Mountains and the slopes of the hills on each side are composed of the primary rocks, granite and gneiss, and all those, and these large streams of water are not navigable until they reach the long pine-belt region, or sand region, where the last belt of rocks gives out, and from there on to the ocean most of them have been navigable for steamboats until the railroads supplanted them. The Senator is not making a good case with those of us who know anything about it by those streams he mentions. He had better go back to New England or Long Island Sound.

Mr. CARTER. I have been impartial in my favors in the course of this discussion. Now, upon the theory advanced by the Senator, and that theory occurred to me some days ago, one of two courses is open in reference to this bill in so far as my action with respect to it is concerned. It occurred to me that the bill in all its monstrous features must be exposed. In order to operate upon the line on which the Senator from South Carolina operated, it would be necessary for me to provide for the arrangement of a dry dock up near the summit of the Rocky Mountains somewhere, upon the theory that it would drain itself if we could ever get the water into it, and thus save great expense to the Government. There is just about as much sense in building dry docks for battle ships at the summit of the Rocky Mountains as there is in the majority of these proposed appropriations.

I pass from this string of pools that we are to connect with an appropriation, not of $5,000, but of $75,000, and every dollar of that will be necessary to connect the first two pools you come to, and these two pools will be of no value when connected unless you connect the two pools below. Thus, I presume, before the Coosa River can be made available for navigation we shall have to put two or three million dollars into connecting pools between the Blue Ridge Mountains and the mouth of that river.

Then we have the Alabama River, $20,000, the Black Warrior River, and the Tombigbee. Continuing improvements on the Tombigbee, $275,000. Then we have the Tombigbee River in Alabama, $2,500; then the Tombigbee River in Alabama again, from Demopolis to Columbus, Miss., $2,500; and then the Tombigbee River in Alabama again, from the mouth to Demopolis, for connections, $15,000.

Then we will pass on; and I hope at this point to lose my friend from South Carolina [Mr. TILLMAN], because he can not help me to pronounce any more. We come to the rivers of Mississippi, and we have in this bill one, two, three—I will not pretend to count—there is one full page and part of another page devoted to rivers with unpronounceable names, three-fourths of them not appearing on the map of the United States as published by the General Government, part of them creeks, little waterways of one sort and another, happening to be within districts where if the member demands his pound of flesh, the price of his silence, in conformity with custom the creek must go in and the money must go out.

But, Mr. President, we will pass over to Louisiana, and there you have a veritable harvest of rivers. I regret that the junior Senator from Arkansas [Mr. BERRY] is not present, because we come to him next in the bill. Here we have an appropriation for improving the Ouachita River, Arkansas and Louisiana, for the construction of two locks and dams, one below Monroe, La., and the other below Camden, Ark., according to some report submitted in some vague and indefinite House document that is now buried, I have no doubt, under the accumulated dust of many, many long years.

We have what amount here? Three hundred thousand dollars to build locks and dams on a river that not two men in the Senate ever heard of before this appropriation was urged upon the Senate. It is not a navigable stream. The item shows that it has never been a navigable stream; and yet we are to appropriate $300,000 of public money to build locks and dams on this river of an unpronounceable name. Then we get in a number of other rivers, and then we get over to Texas, where we are taken care of in the most ample and satisfactory manner.

Mr. HAWLEY. Will the Senator pardon me for calling his attention to another point? He has cruelly omitted Little Carters Creek, in Virginia, $3,000.

Mr. CARTER. I paid attention to that in the course of my respects to the State of Virginia. Carters Creek was not overlooked. I suppose the member from that State having due regard to that district and due regard for the vote of the Carter family put the creek in for what it was worth, and a little more, too. [Laughter.]

Now, without any reference to the Constitution or economy, this enormous Arkansas appropriation was placed in the bill. I regret exceedingly that the junior Senator from Arkansas is not present to explain upon what theory he can, in the face of this item of appropriation, hereafter open his mouth in public discussion in the interest of economy in the expenditure of the public money. If this be not a loot of the Treasury, if this be not a wholesale manner of taking out public funds for private purposes, then it is difficult to conceive where you could find any method that can properly be characterized as a loot of the public Treasury.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House further insists on its disagreement to the amendments of the Senate to the bill (H. R. 14018) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1902, and for other purposes, upon which the committee of conference have been unable to agree; asks a further conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. CANNON, Mr. MOODY of Massachusetts, and Mr. MCRAE managers at the conference on the part of the House.

The message also announced that the House had agreed, with amendments, to the concurrent resolution of the Senate to print 30,000 copies of the hearings, including the majority report and the views of the minority thereon, before the Senate Committee on Agriculture and Forestry and the House Committee on Agriculture, etc.; in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

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

A bill (H. R. 573) for the relief of Arthur Connell;

A bill (H. R. 628) for the relief of Hamilton M. Sailors;

A bill (H. R. 1215) granting a pension to Charles M. Neet;

A bill (H. R. 2163) granting an increase of pension to Mary L. Cramer;

A bill (H. R. 2294) for the relief of J. V. Davis, of Alexandria, Va.;

A bill (H. R. 2472) to correct the military record of John H. Finfrock;

A bill (H. R. 2659) for the relief of Meriwether Snuff and Tobacco Company, at Clarksville, Tenn.;

A bill (H. R. 3648) granting an increase of pension to Charles W. Little;

A bill (H. R. 3696) for the relief of the administrator of Mary R. Frost, deceased;

A bill (H. R. 4132) granting an increase of pension to Elijah Baxter;

A bill (H. R. 4193) granting a pension to Levi C. Mann;

A bill (H. R. 4588) granting an increase of pension to Peter M. Hill;

A bill (H. R. 6409) granting a pension to Maria E. Hamill;

A bill (H. R. 6776) granting a pension to Annie Chamberlain;

A bill (H. R. 7321) granting a pension to Armilda J. Luttrell;

A bill (H. R. 7354) granting an increase of pension to Milbre V. Douglas;

A bill (H. R. 7544) granting an increase of pension to Florence L. Stewart;

A bill (H. R. 7603) to correct the military record of James A. Tenneville;

A bill (H. R. 7688) granting a pension to Katy Kurtle;

A bill (H. R. 10334) granting an increase of pension to Nellie T. P. Koehler;

A bill (H. R. 11197) granting an increase of pension to Eugene Leahy;

A bill (H. R. 12507) granting an increase of pension to Ezekiel Dawson;

A bill (H. R. 12732) granting an increase of pension to Elizabeth Reynolds;

A bill (H. R. 12747) granting a pension to Arline E. McNutt;
A bill (H. R. 12801) granting a pension to Willis Brady;
A bill (H. R. 12816) granting an increase of pension to Samuel A. Needham;
A bill (H. R. 12939) granting an increase of pension to Thomas J. Kerstetter;
A bill (H. R. 13080) granting an increase of pension to John F. Carbee;
A bill (H. R. 13173) granting an increase of pension to Ellen Pratt;
A bill (H. R. 13568) granting an increase of pension to James Hickey;
A bill (H. R. 13699) granting an increase of pension to Samuel S. F. Seabury;
A bill (H. R. 13725) granting a pension to Emily S. Knight;
A bill (H. R. 13998) granting an increase of pension to Margaret L. B. Parsons;
A bill (H. R. 14028) for the relief of Aquilla J. Daugherty; and
A bill (H. R. 14269) confirming a lease between J. W. Peglow and the Seneca Nation of New York Indians.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. ALLISON. I ask the Senator from Montana if he will yield to me that I may make a conference report?

Mr. CARTER. With pleasure.

Mr. ALLISON submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 14018) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1902, and for other purposes, having met, after full and free conference have been unable to agree.

W. B. ALLISON,
EUGENE HALE,
F. M. COCKRELL,
Managers on the part of the Senate.

J. G. CANNON,
W. H. MOODY,
THOMAS McRAE,
Managers on the part of the House.

Mr. ALLISON. I desire to ask if there is any message from the House accompanying the bill.

Mr. NELSON. Mr. President, I decline to yield to that other bill. Our bill is a privileged bill. It is a conference report.

Mr. ALLISON. I will say to the Senator from Minnesota that I think this will not occupy any time.

Mr. NELSON. If it will not lead to debate, I have no objection; but if it leads to debate, I decline to yield the river and harbor bill.

Mr. ALLISON. It will not lead to any extended debate, I am quite sure. If the Senator will allow me to say a word or two in explanation, I will be glad for him to allow me. Otherwise I shall not do so.

The PRESIDENT pro tempore. The Secretary will read the message accompanying the bill.

The Secretary read as follows:

IN THE HOUSE OF REPRESENTATIVES, *March 1, 1901.*

Resolved, That the House further insist upon its disagreement to the amendments of the Senate to the bill (H. R. 14018) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1902, and for other purposes, and asks a further conference with the Senate on the remaining amendments.

Ordered, That Mr. CANNON, Mr. MOODY, and Mr. MCRAE be the managers of the conference on the part of the House.

Mr. SPOONER. I ask the Senator from Iowa to state to the Senate the items of difference between the two Houses, if he will.

Mr. ALLISON. As disclosed in the disagreement, there appears to be a number of items in difference, but in reality the conferees, I think, could agree upon nearly all the amendments of the Senate.

The real amendments in difference are amendments No. 62, which I will designate as the pasture amendment, upon forest reservations; No. 99, which is an amendment relating to the improvement of Governors Island—the erection of some military store buildings there; No. 105, the memorial bridge.

No. 129 comprises two amendments, one relating to the National Home in South Dakota and the other relating to an investigation of the Fort Sherman Military Reservation in Idaho, with a view to establishing a Soldiers' Home there.

No. 150 is an amendment relating to the change of the salary of an officer in Massachusetts, wherein the House instructed their conferees not to agree to this amendment, thereby placing them in a position where we could not consider the propriety of the amendment with them. So that is in disagreement.

The remaining amendment is amendment No. 151, relating to international expositions.

I think I might go further, perhaps, and say that these amendments will probably be composed with the exception of the single amendment relating to the expositions at St. Louis, Buffalo, and Charleston. That is the situation of the bill at the present moment.

I move that the Senate further insist upon its amendment and agree to the further conference asked for by the House.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate, and Mr. ALLISON, Mr. HALE, and Mr. COCKRELL were appointed.

ELIZA R. CRAWFORD.

Mr. GALLINGER. The Senator having the conference report on the river and harbor bill in charge is willing that I should interrupt its consideration for a moment. Will the Senator from Montana yield to me now?

Mr. CARTER. Certainly.

Mr. GALLINGER. When unobjected House bills were under consideration, the bill (H. R. 4120) to pay Eliza R. Crawford the amount of a United States loan certificate was objected to. The objection is withdrawn. The bill has been read, and I now ask that it be put on its passage.

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.

THE OLEOMARGARINE BILL.

The PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to concurrent resolution of the Senate numbered 115.

The amendments of the House of Representatives were, in line 2, to strike out "thirty" and insert "six;" in line 8 to strike out "twenty" and insert "four;" in line 10 to strike out "ten" and insert "two;" so as to make the concurrent resolution read:

Resolved by the Senate (the House of Representatives concurring), That there be printed 6,000 copies of the hearings, including the views of the majority and of the minority thereon, before the Senate Committee on Agriculture and Forestry and the House Committee on Agriculture, together with the brief submitted, relating to House bill 3717; 4,000 copies of which shall be for the use of the House of Representatives and 2,000 copies for the use of the Senate. The usual number shall not be printed.

Mr. PROCTOR. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

RIVER AND HARBOR APPROPRIATION BILL.

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13189) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. CARTER. Mr. President, in order that the amendment to which I refer may be clearly understood, I will ask the Secretary to read the amendment on line 11 and ending upon line 3 of the following page.

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

The Secretary read as follows:

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 submitted in House Document No. 480, Fifty-sixth Congress, first session, $75,000; 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: *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 prosecute the work of constructing said locks and dams, or the required materials may be purchased and the work carried on otherwise than by contract, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate $300,000, exclusive of the amounts herein and heretofore appropriated.

Mr. CARTER. Mr. President, according to the report the total amount expended on this project up to June 30, 1899, was $506,728.13, and the amount expended under the project of 1874 was $375,432.44. We are now to expend $300,000 more, $75,000 of which amount this bill immediately appropriates, to be available at the beginning of the fiscal year. This seems to be a stream from which the snags are to be pulled. They must have a stump machine down there to pull the stumps out of the river. The project was commenced in 1874. It contemplates the removal of snags, logs, wrecks, leaning timber, etc.

Now, just think, Mr. President, of the task we are putting the Government to. With nearly a million dollars heretofore expended, we are to put in here $300,000 more, going up a little stream and cutting off the overhanging trees and pulling out logs from the channel and dragging stumps out of the way of boats. This might have been proper enough one hundred years ago, but in this day of electricity and steam, with the railway running everywhere, with the rate per ton per mile for moving freight

lower than it has ever been anywhere in the world's history, is it not positively absurd to spend more than a million dollars of the public money trimming off the overhanging trees from a little stream, for these overhanging trees with such a narrow stream will block the way of a boat going up and down the river—the creek, more properly speaking. Yet this is one of the appropriations that are to be made here at the behest of a Senator who is the arch champion of economy in this Chamber.

When we get down to Texas we find that proper industry has been displayed in getting every river in Texas that anybody outside of the State ever heard of properly taken care of, and a good many rivers that no one outside of the State ever did hear of before are appropriated for in this bill.

After taking up Texas, we drop in with Arkansas again. Arkansas comes both before and after Texas. There are the Arkansas River, the White River, the Black River, the Current River, the St. Francis River; and then we come up to the Tennessee River and get into the middle part of the country, to the end of Tennessee; and then on the Mississippi, and come around to the Ohio and follow up the little rivers that go in through Kentucky or down through Tennessee and through Kentucky and into the Ohio, and we appropriate for all of them.

But the most beautiful exhibition within my personal knowledge is to be found in the splendid appropriation made for the Big Sandy River, in the State of West Virginia. Not only the Big Sandy, mark you, but we are to take in the Tug Fork of the Big Sandy. Then after disposing of the Tug Fork we must take in the Levisa Fork of the Big Sandy, all in accordance with an arrangement made, submitted in House Document No. 235, of the Fifty-sixth Congress, second session. Then immediately follows $112,500. I wonder why they did not just stop at $112,000. They had to put that extra $500 on in order to make it appear that the calculation was very close, that the Big Sandy River required just this amount, simply that and nothing more—nothing less on the Big Sandy. But the Big Sandy is a meritorious proposition compared with the most of them.

Now, then, we pass on from the Big Sandy, as first considered in West Virginia and Kentucky, and upon the next page we find again "Improving the Big Sandy River, West Virginia and Kentucky." On page 79, "Improving the Big Sandy River, West Virginia and Kentucky, including the Tug and Levisa forks, the sum of $12,500." Then, on page 80, "Improving the Big Sandy in West Virginia and Kentucky," $50,000 more.

After that we take up the Kentucky River. I might proceed, naming these rivers throughout the night, until I would finally get over every river in the country and reach the improvements that appeal so strongly to the great, big, liberal heart of my friend the Senator from Illinois [Mr. MASON], who seems to have been charmed likewise into acquiescence in the general project of appropriation by an appropriation in which Illinois was interested.

Mr. MASON. The Senator from Montana has yielded a moment, and if I can have the attention of Senators I will make a very brief explanation of the amendment which is one of the points of disagreement between the conferees of the House and the Senate. I will be just as brief as I can, considering all things, for I do not wish to delay the bill. I hope it will go back to conference at once.

Mr. CARTER. I yield to the Senator from Illinois.

Mr. MASON. I understood that you were kind enough to yield. The amendment, which was recommended by the Committee on Commerce of the Senate, provides for a repayment to the channel and dock company, under the following circumstances:

In 1888 an act was passed which gave to this channel and dock company the right to build jetties at the mouth of the Brazos River and to collect tolls. That act, which I hold in my hand, provided, among other things, that if at any time the Government desired to take the jetties and auxiliary works, they should have the right to do so by paying to the said Brazos River Channel and Dock Company the value of their jetties. The company went on with the work. They secured 18 feet of water. They spent over a million and a quarter of dollars.

Since that time the Government of the United States has made an appropriation to enlarge and continue those jetties, having taken possession of them under a deed given by the company. The company has relinquished all its rights to collect tolls, and the Government referred to its own engineers the question to say not the cost of the jetties, but the value to the Government. With some of the officers of this company I am well acquainted—ex-Senator Farwell, who was my predecessor here, and ex-Congressman Taylor, and there are several hundred of the stockholders of the company living in my State and in my city. They bought the lands at the mouth of the river. They mortgaged the lands for all the money they could borrow to build these jetties under this contract with the Government that if the Government took it back it would pay not the cost, but the value.

It was referred to the War Department with instructions to ascertain the value to the Government and to report to Congress for its action. That is the language of the bill. Colonel Taylor, in addressing ex-Senator Mills, then a Senator from Texas, called his attention to the fact that—

> While this bill makes no provision for the payment to the company for the work they did there, you always informed me in the conversations I had with you that if there was not any provision made now that the next Congress will undoubtedly make an appropriation to pay the value of the work, as you stated it several times to me the Government would never take the property of private citizens without paying them for it. I would be glad if you would give me your views when you offer the amendment to the harbor bill in relation to how we would be able to obtain pay for the works after we had turned them over to the Government, as provided for in this amendment.

To that ex-Senator Mills replied that—

> The law requires the Secretary of War to have them valued and the same reported to Congress "for its action." I feel sure Congress will pay you what the works are worth to the Government.

That is the original plan contemplated between the company and the Government if the Government took the work. Since that time the Government has taken the work; since that time they have gone on with the improvements at the mouth of the Brazos River—a river 800 miles long. We all know its importance. The Government has taken possession and now has possession of the property of this company. Their own engineers estimated its value to be $600,000. They found it cost the company a large sum—over $1,000,000; but they said the value of it to the Government, if anybody was to build it with unlimited capital and without accidents, would be about $600,000.

The committee, however, finally unanimously recommended that a settlement or compromise be made, and instead of allowing the company $600,000 for what the Government actually gets in value by taking possession, they are allowed $400,000, which was satisfactory to the officers of the company. The conferees on the part of the Senate, as I understand, maintained the correctness of that. No one in the Senate would hesitate about it if it was a private matter.

The Government has this work; they have taken it from the company who built it. The company only ask in this amendment that the Government carry out the original plan contemplated, by paying this amount. The work is going on. This very bill contains an appropriation for the improvement, for the continuance and maintenance of the jetties, exactly as if the Government had taken that much coal, iron, or wood; and the Government gets the benefit of the use of these jetties.

While the company, as I say, has spent a million and a half of dollars, the only allowance by the Government engineers is $600,000, which the committee cut down, and recommended $400,000.

No more fair, no more equitable claim has ever been presented to a court of justice or to Congress. The Government has this work. It has taken it from the people who built it—these people having mortgaged their property to build it. If we are to go on improving the mouth of the Brazos River, as recommended by the Government engineers, no honest man can look his conscience in the face and say but that we ought to pay these people for the lumber, the labor, and the material they have put in this work. The price the Government agreed to pay to them when they entered into the contract in 1888——

Mr. KEAN. Did the Government make any agreement with the company?

Mr. MASON. Yes; the Government made an agreement with them that if it took the work it would pay the value of it to the company.

Mr. KEAN. Will the Senator kindly read the contract?

Mr. MASON. This is the contract:

> That if at any time during the construction of said jetties and auxiliary works, or after said jetties and auxiliary works shall have been completed, and said channel of 18 feet in depth has been obtained—

That has all been done—

> the United States shall have the right to pay the said Brazos River Channel and Dock Company the value of their jetties and other works constructed under and by the authority granted to said company by the State of Texas as well as by the authority of this act, and on such payment being made by the United States all right to said franchises and works on the part of said Brazos River Channel and Dock Company shall cease.

When Congress made the first appropriation, I will say to the Senator, it was provided that before they would go on with the appropriation and make it applicable to continuing these jetties the company must turn over to the Government the jetties and relinquish all right to collect toll, which they had done. Then the Government was to take possession.

Mr. KEAN. Has the Senator the original contract?

Mr. MASON. This is the contract between the Government and the company. The law itself made the contract.

Mr. KEAN. With whom?

Mr. MASON. Between the Government and the company.

Mr. KEAN. Where is that contract?

Mr. MASON. Here it is. [Exhibiting.] I can not furnish the Senator and the Senate any better explanation than to say that we passed a law that this company were to build these jetties, and

they were given the right to collect toll, but the Government reserved the right to take the work away from the company and to pay for it. Since that time the Government has taken control; since that time they have used the work, and every dollar these people have spent the Government has had the benefit of it.

The Committee on Commerce examined into this matter and, I think without a dissenting voice, agreed that it was a just and righteous claim. The company have gone on and built those jetties and the Government ought to pay, not the cost, but the valuation fixed by its own engineers.

Mr. McCOMAS. Mr. President, I ask the Senator from Montana to yield to me a moment.

Mr. CARTER. Certainly.

Mr. McCOMAS. I do not desire to delay action on this bill, and I do not intend to correct all the Senator's misinformation. I did not hear all of the Senator's remarks, but I heard him when he stated there were provided for in the bill Maryland rivers and harbors which he thought were unknown and undeserving of appropriation. One was a town of several thousand people, with two lines of steamers running to the harbor, and another a port on the Chesapeake which is the terminus of the Atlantic and Chesapeake Railroad.

I desire the Senator's personal attention to the only harbor of which, from his own statement, he has seen. He has talked of many places; he has not heard of but a few of them, but this is one, according to his own statement, he has seen. He must have seen the harbor of Claiborne, and that seemed to have his special animadversion.

For a very observant man, the Senator from Montana will be surprised to know that Claiborne is the port for the Baltimore, Chesapeake and Atlantic Railway system, which gridirons the peninsula, reaching over from Maryland to Delaware, which is a harbor able to accommodate a large and growing commerce.

There were carried, as my friend might have seen, if he had not had the whole bill before his mind and part of it before his eyes when he read—to be more specific:

> The main commerce in Claiborne Harbor at present is due to its being the terminus of the Baltimore, Chesapeake and Atlantic Railway Company, whose steamers alone carried 44,025 tons of general freight, 67,500 passengers, 250,000 feet of lumber, 110,000 pounds of United States mail, and 9,000 tons of coal in the year ending August 31, 1899 as reported by the general superintendent of the company.

The Senator said there might be 500 passengers on that road in twenty years. It seems to me that the sum of $10,000 in this bill, the port of a large railway system, carrying 67,500 passengers, including my honorable friend the Senator from Montana himself, and all the revenues from the passenger traffic and that freight traffic, is not a very generous appropriation. Ten thousand dollars is given, that the large Government mail, these many thousands of people, and all this freight may be carried.

I trust the Senator has been more fortunate in other instances than in that one instance which I cite to correct his misinformation and want of observation, when he himself was there and embarked at that port on the steamer, and failed to see a fleet of coastwise boats with their sails flapping in the breeze, and boats loading and unloading, as I am sure he must have seen. I put Claiborne as an instance of proper appropriation in this bill.

My criticism of this bill—and perhaps the Senator in his analysis remarked that when I was out—is that the House conferees have failed in more serious matters. I believe the building up of these minor places within reason is a wise and proper thing to do.

My main objection is that the House conferees have struck out of this bill some of the larger measures. For instance, the proposition of the Senate committee to have a survey to deepen the channel of Baltimore to 35 feet—a mere survey, that the channel might meet the wants of the great commerce of the ocean, now rapidly increasing in that important port, already the first in grain and soon to be the foremost shipping port for coal on the whole continent of America.

Those important matters might at least have been allowed by the House conferees to be retained, and also the provision for a ship canal across the peninsula. A survey for it might at least have been allowed to rest, so that the report might have been made through the Secretary of War.

I do not share the Senator's idea about these matters. I believe that where water is on the coast it should be deepened in a harbor in the interest of commerce, and we should be liberal in our appropriations, and that where there are rivers the rivers should be laid open to commerce. These great ports should not be turned aside by the House conferees, and I trust that the failure to agree in this instance will not benefit those other instances in which the Senator finds special demerits. If this bill should fail, it had better fail when large and important propositions concerning the commerce not only of the State and the nation, but of a continent, reaching out to the commerce of the globe, are not provided for even to the extent of being surveyed, so as to open a way for improvements, so that vessels of great draft may enter the great harbors on our Atlantic coast.

I do not wish to further take the time of the Senate, Mr. President——

Mr. CARTER. Mr. President, the observation of the Senator from Maryland [Mr. McCOMAS] harmonizes with my own. It must be admitted that this bill as amended in the Senate carries about $50,000,000. In one way and another the large sum named has been scattered about the country, as I have read, in little creeks and swamps and out-of-the-way places to such an extent that the harbor of Baltimore, with its splendid commerce, can not even be surveyed from the fund of $50,000.000.

My contention has been from the beginning, and is now, that the most liberal appropriation necessary to improve the actual harbors of the country should be made, that the navigable streams of the country should be kept in navigable condition, and that incidental obstructions to navigation should be removed by the General Government; but when the bill provides for connecting pools, separated by stretches of 10 or 12 miles of land, in order to get navigation down to the sea through rock, it is no wonder that the harbor of Baltimore can not be improved.

I am astonished at the meritorious amendment of the Senator from Illinois is for one moment challenged anywhere in a conference which passed this sort of bill through under its scrutiny.

Mr. SPOONER. Would it be agreeable to the Senator from Montana to rest for a few minutes while we transact some business in executive session?

Mr. CARTER. I have but a few more observations to submit; but still, in view of the pressure of public business and the necessity of disposing of certain nominations, I will yield to the Senator from Wisconsin.

EXECUTIVE SESSION.

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

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After eighteen minutes spent in executive session the doors were reopened.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. H. L. OVERSTREET, one of its clerks, announced that the House had passed the bill (S. 5943) to establish Lowelltown, Me., a subport of entry.

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 (S. 3670) authorizing and directing the Secretary of the Interior to issue a patent to the heir or heirs of one Tawamnoha, or Martha Crayon, conveying to them certain lands in the State of North Dakota, confirming certain conveyances thereof, and for other purposes;

A bill (S. 6048) to amend chapter 559 of the Revised Statutes of the United States, approved March 3, 1891;

A bill (H. R. 2617) for the relief of the legal representatives of Edwin De Leon, deceased, for $8,000 due him for judicial services;

A bill (H. R. 3003) to authorize the Secretary of the Navy to loan naval equipment to certain military schools;

A bill (H. R. 4204) to correct the military record of George A. Winslow;

A bill (H. R. 9503) granting an increase of pension to Samuel Baughman;

A bill (H. R. 9886) amending sections 47 and 48 of the Revised Statutes of the United States, in relation to pensions to remarried widows;

A bill (H. R. 12232) granting a pension to Hanna Martha Dusenberry;

A bill (H. R. 13186) granting an increase of pension to Francis M. Thompson;

A bill (H. R. 13396) to amend section 5546 of the Revised Statutes;

A bill (H. R. 13609) to incorporate the Society of American Florists and Ornamental Horticulturists within the District of Columbia; and

A bill (H. R. 14228) to authorize the city of Nashville, Tenn., to construct a free public bridge across the Cumberland River within the corporate limits of said city.

RIVER AND HARBOR APPROPRIATION BILL.

The Senate resumed the consideration of the report of the committee of conference on 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.

The PRESIDING OFFICER (Mr. BURROWS in the chair). The pending question is on the motion of the Senator from Alabama [Mr. MORGAN].

Mr. SPOONER. What is the motion?

The PRESIDING OFFICER. That the Senate recede from its amendments.

Mr. CARTER. Mr. President, when the Senator from Wisconsin suggested the propriety of going into executive session I was proceeding to comment upon the observations of the Senator from Maryland relative to the harbor of Baltimore. His contention in no sense antagonizes the view I have been endeavoring to impress upon the Senate. It is probably true that there may be merit in some of the cases to which I have referred in the course of the discussion to-night. I have passed over the great harbors of the country without comment, because it seemed to me the respective items providing for the improvement of well-known and well-used harbors were not excessive, and, as the Senator from Maryland suggests in the case of Baltimore, the appropriation was entirely inadequate.

The difficulty that seems to me to challenge the attention of the Senate in the framing of this bill has been of long standing and steady growth. I recall the appropriations made in the Fifty-first Congress. The river and harbor bill at that time was about $20,000,000. That was regarded as an extraordinary amount to be appropriated. This bill was raised to something upward of $60,000,000. The addition can be accounted for in some measure by the well-known necessity for greater depth of water as the draft of heavy vessels increases. The depth of water that was entirely adequate at the mouth of a harbor twenty years ago is wholly insufficient now. That suggestion, however, will only apply to harbors visited by ocean-going steamers.

The general tendency of freight carrying, both on land and on sea, is to reduce the cost per ton per mile by increasing the carrying capacity of a ship and car or the drawing power of a locomotive. Twenty-five years ago a 5,000-ton ship was quite a large vessel. Ten thousand tons was subsequently regarded as a large steamer. Now 20,000 tons is regarded as the freight-carrying vessel of the future. In consequence of this continual increase of the draft of vessels, it is essential that certain work should be done at New York Harbor, but it does not follow that we must go over to Flushing, a point never visited by an ocean-going steamer, and a point never to be visited by one, and there undertake to dig out a harbor at the bottom of a salt marsh, with a foot of water to 3 feet at the mouth of the supposed harbor.

Passing from these harbors on the coast we come to the rivers. Senators upon the committee will say that these little rivers are of some value in a commercial sense, but I know of my own knowledge that appropriations were made steadily for the improvement of the Yellowstone River in Montana for about twelve years, the sum of $1,600 being appropriated each year, I presume to satisfy the Delegate from that Territory. There had not been a boat up that river for ten years before, and there never will be a boat upon the river. The water will all ultimately be taken out for irrigating purposes along the bench lands contiguous to the streams. In 1876, about the time of the Custer massacre, the last boat went up the Yellowstone River. For twelve years from 1876 appropriations were steadily made in the river and harbor bill for the improvement of the Yellowstone River. Who did the work, how the money was expended, no one knows. The country was not settled, and I suppose the boys went out there and, finding the fishing pretty good, remained along the stream improving the navigation.

We may go to the West coast, to the South coast, to the East coast, and through the interior of the country, and by critical analysis of this bill we will find that a majority of the items constitute a useless waste of public money. The Mississippi River has been cited as a great highway of commerce, and yet, Mr. President, with all the millions upon millions of money spent upon that river, notwithstanding the fact that the current flows freely and continuously, the railroad running by the riverside carries the freight and carries it cheaper and quicker than the boat running upon the river can carry it. The disappearance of commerce on the Mississippi and upon all rivers in the country can be accounted for by the fact that the improvement in railroading has enabled the railroad people to carry a ton of freight a mile for less money than it can be put upon the steamboat, taken off, and carried between the two points.

It is suggested that the river constitutes a regulation on freights. The perishing—practically—of the towns along the Mississippi River, with a few exceptions, constitutes a standing contradiction to that statement. There is no competition by the river with the railroads. As illustrating that, the city of Ottumwa is about 60 miles from Burlington, Iowa. Burlington is on the Mississippi River. A carload of grain will be carried from the city of Ottumwa to the city of Chicago, 186 miles northeast of Burlington, for less money than it will be dropped off at Burlington. Why? Because the railroads discriminate in favor of the railroads and against the river transportation. The river transportation constitutes no check. The Illinois Central road, running up and down the Mississippi, carries the freight. There is only a boat now and then.

But I do not wish to detain the Senate by an extended discussion of this matter beyond reasonable limits. If what I have said will serve to challenge the attention of the Senate and in some measure the attention of the country to such an extent as to cause in the future a radical departure from the unfortunate policy that has grown up to govern the framing of these bills, what I have said will serve a good purpose. No other legislation appears upon our statute books that emanates from the same vicious system underlying the framing of the river and harbor bill.

The appropriations during the present session of Congress, Mr. President, are large, unusually large. I presume the amount will reach something in the neighborhood of $800,000,000. This is an enormous sum. It would be better, in my humble judgment, for this Congress in its expiring hours to retrace its steps as to fifty millions, most of which, in my judgment, will be improvidently expended under the terms of this bill. The continuing contracts have been taken care of properly as required by law. Many of these projects are new. A little survey, a light appropriation, constitutes but an entering wedge for larger appropriations to follow from year to year. Unless a radical departure is made in this behalf, it will be difficult in the future to secure the passage of any bill which will make reasonable provision for the necessary improvement and make maintenance in good form for our real commercial harbors.

Mr. WARREN. Mr. President, I do not want a final vote to be taken upon this measure without making some remarks upon the matter at issue. As I understand it, the issue really before the Senate at this moment is the motion made by the Senator having this bill in charge, which is that the Senate shall insist upon its amendments.

Mr. FRYE. The other motion takes precedence.

Mr. WARREN. I do not know how we are going to proceed orderly and transact our business if a man can prefer a motion and go off to bed. I do not believe that it is good logic or good parliamentary tactics to admit that there is a motion before us when the mover of it is not here and has not been here for many hours; he has receded already. Therefore I contend that there is no motion to recede before us.

Mr. FRYE. The motion did not go to bed.

The PRESIDING OFFICER. The Chair holds that the pending motion is that of the Senator from Alabama.

Mr. WARREN. Then I will ask if it is in the power of the Senator who has charge of the bill to withdraw the motion and make the other one.

The PRESIDING OFFICER. The Chair thinks not.

Mr. WARREN. Then we are to understand that if a man makes a motion and goes home, or goes to Europe or somewhere else for three or four weeks or six months, it binds the Senate.

Mr. CARTER. I suggest to the Senator from Wyoming that he ask unanimous consent that the motion be laid on the table.

Mr. WARREN. I desire, in the interest of the public business, to have this matter go again into conference. I want to say just a word before it is sent to conference. I wish to express at this time my appreciation and my thanks to the Senators who have served on the conference committee. They have done their duty well, no doubt, but there are many who think that there can still be obtained from the House the concession that will bring this bill to an end with the amendments of the Senate sustained. Therefore I want to see it go to conference again, and I will take no time in arguing the question now if I can arrive at that conclusion.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Alabama.

Mr. PETTIGREW. Of course, I should be willing that the bill should go into another conference, and I am of opinion that it would facilitate a disposition of the matter. The whole matter is foreclosed if we recede, and believing that the Senate will recede and knowing nothing to the contrary and recognizing the fact that we are in a situation where no one has control over the motion made by an absent Senator, according to the ruling of the Chair, I will have to continue to discuss the question.

Mr. GALLINGER. Will the Senator from South Dakota yield to me for a moment?

Mr. PETTIGREW. I yield.

Mr. GALLINGER. I move to lay the motion of the Senator from Alabama on the table.

The PRESIDING OFFICER. The Senator from New Hampshire moves to lay on the table the motion of the Senator from Alabama.

Mr. BERRY. I hope the Senator will not make that motion.

Mr. GALLINGER. I have made it.

Mr. BERRY. I call for the yeas and nays.

Mr. FRYE. I hope the Senator from Arkansas will not demand the yeas and nays.

Mr. BERRY. I withdraw the call for the yeas and nays.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from New Hampshire to lay on the table the motion of the Senator from Alabama.

The motion was agreed to.

Mr. FRYE. The motion made by the Senator from Minnesota [Mr. NELSON] was that the Senate further insist upon its amendments and ask for a further conference.

Mr. GALLINGER. That is before the Senate.

Mr. WARREN. I hope that motion will carry. I think it will facilitate the disposition of the matter.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Minnesota [Mr. NELSON], that the Senate further insist upon its amendments and ask for a further conference with the House of Representatives.

The motion was agreed to.

By unanimous consent, the Presiding Officer was authorized to appoint the conferees on the part of the Senate at the further conence; and Mr. NELSON, Mr. MCMILLAN, and Mr. BERRY were appointed.

SAFETY APPLIANCES ON RAILROADS.

Mr. PETTIGREW. The Senate this afternoon passed the bill (H. R. 10302) to amend an act to promote the safety of employees, etc., by requiring common carriers engaged in interstate commerce to equip their cars with automatic couplers and continuous brakes, etc., approved March 2, 1893.

I am informed that the Senate amendments were accepted by the House, and that the bill was enrolled and placed in the hands of a messenger to bring to the Senate, and on the way, or somewhere, it has been lost. In other words, there seems to be an effort to steal the bill.

Mr. LODGE. In connection with what the Senator from South Dakota is saying, I desire to say that I have been engaged in trying to find that bill. My attention was called to the fact that it was lost. It was announced to the Senate that the House had concurred in the amendments of the Senate.

Mr. PETTIGREW. The bill was enrolled.

Mr. LODGE. The bill was enrolled in the House, it was signed by the Speaker, according to the records of the House, was given to the Chief Clerk of the House, Mr. BROWNING, and that is the last of it. Mr. BROWNING says he delivered it here. There is no record of it here at all. It can not be found. I have been personally to the room of the Committee on Enrolled Bills and looked over the bunch of bills that was sent, and the bill is not there. I do not know what can be done, but the bill has disappeared between the two Houses.

Mr. SPOONER. Can it not be reenrolled?

Mr. LODGE. The Speaker, I am told, on one occasion, when a bill had disappeared in that way, declined to sign the bill again. It has disappeared between the two Houses.

Mr. SPOONER. It can not be, if a bill is lost before it has been signed by the officer of the other House and this, that Congress is powerless about it. Both Houses have passed it.

Mr. LODGE. Certainly they have.

Mr. SPOONER. I do not see any reason why it can not be reenrolled.

Mr. PETTIGREW. If the bill is lost, it is lost on purpose. There is no question about that. That might do for some half-civilized community, but for the Senate of the United States it is a pretty tough proposition.

Mr. GALLINGER. I will say to the Senator that in the case of another bill lost like the one to-night I think it took nearly an hour to find it, and possibly this bill can be found. I hope so.

Mr. JONES of Arkansas. There is certainly a copy of the bill in the possession of the Senate. Everybody knows the exact language of the bill, and I can see no reason why it should not be substituted.

Mr. LODGE. We have no enrolled bill. We have nothing but the bill as concurred in by the House. The original bill was amended by us and concurred in by the House, and it is in the possession of the House, where it was enrolled. The enrolled bill has disappeared and we have nothing.

Mr. JONES of Arkansas. There can be another copy enrolled. There is nothing sacred about one copy of a bill.

Mr. LODGE. I hope the Senator will suggest some method by which that can be reached. That is just the end I want to reach.

Mr. JONES of Arkansas. If the Clerk in enrolling a bill should spoil one, that does not destroy the bill.

Mr. LODGE. This bill had been signed by the Speaker.

Mr. JONES of Arkansas. I presume the Speaker would not hesitate to sign another bill.

Mr. SPOONER. We can pass a resolution that it has not been received and has not been signed here, and instructing a reenrollment.

Mr. JONES of Arkansas. That would justify the Speaker in signing another copy of the same bill.

Mr. LODGE. Let us pass a resolution and send it to the House

Mr. PETTIGREW. I offer the following resolution and ask for its immediate consideration:

Resolved, That the House of Representatives be informed that H. R. 10302, which was passed by both Houses, enrolled, and signed by the Speaker, has not been received by the Senate, and the House be requested to cause the said bill to be reenrolled, signed by the Speaker, and transmitted to the Senate for the signature of the President pro tempore.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

The resolution was considered by unanimous consent, and agreed to.

ST. JOHN'S LODGE, NEWBERN, N. C.

Mr. BUTLER. I ask for the present consideration of the bill (H. R. 636) for the relief of St. John's Lodge, Ancient Free and Accepted Masons, No. 13, of Newbern, N. C. It has been read.

Mr. KEAN. The Senator from Massachusetts [Mr. LODGE] desires, as I understand, to discuss that bill.

Mr. BUTLER. He is present.

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

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

Mr. LODGE. Mr. President, I objected to the bill on a former occasion because I thought it was a bill that should not pass. My reason for doing so I will explain. I will ask, first, that one or two letters and statements in regard to it may be read as a part of my remarks, and then I will give my own reasons for it. I have no personal objection to it.

The PRESIDING OFFICER. The Senator from Massachusetts sends to the desk a paper, which will be read by the Secretary.

The Secretary read as follows:

[The Worcester Spy, Thursday, February 7, 1901.]

A PUBLIC STEAL.

Last Friday the House of Representatives at Washington passed a bill for the relief of St. John's Lodge, A. F. and A. M., of Newbern, N. C., calling for an appropriation of $6,000. This is an outrage upon the citizens of the United States, an act of public corruption that should not pass unpublished. The facts have been plainly stated, and although forty years have passed since the alleged damage was done, there are plenty of witnesses still living who can prove the rank injustice of this claim.

The Worcester papers, through Capt. Joseph B. Knox, of this city, have had occasion several times to protest against this bill, which has been knocking at the doors of the National Legislature for many years. Captain Knox was serving as commissary of the prisoners at Newbern when the city was occupied by the Federal troops on March 14, 1862. He was one of three trustees appointed to take charge of the Masonic property, and while stationed there a lodge was convened among the Northern soldiers and occupied the meeting place until the close of the war. Gen. A. B. R. Sprague, Gen. Josiah Pickett, and other Worcester men were members of the lodge and are familiar with the facts.

The lodge maintained a fund by letting a hall for entertainments, and was put in much better condition during occupation by the Union troops. A new carpet was purchased and laid, and platforms were put in, and in every respect the property was in much better condition than when the Confederates abandoned it. After the close of the war the jewels, which had been sent to the Grand Lodge of the State of Massachusetts, were returned through the instrumentality of Captain Knox, and at the regular annual meeting of the St. John's Lodge he had the pleasure of returning the jewels in person, being the only Union man present.

There was no loss whatever, and the property was improved. The only excuse for paying this lodge a cent of money would be to pay for rent while they were driven out of the city by military occupation. It would be establishing one of the most absurd and dangerous precedents ever heard of to pay this lodge for rent of property occupied as this hall was.

Captain Knox is a prominent Mason, and his fellow-Masons who have knowledge of this fact are the most indignant of all at this unprincipled attempt on the public Treasury. It is to be hoped that it is not too late to stop this misappropriation of public funds, but it should be done this time so as to rule the offenders out of court altogether. Otherwise, in ten, fifteen, or twenty-five years we may expect a repetition of this sort of claim. It seems to us that if such a claim were granted that lodges and churches and institutions in the South, as well as private property destroyed in the course of hostilities, should be paid for. It certainly would be more just to pay for churches and property actually destroyed than for that which was merely occupied and benefited by the occupants.

Mr. LODGE. I now send to the desk another paper which I ask to have read.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary read as follows:

KNOX TO PAYNE—WORCESTER MAN WRITES TO CONGRESSMAN—MASONIC BILL IS AT ISSUE—NEWBERN LODGE WANTS ALLEGED WAR DAMAGES PAID—CAPTAIN OPPOSED TO THE BILL—WAS ON THE GROUND HIMSELF AND SAYS HALL WAS LEFT IN GOOD CONDITION.

Capt. Joseph B. Knox has objections to St. John's Lodge of Masons, of Newbern, N. C., getting $5,000 from the United States Government for the use of its property by the United States Army during the civil war. There is now a bill pending before Congress providing for the payment of this amount to St. John's Lodge. It came up on Friday and was hung up by Congressman SERENO E. PAYNE, of New York, who raised the shout of "no quo rum." Captain Knox has written Representative PAYNE thanking him for his action, and telling him some things about the property during the civil war.

Captain Knox served as commissary of prisoners at Newbern when the city was occupied by the Federal troops, on March 14, 1862. He had a dispensation from the grand lodge of Massachusetts as worshipful master of Fraternal Lodge, No. 3, with authority to convene a lodge of Masons in the Army. A lodge was convened at Newbern, N. C., and the hall owned by St. John's Lodge was used as a meeting place. Captain Knox states that the building was left in better condition at the end of the war than when it was

taken possession of by the Union Army. Platforms for the officers' chairs were built and a carpet for the lodge room bought and laid.

Gen. J. J. Peck appointed Captain Knox one of the three trustees of the building March 18, 1864, and as such he was pretty well informed on the condition of things. He says there is no justice in the claim of the North Carolina lodge, and he has the facts to prove his statement.

Many prominent Army men attended meetings of the lodge while Captain Knox presided over it. Generals high in authority in the Army would attend the meetings, but while they were in the lodge room they were obedient to the commands of the master. Many Worcester men attended the meetings of the lodge, among them being A. B. R. Sprague, Gen. Josiah Pickett, and Capt. F. E. Goodwin. Captain Knox took charge of the jewels of the lodge and sent them to Massachusetts for safe-keeping during the war. Later he returned them to the lodge.

The letter Captain Knox has written to Congressman PAYNE follows:

WORCESTER, MASS., *May 21, 1900.*

Hon. SERENO E. PAYNE,
United States House of Representatives, Washington, D. C.

DEAR SIR: I notice in the report of the doings of the National House of Representatives on the 18th instant, on a bill to pay "St. John's Lodge, Ancient Free and Accepted Masons, of Newbern, N. C., $5,000 for use of its buildings during the war," that a point of no quorum, made by yourself, prevented action on the proposition. I thank you for action on your part. Such a bill should not be imposed upon Congress, as to my certain knowledge the property in question was in much better condition at the close of the war than it was when abandoned by them and occupied by members of the Federal Army.

Newbern, N. C., was entered by us on Friday, March 14, 1862. Being appointed commissary of prisoners, I was very busy the next day, but on the second (the Sabbath) I started to learn if there was a Masonic hall in the city, which I soon discovered. It had already been entered, and the jewels and some other lodge furniture had been removed. I at once had a guard detailed and placed in the building to prevent further depredation. The jewels were recovered and sent for safe-keeping to the Grand Lodge of Massachusetts by myself. I had the honor of holding a dispensation from the Grand Lodge of Massachusetts as worshipful master of Fraternal Lodge, No. 3, with authority to convene a lodge of Masons in the Army.

Afterwards this building was used for hospital purposes for a few months, and then Fraternal Army Lodge occupied these premises until the close of hostilities. We had the room cleaned up and platforms built for the chairs occupied by the first three officers, after which the brethren raised by voluntary offering $320 and had a Masonic carpet made in Lowell, Mass., which, with the assistance of a gentleman now living in Boston, was placed on the floor of the main hall by our hands.

A small theater underneath this hall was fitted up and rented to a troupe of minstrels, composed of quartermaster's clerks, and the proceeds expended to keep the property in repair. While the property was in possession of the Army lodge, by an order from Gen. John J. Peck (a copy of which is herewith inclosed) a board of trustees was appointed, of which your humble servant was one, to look after all the Masonic property, which they did, and I, later on, had the satisfaction of returning the lodge jewels in person on the floor of the same hall.

And now, after thirty-five years, an attempt to filch from the Government $5,000 in such a case as this appears to me as highly dishonorable. I can fully substantiate the above statement if required.

Sincerely, your obedient servant,

JOSEPH B. KNOX,
Formerly Brevet Captain, Signal Corps, U. S. A.

—*Worcester Evening Gazette, Monday, May 21, 1900.*

Mr. LODGE. On receiving those clippings from the Worcester papers, which were sent to me calling my attention to it, I wrote to Captain Knox and asked him for further statements before I did anything in regard to it. I have some letters here which I desire to read:

WORCESTER, MASS., *February 20, 1901.*

Hon. H. C. LODGE, *United States Senate, Washington, D. C.*

MY DEAR SIR: I have your esteemed favor of the 18th instant and hasten to reply, that you may have the facts in the case in question. I inclose a copy of a letter which I wrote Congressman PAYNE, of New York, last May, which gives the main facts.

That is the letter which has just been read from the desk.

Mr. PAYNE acknowledged the receipt of my communication and solicited further information, had I any to offer. I responded, stating that a large hall in the same Masonic hall building and owned by St. John's Lodge was, when we took Newbern, being used by the Confederates for manufacturing cartridges and clothing for the Southern army. I have in my possession a metal cartridge which I took from that hall. In the main hall, where there was any defacement of the walls (which was very slight) while used as a hospital, we had an artist retouch every spot, so that when the property was turned over to the owners it was in as good condition and better than when they left it. When I in person returned the lodge jewels, a vote was passed to have my portrait painted and hung on the wall of their hall as the savior of their lodge.

The trustees rented a small theater under the hall to a troop made up of quartermasters' clerks as minstrels for $10 per night. I have the written contract in my possession and used the proceeds in keeping the property in good condition.

Pardon me if I state that your humble servant sent you the paper instead of Mr. Nutt, to whom I gave the facts. I also sent, the same date, to Senators HAWLEY, of Connecticut, DEPEW, of New York, and FORAKER, of Ohio, hoping to reach someone who would be interested in preventing such a barefaced steal.

Very truly, yours,

JOSEPH B. KNOX,
492 Main Street.

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CITY OF WORCESTER,
OFFICE OF THE LICENSE COMMISSIONERS,
City Hall, February 20, 1901.

MY DEAR SIR: I am cognizant of the facts as stated in the letter of Captain Knox, pertaining to the premises of St. John's Lodge, Free and Accepted Masons, of Newbern, N. C., and cordially indorse his statement.

Very respectfully, yours,

JOSIAH PICKETT,
Brevet Brigadier-General, United States Volunteers.

Hon. H. C. LODGE,
United States Senate.

OFFICE OF THE COLLECTOR OF CUSTOMS,
Port of Worcester, Mass., February 20, 1901.

SIR: It gives me pleasure to vouch for the statement made by Capt. J. B. Knox. All the facts as stated by Mr. Knox I am fully acquainted with, being an officer with him in the Masonic Lodge who occupied the hall as per statement made by him.

I am, most respectfully, your obedient servant,

F. E. GOODWIN,
Deputy Collector, United States Customs.

Hon. H. C. LODGE,
United States Senator, Washington.

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THE WORCESTER MECHANICS' SAVINGS BANK,
Worcester, Mass., February 20, 1901.

MY DEAR SIR: I indorse the statement made by Capt. J. B. Knox in the matter of St. John's lodge room at Newbern, N. C. I was a member of the Army lodge that occupied and cared for the property, and the facts are perfectly fresh in my memory.

I am, respectfully, your obedient servant,

A. B. R. SPRAGUE,
Brevet Brigadier-General, United States Volunteers.

Hon. H. C. LODGE,
United States Senate.

General Sprague is well known to me. He is president of the Mechanics' Savings Bank in Worcester and he was several times mayor of the city. He is one of the best known men in the city of Worcester and in the county of Worcester. He is known throughout the State as a man of the highest character. The other gentlemen are also known to me, General Pickett and Captain Goodwin. I do not think I have met Mr. Knox personally.

On receiving those letters it seemed to me they made a very clear case that there was no damage done to the property for which it is sought to base this claim of $6,000. It was used as a cartridge factory, it appears, before our troops took possession of it. When they did take possession of it they put it in good condition and left it in better condition than they found it.

It was on information of that sort that I have objected to the bill, merely because I desired when the bill came up to lay these facts before the Senate. These men are all reputable men of high standing, whose word would be taken wherever they are known. They held high rank in the Union Army. I think in the presence of letters of that sort in regard to this claim we should be very slow to pass it without further investigation, or without at least referring it to the Court of Claims for a proper judicial adjudication.

Mr. BUTLER. Mr. President, what the Senator from Massachusetts has put before the Senate is just what Mr. Knox put before the House through Mr. PAYNE, and will be found on page 1798 of the CONGRESSIONAL RECORD of February 1. Mr. Knox has been very industrious, it seems, for some cause, in trying to prevent the passage of this bill. He has written numerous letters and had himself interviewed and furnished sundry material to the newspapers. I do not know why he has felt it his duty to be so extremely industrious against this bill. But all of the matter the Senator from Massachusetts has felt it his duty to put in the RECORD is already in the RECORD.

Mr. LODGE. I beg the Senator's pardon; the letters from General Sprague and General Pickett were not in the RECORD. They were personal letters to me.

Mr. BUTLER. Those were supplementary letters referring to Mr. Knox's letter.

Mr. LODGE. All those gentlemen were personal witnesses of the occupation and use of the property.

Mr. BUTLER. But the very fact that is claimed to be established by those letters is already in the RECORD, and was fully discussed, and was discussed over a period much longer than I would care to take the time of the Senate to discuss now. As Mr. Knox himself says in his letter, his first letter served the purpose of spurring Mr. PAYNE to the point of defeating the bill at the last session of Congress by calling for a quorum. Congress adjourned with the bill pending. Mr. Knox goes to work industriously to write more letters to have them read at this session of Congress. When this session met this bill was the unfinished business pending in the House, and, here are his additional letters furnished for this session, and, after a full discussion and with a quorum called more than once, the House voted on this question and the vote is as follows: The motion was to table. There were only 49 votes for defeating this bill. There were 142 votes in the House in favor of it.

Now, Mr. President, what are the facts? Mr. Knox no doubt thinks he is correct, but he simply is mistaken. Sworn affidavits from men as good as Mr. Knox, and men who know the facts better, who lived in Newbern then and have lived there ever since, state the facts to the contrary; and the House committee and the Senate committee, with this matter before them, made a unanimous report in both cases in favor of this claim. The claim was $13,000. The committee cut it down to $6,000.

But the committee states that this lodge was occupied by the United States authorities from March 14, 1862, to April 18, 1865, as a hospital. When the United States authorities took charge

of it, what did they do? This is the official report from the affidavits furnished the committee.

That all the seats in the lodge were removed; that all the scenes and curtains were removed; that the theater building underneath, which was rented by the lodge to support it and raise its funds, was dismantled, and that all of the furniture—mind you, all the furniture—was removed from the lodge room and other rooms in the building. All of the furniture from every room in the building, including the lodge, including the theater and other rooms, was removed; and the entire building—not simply the theater part, not simply the lodge part, but the entire building—was occupied for hospital purposes for nearly four years. Now, what else do this committee find from the affidavits before them?

Your committee find further that all these rooms were handsomely and expensively decorated, and were necessarily much damaged by the removals as aforesaid and by fitting them up for hospital purposes.

It further says:

It appears from the affidavit of John D. Whitford—

Any man who has ever lived in North Carolina knows there is not a man in the United States of higher character than Col. John D. Whitford. He would not swear to a lie for all of Massachusetts and North Carolina put together. He is a man of great ability and high character, and a man who has been honored by the people of the State on many occasions, from his early youth up to his old age. What does he swear to?

That prior to the war he was the chairman of the building committee of St. John's Lodge; that, as such chairman, he imported scene painters, decorators, and fresco painters to improve and decorate the lodge building; that he also purchased costly chandeliers, mirrors, grates, door frames, and orchestra seats for said building; that said building was very handsome and expensively fitted up and decorated, there being used at least $500 worth of gold leaf; that the original expense incurred in decorating and fitting up the lodge room, theater, and public hall was about $15,000.

Just before the war the lodge turned in to make it one of the handsomest in the State, and they spent $15,000 making it as handsome as they could make it. Now, what else is shown by the affidavits of Col. John D. Whitford and other members of this lodge and officers of it? The committee goes on to say:

Besides the petition on file, signed by the worshipful master and secretary of the lodge, under the lodge seal, there are filed the affidavits of John D. Whitford aforesaid and E. M. Pavie.

E. M. Pavie is a Northern soldier of as high character as Mr. Knox; a man who went down there when Mr. Knox went; a man who stayed after the war, and is down there now as a citizen of the State. Here is his affidavit as a Union soldier against the ex parte statement of Mr. Knox. What do they testify to under oath?

The report further states that at the time of the capture of Newbern by the Federal forces and the taking charge of this lodge by Federal authority the damage resulting to the lodge and to the other rooms in the building amounted to $4,000, covering the destruction of property and damage to the walls alone.

Here are the sworn statements of men who were then there; who were there after the war; who saw it all through, and knew what condition the building was in when the Federal troops took charge of it; saw the damage, and saw what it took afterwards to put it into proper repair.

What else appears by the affidavits of these gentlemen? It also appears from their affidavits that that theater hall was worth $250 a month to the lodge; that that was the revenue the lodge got from the theater for its support. For nearly four years the United States troops not only occupied the whole building as a hospital, resulting in $4,000 damage, but they robbed this lodge of this $250 a month rent for the whole time, which amounts to nearly $9,000.

What does the committee say? They say that the claim as originally filed was fairly put at about $13,000, but the committee cuts that down, and says:

Your committee think it would be fair and beyond controversy to allow the sum of $2,000 for injury and damage to the lodge building and furniture, being one-half the amount asked by the petitioner and by the bill, and that there should be further allowed for rent of the lodge building the sum of $4,000, being for the use and occupation of said building for three years.

Mr. GALLINGER. Was it a one-room building?

Mr. BUTLER. No; it was a three-story building, owned by the lodge, with many rooms, having one large lodge room and another room which was used as a theater. The lodge supported itself largely from the rent of the rooms.

Mr. GALLINGER. Did the lodge own the building?

Mr. BUTLER. Yes; the lodge owned the building, and its income from the building averaged $250 a month. For nearly four years, during which time the Government had charge of it, the rent would have amounted to nearly $9,000, and the damage to the property, according to all these sworn statements, was $4,000.

Mr. WARREN. Do I understand the Senator to state that while the United States troops were occupying a part of the building another part of it was rented, and the United States received the rent for it?

Mr. BUTLER. The United States had the entire charge of the building, and whatever they got they kept. The affidavits show that the Government used the whole building as a hospital; and the letter of Mr. Knox said that some of the officers had used it for private theatricals, or something of the kind, for their own entertainment. I think it was not used at all as a public theater during that time, but probably private theatricals were held there by the officers of the Army.

Mr. President, there are a number of affidavits in this record. I will not read them all, but here is one from the master of the lodge; here is one from another member of the lodge, the present master, and I have the originals in which they testified that Mr. Knox was mistaken when he said the furniture was taken out and was subsequently put back in better condition. These gentlemen testified under oath that there never was any of that property put back into the lodge.

They say the only thing ever returned to the lodge and put back was what? The jewels. Mr. Knox refers to the jewels seventeen times in these articles, if I have counted correctly. He seemed to lay great stress on the fact that the jewels were preserved by him and returned. What are the jewels? There are the jewels that we have heard so much about. [Exhibiting.] One is a little piece of plate, and then there are two coppers and one Mexican dollar, all of them worth less than $5; and yet Mr. Knox rings the changes over and over again on the jewels of the lodge that he preserved; that he took them North, put them in charge of a lodge there, and had the honor himself to take them back and return them to the lodge in Newbern, and they were greatly indebted to him for the return of the jewels.

I do not care to take the time of the Senate any further. Here is a unanimous report from the Senate committee and a unanimous report from the House committee. The matter was fully discussed in the House and there is no question of doubt as to the damage of this property being as much as these affidavits show. There is no question about what the building was worth to the lodge. The amount of the claim is cut down one-fourth, when these sworn affidavits show that it was worth four times as much as the committee allowed.

Mr. President, this is a small thing. The lodge was ousted from its building for nearly four years. The Government had charge of it, and every dollar of the money which Congress is asked to appropriate goes to that lodge, which is one of the first lodges in the State. It has been in existence ever since 1772. It is a lodge with a long line of distinguished men, and they were men who took great pride in their lodge room.

Mr. President, it is a small thing for us to be higgling over here, when we have paid within the last six months claims running from $50,000 to $150,000 to Masonic lodges and Odd Fellows' lodges in various States whose buildings were used as hospitals by the United States Army during the war. We have been doing that right along.

The other day, when the Senator from Massachusetts objected to the bill, there were two cases on the Calendar, one just above this bill and another below it, proposing to pay for the use of Odd Fellows' buildings which were, I think, occupied by United States officers during the civil war, running up to tremendous amounts, and here is but a little pittance. Mr. President, I do not care to discuss it further.

Mr. TELLER. The Senator from New Hampshire [Mr. GALLINGER] inquired as to the character of this building. The report states that it is "a large brick structure 45 by 80 feet and three stories high."

The Committee on Claims have treated claims for the use of lodge rooms upon the same plan that they have treated the occupation of schools or churches. They are not commercial bodies, nor are their buildings used for commercial purposes, but they are used for social and educational purposes.

Mr. LODGE. If the Senator will allow me to ask him a question, I understand a third of this claim is for loss of rent. Are we in the habit of paying for loss of rent in buildings of this kind?

Mr. TELLER. We have paid for the rent of churches and schoolhouses; that is, we have paid damages.

Mr. LODGE. No; I mean is it claimed that the lodge rented a part of this building, as the Senator from North Carolina says, for $250 a month, and that they are to be paid for the loss of that rent during the Government occupation?

Mr. TELLER. Who rented it?

Mr. LODGE. The lodge rented part of it.

Mr. BUTLER. The claim of the lodge was that the rent from their building averaged $250 a month.

Mr. LODGE. They were getting a commercial value out of the building; that is, they had rented it for a shop or something else, and part of this claim is that we shall pay them for rent during that period. Now, I ask for information, not being familiar with the principle of these claims, do we pay rent in cases of that kind?

Mr. TELLER. We pay for the damage sustained, for the loss that occurred, and we have sometimes considered the question of how much the property would have rented for and how much the

Government would have had to pay for it if the Government rented it, and we thus arrive at the amount to be paid. I suppose the Government would have paid $250 a month for it. Evidently a building of that kind ought to rent for that amount, and the Government occupied it for about four years.

I am sure it is unnecessary to show before this body that a lodge room, fitted up and decorated as this one was, could not be returned to the lodge in the condition it had been, after it had been used for three years as a hospital. Everybody knows it could not. There must be some mistake about that. The men who have filed affidavits in this case are the men who ought to know the facts better than anybody else. They were there then and they are there now; they are men who were then connected with this organization, as they are now; and I do not believe that there is any reason to suppose that they have attempted a game of robbery on the Government of the United States. Mr. Whitford, the chairman of the committee of St. John's Lodge, says that—

As such chairman, he imported scene painters, decorators, and fresco painters to improve and decorate the lodge building; that he also purchased costly chandeliers, mirrors, grates, door frames, and orchestra seats for said building; that said building was very handsomely and expensively fitted up and decorated, there being used at least $500 worth of gold leaf; that the original expense incurred in decorating and fitting up the lodge room, theater, and public hall was about $15,000.

Mr. LODGE. Was that before or after the occupation?

Mr. TELLER. That was before. That was the character of the building the Government occupied as a hospital. Does anybody suppose that in the returning of that building it would be in the condition that it was after the expenditure of this $15,000, and that it could be put in the condition it originally was? They say that the original cost of the decorations was $15,000; and as to the building, as it is 45 by 80 feet, three stories high, and all brick, it must have cost considerable money; I do not know how much. They got the building back.

Mr. ALDRICH. It seems hardly conceivable that $15,000 could be spent for decorations in a building in a small town in North Carolina.

Mr. TELLER. It is not at all. In those days, when times were flush, I have known gentlemen connected with such associations who took great pride in them and who gave many thousand dollars for the purpose of decorating and fitting up halls of this character.

Mr. JONES of Arkansas. The Senator will allow me to suggest that there were a great many wealthy men in that community at that time. As has been said, it is a lodge over a hundred years old, and it was nearly a hundred years old at the time the property was taken. They took great pride in that lodge, and it is one of the most distinguished lodges anywhere in that section of the country.

Mr. TELLER. Not very far from where I live there is an organization of this character, which owns a very fine building which was fitted up, decorated, painted, and filled with pictures at very great expense, and I know of some gentleman who paid large sums of money for that purpose.

The gentlemen who made affidavits which were before our committee and which were before the House committee knew what they were talking about, and the committee carefully scanned the evidence. Mr. E. M. Pavie, a Northern man who went to Newbern at the time of its capture by the Federal forces, and who is there now, makes affidavit, and another gentleman makes affidavit, showing that the damage done to the furniture amounted to at least $4,000.

I think, Mr. President, this is one of the cases we ought to pass.

Mr. LODGE. Mr. President, I only want to say a word. The action of the House, on which the Senator from North Carolina [Mr. BUTLER] dwelt so much, does not, it seems to me, concern us. We are here as an independent body to make up our own minds. We are not to be guided by votes in the other House or discussions there.

When this matter was brought to my attention, the bill was still in the Committee on Claims, having only just come over. I sent word by my clerk to the clerk of the Committee on Claims to call attention to the bill, and to say that I should like to be heard on it. The bill was so carefully scanned by the committee, as the Senator from Colorado told us, that it was reported the next day, and I never had an opportunity of appearing before the committee. I dare say the committee carefully scanned the bill, but I have never had the opportunity of presenting the information contained in the papers which had been sent to me.

It seems to me that there was very strong evidence that damage had been done before our troops took possession; that the building had been put in good repair by the army lodge which occupied the building, and that with such a conflict of testimony it is hardly proper for us to pass this claims bill when the amount, small or large, does not bear upon the principle at all. I think it is hardly proper for us to pass this claims bill without a careful investigation of this testimony. The letters which I have read here from gentlemen were not before the committee, and that side of the case was not heard before the Senate committee in any way that I am aware of. A House report was simply put in here. It seems to me that a matter of this sort ought to have had a proper hearing on both sides or else it ought to be sent to the Court of Claims. We can send it to the Court of Claims.

Another point, it seems to me, is that this paying for rent lost during the occupation is rather a dangerous precedent to establish. I think that should be properly considered by the Court of Claims. I have no objection to the claim being sent there, and if the court shall decide that it is a good claim I shall cheerfully vote for it; but with this conflict of testimony, by reputable men, I am willing to admit, on both sides, it seems to me the bill ought not to pass in its present form. I do not think in any event we ought to pay that rent.

Mr. TELLER. There is no statement that this is charged for rent lost.

Mr. LODGE. The Senator from North Carolina said that was the case.

Mr. TELLER. In determining the value, and in considering what the Government ought to pay, the committee considered what the building would rent for.

Mr. LODGE. If the Senator will look at the report I think he will see that the damages were assessed by these people themselves at $4,000. The balance was $9,000 for rent, which raised the total claim to $13,000.

Mr. TELLER. This is what the committee say:

Your committee think it would be fair and beyond controversy to allow the sum of $2,000 for injury and damage to the lodge building and furniture, being one-half the amount asked by the petitioner and by the bill, and that there should be further allowed for rent of the lodge building the sum of $4,000, being for the use and occupation of said building for three years.

Mr. LODGE. That is what the committee say—$4,000. I thought it was $2,000, but it now appears that we are to give to this lodge $4,000 for rent. Are we in the habit of paying rent for buildings occupied during a state of war?

Mr. TELLER. I think the Senator ought to be able to understand what I have said once or twice. We determined in passing upon these claims, in the case of churches and schoolhouses, that a proper basis of ascertaining the damage would be to allow a fair price for rent and to have the Government pay that. I think that is an equitable way of determining what the property is worth. You can not always rent churches or schoolhouses, but you can determine what the Government would pay for these accommodations, and therefore that would be a fair price to allow. That is all that is done here.

This is not a case of the Government renting a building and a claim being made for the rent. It is said in the affidavits "that the reasonable rental value of the building during the time it was occupied was $250 per month," but we are not allowing anything like that.

Mr. PLATT of Connecticut. I think that in such claims we have been paying simply for damages. It is said the damage in this case was $2,000.

Mr. TELLER. We have in many instances paid more than the amount of damage to a particular building. We never have made such a rule as to churches at all. We have paid four or five times and ten times this amount in some cases.

Mr. PLATT of Connecticut. Then I think we have been going on a wrong basis.

Mr. TELLER. No; we have not been going on a wrong basis. We have been trying to right the wrongs we have done to that kind of property. Of course we were not obliged to pay any church; we were not obliged to pay any college. For a time we refused to pay them. I made myself a report very early here in which I took the position that by law we were not compelled to pay even for the use and occupation of a church, and that position was well supported. Later, under the direction largely of the senior Senator from Massachusetts [Mr. HOAR], we took up the William and Mary College case, and, after a thorough debate, in which the Senator from Massachusetts—I believe he was then a member of the Committee on Claims, and I am not certain but that he was chairman of the committee—took the lead, we decided we would make an exception in such cases and that we would not apply the question of loyalty where a church or a schoolhouse was concerned; and we put lodges on the same basis for the reason that they are not commercial organizations, but are social and educational in their nature, and I may say, also, religious.

Mr. WARREN. Mr. President, the act of July 4, 1864, provided for the payment of certain claims in the Quartermaster and Commissary Departments coming from the States which were not in rebellion. It seems that the claims for churches and schools were presented in large numbers; and were for a time, perhaps, a mooted question. We have here a record of the claims that were so presented, and all that we have a record of amounts to about $250,000 that are unsettled. But it seems that the Government commenced paying very soon after that for both damage and rent. It appears that this practice was commenced in 1874. I ask to have read a paragraph from the report of the Committee on

Claims in regard to claims under the Bowman Act, as it pertains to this matter.

Mr. ALDRICH. That is, claims from States not in rebellion.

Mr. WARREN. After the practice commenced, other claims have been since taken up and have been paid by allowances like this. We were speaking of churches and schools. Merely for information as to when we commenced paying claims for rent, I desire to have the paragraph I have referred to read at the desk.

Before the paragraph is read, however, I desire to say to the Senator from Massachusetts [Mr. LODGE] that, as chairman of the Committee on Claims, this is the first I ever heard of his desire at any time to appear before the committee; and I regret very much that the Senator was not heard.

Mr. LODGE. I have no doubt that the clerk of the committee overlooked it.

Mr. TELLER. I want to say the same thing. I never heard of the Senator's request to appear before the committee in relation to the bill now under discussion.

Mr. LODGE. I sent word by my clerk to the clerk of the Committee on Claims; but I have no doubt that in the multiplicity of business my request has been overlooked.

Mr. WARREN. I want to say further that the Committee on Claims is always glad to have information from any Senator on any claim pending before it.

Mr. LODGE. I should like to ask the Senator if this bill ever came before the full committee?

Mr. TELLER. It did. I will not say that every member of the committee was present, but it came before the committee when it was in condition to act. I remember very well when the case was reported.

The PRESIDING OFFICER. The Secretary will read as requested by the Senator from Wyoming [Mr. WARREN].

The Secretary read as follows:

CLAIMS FOR USE AND OCCUPATION OF CHURCHES AND SCHOOL BUILDINGS.

In the consideration of these claims it was found that a considerable number were presented from States and districts declared to be in insurrection during the war of the rebellion.

It was the custom of the War Department to place churches in the same condition as when they were taken possession of by the United States, natural wear and tear excepted, or allow a reasonable amount in money in lieu of such repairs. No general instruction for the payment of such claims appears to have been given, but each claim was decided on its merits. This practice, however, had the approval of the Secretary of War, as such cases were submitted to and approved by him from time to time. Up to 1874 it was uniformly held by the Quartermaster-General that no rent should be paid for churches, there being no law authorizing such payment. On March 20, 1874, the claim of Trinity Protestant Episcopal Church, of Washington, D. C., for rent, stated at $2,250, was referred to the Third Auditor of the Treasury for settlement, having been recommended by Assistant Judge-Advocate-General Dunn and approved by the Secretary of War. A number of other claims for rent of churches were paid subsequently by the direction and approval of the Secretary of War.

Mr. LODGE. If the motion is in order—and I suppose it is—I will move to refer this bill to the Court of Claims under the Bowman Act.

Mr. BUTLER. I hope the Senator will not do that.

Mr. WARREN. I presume the Senator means under the Tucker Act. It could not go to the court under the Bowman Act.

Mr. LODGE. I meant under the Tucker Act.

The PRESIDING OFFICER. The Senator from Massachusetts moves that the claim represented by the pending bill be referred to the Court of Claims under the provisions of the Tucker Act. [Putting the question.] The "noes" seem to have it.

Mr. LODGE. I ask for the yeas and nays.

Mr. JONES of Arkansas. I hope the Senator will not do that.

Mr. LODGE. We must have a quorum here to consider the sundry civil conference report.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. DEBOE (when his name was called). I am paired with the Senator from Tennessee [Mr. BATE].

Mr. HANNA (when his name was called). I have a general pair with the Senator from Utah [Mr. RAWLINS], which I will transfer to the Senator from Kansas [Mr. BAKER] and vote. I vote "yea."

Mr. HANSBROUGH (when his name was called). I am paired with the Senator from Virginia [Mr. DANIEL]. I transfer that pair to the junior Senator from Colorado [Mr. WOLCOTT] and vote. I vote "yea."

Mr. HEITFELD (when his name was called). I have a general pair with the Senator from New York [Mr. PLATT].

Mr. MCBRIDE (when his name was called). I am paired with the Senator from Mississippi [Mr. MONEY].

Mr. PETTUS (when his name was called). I have had a pair ever since I have been in the Senate, and this is the first time I ever regretted it. I have a general pair with the senior Senator from Massachusetts [Mr. HOAR]. I am sorry that I can not vote against this motion.

Mr. PRITCHARD (when his name was called). Inasmuch as the junior Senator from South Carolina [Mr. MCLAURIN], with whom I am paired, reported the pending bill favorably, I take the liberty of voting. I vote "nay."

Mr. PROCTOR (when his name was called). I am paired with the Senator from Florida [Mr. MALLORY].

Mr. SPOONER (when his name was called). I have a general pair with the Senator from Tennessee [Mr. TURLEY], who is absent. I suggest to the Senator from Alabama [Mr. PETTUS], who is paired with the Senator from Massachusetts [Mr. HOAR], that we transfer our pairs, so that the Senator from Tennessee [Mr. TURLEY] will stand paired with the Senator from Massachusetts [Mr. HOAR]. I vote "nay."

Mr. PETTUS. I vote "nay."

Mr. TALIAFERRO (when his name was called). I am paired with the junior Senator from West Virginia [Mr. SCOTT]. In his absence I withhold my vote.

The roll call was concluded.

Mr. ALDRICH. I would call the attention of the Senator from Wisconsin [Mr. SPOONER] to the fact that by the peculiar arrangement he has made he gets two votes in the negative for this bill. I assume that the Senator from Massachusetts [Mr. HOAR], if present, would vote in the affirmative.

Mr. SPOONER. I do not know how the Senator from Tennessee [Mr. TURLEY] would vote, and I do not know that the Senator from Rhode Island knows how the Senator from Massachusetts would vote.

Mr. ALDRICH. I think the Senator from Massachusetts would vote in the affirmative if present. I ask the junior Senator from Massachusetts if that is not so?

Mr. LODGE. I think it likely that my colleague would so vote if he were present.

Mr. SPOONER. If there is any objection, I will withdraw my vote.

Mr. ALDRICH. The change of pairs would result in making two votes for the negative side.

Mr. SPOONER. It is objected that the effect of the transfer of pairs which I announced would be unjust.

Mr. BACON. I do not think that is a good point at all.

Mr. SPOONER. Without any change of pairs, I am informed that the Senator from Tennessee [Mr. TURLEY] would vote "nay," and I vote "nay."

Mr. HANSBROUGH (after having voted in the affirmative). The Senator from Virginia [Mr. DANIEL], with whom I am paired, has not voted, and therefore I desire to withdraw my vote.

The result was announced—yeas 23, nays 28; as follows:

YEAS—23.

Aldrich,	Clapp,	Gallinger,	McMillan,
Allison,	Clark,	Hanna,	Nelson,
Bard,	Cullom,	Hawley,	Platt, Conn.
Beveridge,	Depew,	Kean,	Quarles,
Burrows,	Dillingham,	Kearns,	Simon.
Carter,	Fairbanks,	Lodge,	

NAYS—28.

Bacon,	Harris,	Pritchard,	Thurston,
Berry,	Jones, Ark.	Sewell,	Tillman,
Butler,	Lindsay,	Shoup,	Turner,
Clay,	McComas,	Spooner,	Vest,
Cockrell,	Martin,	Stewart,	Warren,
Culberson,	Perkins,	Sullivan,	Wellington,
Foraker,	Pettigrew,	Teller,	Wetmore.

NOT VOTING—37.

Allen,	Foster,	McCumber,	Proctor,
Baker,	Frye,	McEnery,	Quay,
Bate,	Hale,	McLaurin,	Rawlins,
Caffery,	Hansbrough,	Mallory,	Scott,
Chandler,	Heitfeld,	Mason,	Taliaferro,
Chilton,	Hoar,	Money,	Turley.
Daniel,	Jones, Nev.	Morgan,	Wolcott.
Deboe,	Kenney,	Penrose,	
Dolliver,	Kyle,	Pettus.	
Elkins,	McBride,	Platt, N. Y.	

So the motion of Mr. LODGE was not agreed to.

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

SAFETY APPLIANCES ON RAILROADS.

Mr. LODGE. Mr. President, I desire to say a word in regard to the lost bill with respect to which we passed a resolution not long ago. I was informed while the debate was in progress on the North Carolina claim bill that the bill had been found in a desk in the enrolling room of the House of Representatives. It seems to have slipped into the drawer of the desk. I wish to say this in justice to the clerks and officers of the Senate. It never came here.

Mr. CULLOM. It has not yet come, I believe.

Mr. LODGE. It has not yet come. They have found it, and it is coming over in the next installment of bills.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. ALLISON submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 14018) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1902, and for other purposes, having met, after full and free

conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 17, 26, 30, 35, 36, 41, 42, 49, 62, 70, 71, 82, 89, 93, 105, 108, 110, 111, 112, 113, 115, 116, 117, 118, 119, 121, 122, 123, 124, 125, 126, 128, 129, 130, 132, 133, 134, 135, 149, and 150.

That the House recede from its disagreement to the amendments of the Senate numbered 5, 6, 20, 28, 81, 91, 99, 101, 102, 127, 131, and 152; and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: Strike out the sum of $332,500 where it occurs in lines 3 and 4 and in lines 19 and 20 of the matter inserted by said amendment, and insert in lieu thereof the sum of $300,000; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 84, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$950,770;" and the Senate agree to the same.

That the House recede from its amendment of the Senate numbered 88, and agree to said amendment amended as follows: Strike out all after the word "acre" in line 8 of the matter inserted by said amendment and insert in lieu thereof the following:

"And the Secretary of the Interior is further authorized, if in his judgment advisable, to exchange such portion as he may deem equitable of the agricultural land now owned by the Government, or of the farm opposite Alexandria and known as Godding Croft, for 80 acres, more or less, lying immediately adjoining this said 60 acres and south of the present building site of the hospital. In case such exchange is made, the Secretary is also authorized, in his discretion, to grant a roadway along the south side of said tract, from Nichols avenue to the river, not exceeding 90 feet in width. Any of the buildings authorized in the sundry civil appropriation act approved June 6, 1900, for the Government Hospital for the Insane may be erected on land now owned or that may be acquired hereunder by the United States for the Government Hospital for the Insane."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 94, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$860,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 95, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$35,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 96, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$35,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 97, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$35,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 98, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$35,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 114, and agree to the same with an amendment as follows: Restore the matter stricken out by said Senate amendment amended as follows: On page 103 of the bill, in line 23, after the word "upon," insert the following: "or exercised by;" and the Senate agree to the same.

On amendment 151 the committee of conference have been unable to agree.

W. B. ALLISON,
EUGENE HALE,
F. M. COCKRELL,
Managers on the part of the Senate.

J. G. CANNON,
W. H. MOODY,
THOMAS C. McRAE,
Managers on the part of the House.

The PRESIDENT pro tempore. The question is on agreeing to the report.

Mr. ALLISON. Mr. President, there is one amendment, as will be seen from the report, still in disagreement, namely, the amendment relating to expositions. We have labored faithfully to secure an agreement upon this amendment, but have failed to obtain the assent of the House conferees. I think I may say to the Senate that there is no possibility of an agreement upon that amendment, and we have reached a point in the bill where it can not afford to fail. I therefore move that the Senate recede from its amendment numbered 151, which is the amendment relating to the expositions at St. Louis, Buffalo, and Charleston.

The PRESIDENT pro tempore. The Senator from Iowa moves that the Senate recede from its amendment numbered 151.

Mr. PETTIGREW. Mr. President, I desire to address the Senate. What I shall say, perhaps, will not be very pertinent to this matter, but it is the only opportunity I shall probably have to make the remarks I desire to submit.

Some days ago I placed in the RECORD a statement in regard to the Philippine Lumber and Development Company. The president of the company has since made the following statement in the House of Representatives:

I will say to the gentleman from Tennessee that I am the same man that is connected with the Philippine Lumber Company, and that I have something invested in that enterprise. I will say further to this House that I have not, nor has that company, ever asked one favor of the Government of the United States; and we do not propose to do so. Our dealings there are with men who have titles in fee simple of long standing. The business is entirely legitimate.

And I want to say to this House and the country that whenever the time comes that I am not permitted to invest in a legitimate enterprise I would prefer to leave Congress to being a drone, dependent only on politics for my living. [Applause.] I will say further to the gentleman from Tennessee, and to this House, that while the campaign was on the company with which I am associated called a halt in their enterprise and notified every one of the stockholders that if Bryan should be elected not one dollar would we invest in the Philippines, but if McKinley should be elected we would invest all the money that we pleased, believing it would have a favorable return by the restoration of order and good government in the Philippines. [Applause on the Republican side; derisive applause on the Democratic side.]

Bryan's election would mean disorder and anarchy in the islands. McKinley's election would mean order and thrift.

Under the one I would not be willing to invest in any legitimate enterprise; under the other the ax and the sawmill would be encouraged, labor benefited, and civilization advanced.

Now, why? Because the one man was trying to run the country on wind and the other believed in legitimate enterprise. [Great confusion in the Hall.] I yield the balance of my time to the gentleman from Iowa.

Mr. President, that is a very remarkable state of affairs. The Philippine Development and Lumber Company has its offices in room 812, Merchants' Loan and Trust Company Building, 135 Adams street, Chicago. Its president is J. A. T. HULL, whose remarks I have just read; John Bradford, vice president; Stewart Spalding, secretary; John Gibson, treasurer; Frank S. Bourns, representative of the company, Manila, P. I.; B. B. DOVENER, attorney for the company. I am reading from their prospectus. The directors are: Mr. HULL, president, member of Congress, Seventh Iowa district—he is so described—Des Moines, Iowa; John S. Bradford, Bradford & Sons, bankers, Greenville, Ill.; Stewart Spalding, secretary and treasurer Calumet and Chicago Canal and Dock Company; Frank Phillips, stocks and bonds, Chicago, Ill.; George Bogart, president Shenandoah National Bank, Shenandoah, Iowa; M. L. Severance, Eastern representative of company, Middlebury, Vt.; F. W. Craig, director Capital City Bank, Des Moines, Iowa; Isaac Bassford, stocks and bonds, Chicago, Ill.; and G. A. Vawter, capitalist, Cambridge, Ill.

The prospectus goes on to say that the object and purpose is to deal in Philippine lumber, and this says they have a very fine quality, and plenty of mahogany and rosewood and ebony, and so on. They are also to cultivate the soil, to produce fiber, and manufacture it. I have the articles of incorporation. It was incorporated under the statutes of West Virginia, and I telegraphed to a very reputable gentleman in Chicago and asked him if this company had an office there. He sent a reputable gentleman to the office, and I know that both of these people are men of character and standing and entitled to credit and belief. The gentleman sent to the office makes this statement:

CHICAGO, *February 26, 1901.*

I had a long talk with Mr. John Gibson, treasurer of the Philippine Lumber and Development Company, who is president of the Iowa Savings Bank, at Creston, Iowa.

He says the company have immense timber rights, embracing great quantities of mahogany, ebony, logwood and other valuable timber. That they shipped via steamer *Coptic* from San Francisco on December 2 a sawmill of 12,000 feet daily capacity, which should be there by this time. That the E. P. Allis Co., of Milwaukee, are now making another sawmill of 30,000 feet daily capacity (hardwood), which mill will be shipped March 22, and that day after to-morrow they will order another similar mill, which will give them a capacity of 72,000 feet per day. They have plenty of money in treasury for this and other necessary purposes. That Congressman BABCOCK of Wisconsin and a number of other prominent members of Congress and the Senate are interested, and all on an equal basis. There are no commissions being paid on sale of stock, and all stock is sold at $25 per $100 share until 5,000 shares shall have been disposed of, after which it is to be sold at par, and then he offered to pay me a commission on the sale.

I endeavored to ascertain something about the said timber rights, saying that my inquiry was from a doctor in Iowa, who had heretofore purchased lots from me and would probably want to know something about the basis for security if he should think of investing in stock.

I was unable to get any definite information in regard to any one timber right of any kind which they actually have, although he intimated that through political influence they would obtain grants of great value, and that they had already contracted with owners for some timber rights, but of this he could give me no definite details, as it is all in the hands of Major Bourns, who is the head of the Liberal party in Manila, and was general health officer of the Army.

Mr. GALLINGER. Is that Major Burns?

Mr. PETTIGREW. It is spelled B-o-u-r-n-s.

Mr. BEVERIDGE. Frank S. Bourns, a good man.

Mr. PETTIGREW. The letter continues:

He said the first sawmill was sawing on Government account to build a post and sanitarium in the Benguet region, 40 miles east of Dagupan, and that they expected to keep this and one other mill continuously sawing on Government account for some time to come.

I inclose copy of his letter head, showing the various officers of the company.

And further deponent sayeth not.

I find that Mr. Bourns has written several letters, which are given out by the company to induce people to invest. Here is a letter from Agent Bourns, in Manila, dated December 14, 1900:

Hon. JOHN GIBSON, *Chicago, Ill.*

DEAR MR. GIBSON: On my return from Zamboanga last Saturday night I found your cable of November 23—"$5,000 sent. Loomis starts January 1." I also have your cable of the 11th stating "Mill ordered." I am very glad to hear this news, as it means we shall soon get started. As soon as the portable mill gets here I shall get it up into the Benguet region, if possible. The first move that is to be made by the Government is to construct a wagon road from Benguet to Dagupan, which will follow the line of the proposed railroad. This road will be about 50 miles long and will cost at least $50,000, gold. Every probability is that the railroad will speedily follow. I am informed by the engineer in charge that he desires to begin building from both ends and that he will use pine for the bridges, etc., in the Benguet region. If I am on the ground, therefore, I should come in for a share of this. Building will undoubtedly begin almost immediately. The whole prospect for the region is excellent, in my opinion.

So it appears this letter was written December 14, and now on the 28th of February the mill is running, exclusively sawing for

the Government. So, after all, it would appear that there is some relation between the officers of the Government and this enterprise. Of course the enterprise can succeed, because the appropriation bill is prepared by the Military Affairs Committee in the House, and the chairman of the committee boasted that he would not be a drone; that this is a legitimate enterprise.

I do not care to comment upon it at all, but it seems to me a deplorable state of affairs that these things can exist and are satisfactory to an Iowa constituency. The larger the Army in Manila, the more money appropriated, the greater the profits of the Philippine Lumber and Development Company; the more roads built, the more shekels pour into the pockets of the people who vote the appropriations out of the Treasury of the United States.

These letters are on various subjects connected with the enterprise, but I will not read them in full. They describe the timber, and they describe fine bodies of timber on the island of Mindanao and a fine bay that they propose to take possession of. There is nothing said about private ownership there, however.

No connection with the Government! An entirely legitimate enterprise!

Here is another letter:

I submitted a preliminary report in my last in regard to the Benguet region. I can now complete that. There is now no doubt that the Government will establish an extensive sanitarium and health resort there. Therefore I believe it to be an excellent policy to make an attempt to get some sort of a sawmill on the spot as soon as possible. After looking the ground over carefully, I am convinced that a portable sawmill would be best. It would be cheaper; we could get it in place much sooner; and, as the pine forests are rather thin, we could easily transfer it from place to place as occasion might require. Again, it is quite probable that the railroad will be considerably delayed in getting up there, and the Government wants to begin building before it is finished, or as soon as possible, say in a few months.

To facilitate this a certain amount of money will be laid out on the old Spanish military road leading up there. When this is done I believe it will be possible to get a portable mill up there. It will be a difficult task, but I believe it can be done, and I also feel pretty sure that we can depend upon a certain amount of aid from the Government, such as mules, etc. Of this I can not speak with certainty, but as the Government will be interested in having lumber on the spot I feel pretty sure of this, even should we be unable to get the mill up as soon as the railroad is through; but I feel confident that we can get it through, as I have been over the road.

It appears they got it through, according to the later statement.

Mr. BURROWS. From whom is that letter?

Mr. PETTIGREW. From Frank S. Bourns, the manager of the company, at Manila.

Mr. BURROWS. And health officer?

Mr. PETTIGREW. Yes; that is what they say he is. Here is a letter dated Manila, January 10, 1901. He quotes some one here:

The demand for lumber is very great here. In conversation with the engineer of the Department of Southern Luzon I find that the Government finds it almost impossible to get the timber needed and is paying almost any price for suitable wood—from 75 cents to $1.25, gold, a cubic foot. He gave it as his opinion that there could be no risk in the investment of a considerable sum of money in a lumber plant, as the Government wants lumber badly and will be glad to contract with anyone who can agree to furnish desired timber within a reasonable time limit.

I do not care to pursue this question further, but I desire to put in the RECORD as a part of my remarks the certificate of incorporation of this company in the State of West Virginia.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the paper will be printed in the RECORD.

The paper referred to is as follows:

CERTIFICATE OF INCORPORATION.

STATE OF WEST VIRGINIA:

I, William M. O. Dawson, secretary of state of the State of West Virginia, do hereby certify that an agreement, duly acknowledged and accompanied by the proper affidavits, has been this day delivered to me, which agreement is in the words and figures following: The undersigned agree to become a corporation, by the name of the Philippine Lumber and Development Company, for the purpose of purchasing or leasing from persons having title thereto timber lands in the Philippines, Jolo, or Sulu islands; also the acquisition of such other lands, real estate, and other property, either personal or mixed, in said islands and elsewhere, as shall be deemed necessary for the needs and purpose of said corporation; also to carry on, in said islands and elsewhere, the manufacture and sale of all kinds of lumber and of all products which can be produced from the timber on said acquired lands; to make, sell, and deliver railroad ties, cord wood, charcoal, tar, turpentine, and saw logs; to manufacture and sell rubber and gutta-percha and all principal and by-products to be obtained from any growth upon said lands; also to erect and to continue from time to time the erection and maintenance of all such houses, sawmills, factories, charcoal furnaces, rubber-boiling vats, gutta-percha kettles, and other structures, improvements, and machinery as shall be required in the successful operation of the business of said company; also to cultivate said lands when cleared of timber; to plant cane and to manufacture sugar; to raise hemp, tobacco, and other agricultural products; to raise horses, cattle, sheep, and other live stock, or to lease lands for any of above or other legitimate purposes; to carry on mining in the Philippines, Jolo, or Sulu islands; also of conducting such general merchandising, banking, exchanging, express, and transportation business as may prove necessary and convenient in the prosecution of the company's business; of maintaining roads, tramways, dams, ditches, irrigating waterways, and to construct and operate railroads, and to make other internal improvements necessary to further the best interests of said company in said islands; erecting wharves and warehouses in said islands; owning, operating, and building sailing vessels and steamships for the transportation of the productions and manufactures of said corporation, and for the transportation of passengers and freight to any ports touched by said sailing vessels and steamships, upon such terms as may be fixed by the officers of said corporation; enjoying all the rights and privileges and assuming all the duties and liabilities, and receiving all the profits and revenues arising from and growing out of and in any manner connected with said business, wherever conducted and in any and all its stages and ramifications; selling and transferring its lands and other property, franchises, and concessions, but no sale of the entire property of the company shall be made unless the holders of three-fourths of the capital stock of the corporation which has been issued shall vote to make such sale, said vote to be taken at a meeting of stockholders called to consider such proposition of sale, and of which meeting thirty days' notice shall be given by circular, addressed to each stockholder at his last post-office address, as known by the secretary of this corporation; purchasing of and from Frank S. Bourns, of Manila, the land, timber, rights, leases, and concessions acquired by him in the Philippines, Jolo, and Sulu Islands for the sum of $3,000,000 in the stock of this corporation.

Which corporation shall keep its principal office or place of business at Chicago, in the county of Cook, State of Illinois, and is to expire on the 1st day of May, A. D. 1950, and for the purpose of forming the said corporation we have subscribed the sum of $1,000 to the capital thereof, and have paid in on said subscriptions the sum of $100, and desire the privilege of increasing the said capital by the sale of additional shares, from time to time, to $5,000,000 in all.

The capital so subscribed is divided into shares of $100 each, which are held by the undersigned, respectively, as follows, that is to say: J. A. T. Hull, Des Moines, Iowa, 2 shares; John Gibson, Creston, Iowa, 2 shares; John S. Bradford, Greenville, Ill., 2 shares; Stewart Spalding, Chicago, Ill., 2 shares; Frank Phillips, Creston, Iowa, 2 shares.

And the capital to be sold hereafter is to be divided into shares of the like amount.

Given under our hands this 25th day of April A. D. 1900.

J. A. T. HULL.
JOHN GIBSON.
JOHN S. BRADFORD.
STEWART SPALDING.
FRANK PHILLIPS.

Wherefore the corporators named in the said agreement and who have signed the same, and their successors and assigns, are hereby declared to be from this date until the 1st day of May, A. D. 1950, a corporation by the name and for the purposes set forth in said agreement.

Given under my hand and the great seal of the said State, at the city of Charleston, this 3d day of May, 1900.

[SEAL.] WM. M. O. DAWSON, *Secretary of State.*

[Testimonial.]

OFFICE OF SECRETARY OF STATE, *to wit:*

I, William M. O. Dawson, secretary of state of the State of West Virginia, hereby certify that the foregoing, writing, dated the 3d day of May, 1900, is a true and correct copy of the certificate of incorporation of Philippine Lumber and Development Company, a corporation created and formed under the laws of said State, as appears from the records of corporations in my said office.

Given under my hand and the great seal of the said State, at the city of Charleston, this 7th day of May, 1900.

[SEAL.] WM. M. O. DAWSON, *Secretary of State.*

Mr. PETTIGREW. I also desire to print in this connection a clipping from a Manila paper in regard to how the Federal party that we are talking about is built up. This man, who is a representative of the lumber company at Manila, Frank S. Bourns, they say is the head of the Federal party there. I have here an article from The American, Manila, P. I., Tuesday, January 10, 1901. It is headed:

Take the oath or go to Guam—No rebel can work for Uncle Sam—American soldiers and civilians are running the "amigos" down.

This paper is evidently an American paper. The article is as follows:

There is a ripple of excitement in employee circles of the Government, especially in the Quartermaster's Department. An effort is being made to compel native workmen to take the oath of allegiance, or be cast from the Government pay rolls. It seems soldiers and ex-soldiers have tired of work ing with Tagalogs without knowledge of their loyalty to the flag.

The action of Ecsmilla at a club dance, a few weeks since, in refusing to drink to the health of the President of the United States, and the late action of Governor-General MacArthur in a general order of malcontents into exile to Guam, has aroused the proper spirit, and all true-blue Americans are asserting it.

The fact is, Americans in every department of the United States Government in the Philippines agree that all native employees should take the oath of allegiance to the flag or suffer deportation to Guam with Mabini, Pio del Pilar, and the party of rebels that accompany them.

The feeling is general in Manila that Governor-General MacArthur has taken the right step, initially speaking, and that he should extend it to every department of service in the Philippines where native help is employed. There seems to be no objection to the Tagalog, wherever he gives evidence that he is a loyal subject of the United States.

Soldiers and civilian employees of the Quartermaster's Department are emphatic in the expression that all Tagalogs employed there shall take the oath of allegiance.

COMPULSORY ALLEGIANCE.

That is the sort of Federal party supporting the United States that we seem to be building up in that country. The other day I read some letters from the island of Cebu, where we imprisoned the officers of a town until they would come out and take the oath of allegiance. Now, I want to go further for a few moments into some other matters in connection with this, as they ought to go in the RECORD. These people were our allies and they helped us fight Spain under our flag and their flag. Now they are being deported because they love their country.

Mabini was deported. He was not a prisoner of war. He was a cripple, an invalid, the victim of Spanish cruelty. We sent out a squad and captured him and brought him into Manila, and when he refused to swear allegiance and wrote articles high in character, full of patriotic spirit, we deported him to Guam as a prisoner along with 31 others. Mr. President, I believe that I shall live to see the day when there will be a monument built by the people of the United States in this capital to Mabini, as there ought to be.

Now, how are we carrying on the war? MacArthur's report shows that during the last ten months our losses have been 268

killed and 750 wounded; the Filipino losses, 3,227 killed, 694 wounded. Who ever heard of anything of the sort before in the history of the world? It indicates that we give no quarter, that we are engaged in the butchery of men in that country.

Now I am going to read from a letter signed by Capt. D. S. Crawford on that same subject. I will not read the whole of it, but I will read those parts of it which touch this question of barbarity. This is an account of operations in the island of Mindanao. I want to read first what Captain Crawford says, that they were instructed to kill everybody, to give no quarter, to take no prisoners:

Capt. S. D. Crawford writes as follows from Santa Anna, Mindanao, P. I., under date of December 20, 1900:

"While we rest I will write you. I am reduced to a few scraps of paper and a 2-inch pencil, which Major Taggert gave me. This is one of the most remarkable expeditions in my experience. December 16, after having every man examined from head to foot by the surgeons, I started as one of eight companies and the mounted detachment with Colonel Birkhimer in command for the enemy's stronghold. We started at 4.30 a. m. and by daylight the column was moving on its way from Cagayan to Tagalaon, 15 miles. Before we reached that place we were fired upon from the high ridges. At Tagalaon we ate dinner, and then having landed Company A from the cutter on the other side of the river, we forded the swiftest strean I ever crossed. The water came above my waist and it was a wonder that some of the small men were not drowned. That put us into the San Martin, where we spent the night. My bed was at the foot of a cocoanut palm. The spearmen attacked our outposts, and the men killed one. He

YELLED LIKE A STUCK PIG.

We have more dread of the spearmen than anything else.

"At daylight we started for Santa Anna, 3 miles inland. This is a small town of less than three hundred houses. The enemy left it without firing on us, but they opened up on us from the hills. At 1 o'clock we started with the Maxim-Nordenfeldt gun in the column for Pamplona, 15 or 20 miles into the mountains, to one of the strongholds. We made a false movement in the direction of the much-talked-of fort on which they had worked for months, and then turned to the left and began the ascent of the mountain, reaching it in good condition. We then descended to the River Quimaya, which zigzags through a canyon which is from 2,000 to 3,000 feet deep, with precipitous sides. The insurrectos kept along at the top, shooting at us whenever they could see the column. This was a terrible journey. We crossed that stream 31 times before midnight. It was terribly swift, but only came to the belt. The mule gave out and the men had to drag that gun, and men never did harder work. The night was inky black and we had to gather phosphorus sticks and put them in the men's hats so that we could see the trail. When we got into Pamplona we camped out in the long, wet grass, and the rain fell until daylight. This town was also deserted. At 6 o'clock we started for Malabug over the mountain, and it took several hours to reach the summit, going through the wildest of forest. Shortly after starting 2 spearmen, one decorated with ribbons—a chief, I suppose—attacked a man in the rear of my company. They hurled their spears, which he dodged, and he then shot one and clubbed the other with his gun. They were armed with knives. After crossing the mountains we struck the Malabug River, and then the enemy began firing on our column from the steep mountain side. We could not reach them and had to march along under their fire for about 5 miles.

"That tried men's nerves, but the men stand it all right and get even by swearing at the enemy, which of course makes the enemy feel badly. It was not long after reaching Malabug until the pigs began to squeal and beautiful fields of corn showed animation. I went to sleep about 1 o'clock; did not wake up until nearly dark. The colonel just allowed us to make ourselves comfortable. How we do drink water on this island! The rivers are swift; the water is pure and actually cool. We had outposts, and at night I had a camp guard to protect my men from the spearmen, for they creep up like snakes. Yesterday morning we set out to make a rear attack on Fort Santa Anna, on the summit, going down the valley, 5 miles from where we found a small fort which had been vacated and burned. The trail up the mountain was so steep that we had to rest every hundred yards, and did not get to the summit until noon. We were now directly in the rear of the fort. The day very hot. After a hasty meal we inspected the arms and ammunition and advanced to what we thought would be a bloody battle, but imagine our disappointment and chagrin, when we advanced upon the strongest fortification and best strategic position any army could ask for, to find it entirely deserted. The enemy had even left their cannon in their haste to get away. The men were so angry that they swore like demons. Well, we went at that fort, which consisted of a stockade over a crest about 125 yards long, with trench in the rear, deep trench in front set full of spear-pointed bamboos covered with brush and grass.

"Well, I ran out of paper and had to borrow some Japanese wrapping paper. Had we attacked that fort from the front, as the enemy expected we would do, our loss would have been very heavy. Their entire front was full of mantraps; poisoned arrows were set behind trips; long, spear-pointed poles set on spring poles lay concealed in the grass to pierce us when the strings were touched, and all sorts of devices to wound and kill—everything that savagery could suggest or that ever existed in the dark ages. We went at that fort and mantraps and tore them up and burned everything in sight. They had an especially peculiar arrangement which would have troubled us in deploying into line of battle. It consisted of a lot of stakes set in the ground. These were split into quarters in the top, and fastened in those splits were long brier vines—a natural barbed wire. These thorns were very sharp; and set behind these vines were sharpened bamboo sticks set in the ground to pierce you as you fell. I inclose a piece of that barbed-wire fence.

WERE THERE TO KILL.

We started for Santa Anna after wrecking that fort, and a more tired lot of men you never saw. I had two go sick—Charles Lee, of Erie, for one; but he is just played out, and a few days' rest will fix him up. The colonel had no reveille sound this morning and everybody slept just as long as they wanted to. We have squads out now looking for fresh meat, chickens, etc. We are now in an enemy's country, and are here to kill every man who is found armed or in the vicinity of the enemy. We have orders to accept no surrender unless to turn over a rifle. These people are different to those in Luzon. These Visayans are intruders on this island. They are not wanted here by the Moros, and we are going to stick to them until we kill them or make them surrender with arms. This is the most beautiful country in the archipelago."

Mr. GALLINGER. Who is Captain Crawford?

Mr. PETTIGREW. I will tell the Senator who he is. I have a statement here. I do not know what State he is from. He signs this letter. It was published in the Erie Morning Dispatch, a leading Republican paper in that part of Pennsylvania, I suppose, "containing a letter from Capt. G. S. Crawford of the Twenty-eighth Infantry. Captain Crawford is of this city," that is, of Erie. He goes on to say:

SATURDAY, *December 23.*

It is no man's land, and here is grazing country for millions of heads of cattle. The large table-lands at the top of the canyons are covered with nutritious grass. A large native beef sold here last May for $5 in gold; they are now $15 in gold, and we can not get them at that just now, so we will get them with Krags. I inclose you some flowers which grow at my front door. I have a house now with two rooms and a kitchen. It is a little out of repair, but when it rains I can move my bunk over to the other corner. The floor is bamboo slats, with inch spaces; the sides and roof nipa. We have a delightful sea breeze here after the middle of the day.

HEARTBREAKING TRIP.

SANTA ANA, *December 23, 1900.*

I thank the Lord we are home again, after one of the most eventful and successful expeditions ever sent out in this archipelago; and we did not lose a man.

I wrote you after we returned from a three days' expedition into the interior, and the destruction of the big fort on the top of the mountain. That was Wednesday, December 22. Thursday we rested, but that night got orders to get ready for a forced march of 30 miles into the mountains to Silo, one of the insurrecto strongholds. Our feet were sore and badly cut from the previous trip, and some men were barefooted, and we were all very sore and tired, but when you locate your enemy you can not lose time. Friday morning we had an attack about 1 o'clock, but the fools fired from the hills and did not hit a man of us. I tell you it was confusing to be attacked in the night. You grab for your shoes every place but where they are. You can not strike a light, for that locates the officers, and if the spear men are in under your shack or close by they will get you before you can get on your fighting clothes.

I have slept in my wet clothes and shoes so much that I become desperate and undress partially. Well, we started at 5 o'clock and made a forced march, passing the fort we had reduced on Wednesday and got into Malabug at 10.30 a. m. Half an hour's rest started us on the worst mountain I ever climbed. About a dozen of my men were so prostrated by the heat and fatigue that we had to make frequent stops, but fortunately found a mountain stream about noon or 1 o'clock. We were then away on top of the mountain. It was a grand sight, but it was mighty hard on us. We got water, and when at the summit stopped to eat. The insurrectos fired on our rear after we got a short distance from Malabug, but only one shot came in my vicinity and that struck about 10 feet ahead. We descended on the town of Silo, on the Silo River, and surprised a force of insurrectos. We shot a few, but the rest escaped up the canyons.

BROKE UP A FUNERAL.

They were holding a funeral in a little nipa church when we approached. They left the dead body in the church and took to the canyons. I got a Remington rifle and an officer's sword, a very fine Spanish weapon, which the colonel has given me. We found large quantities of stores and supplies, and having an abundant supply of fresh beef and chickens, as well as rice, we fared well. In the morning at 3 o'clock we cooked breakfast, loaded the men with choice tobacco, and then set fire to every house in the town except the church where the dead body lay.

They had captured this town while a funeral was going on, and the people attending the funeral had fled. So they did leave the dead body in the church, and they did not burn that, but they burned everything else.

This paper I am writing on belonged to a Visayan colonel, whose sword I captured, or rather picked up from where he had dropped it as he fled from our fire. There were two American deserters in the town, but they got away. One of them left his watch and clothes. If we could get our hands on those five wretches who deserted, we would not make them prisoners, but would riddle them with bullets, and they know it. We found a strata of fine chalk, also a vein of anthracite coal, near Silo. We reached the top of the mountain before the sun got very hot and stopped for a half hour's rest and then started for Malabug. We found a big herd of fine, fat cattle, but they got away from us. We got into Malabug about 11 o'clock and spent the afternoon and night there.

We butchered a lot of cattle, goats, and pigs and had a feast. While we were enjoying the feast the Gugas showed up on the mountains, but we made it so hot for them that they did not bother us any more, and we had a peaceful night. The day before we were so close on them in that town that an officer left his shaving outfit and his men left half a beef in the plaza, which was our meat. This morning, when we left the town at 5 o'clock, we burned every building, and a large herd of their horses, which all tried to corral, got away from us.

A DESERTED FORT.

We came down the canyon instead of going up over the hill by the fort which we had reduced on Wednesday, and we found another fort, which we took without firing a shot. They had deserted it the day we got in behind them. Had we undertaken to have captured that fort by a frontal attack, they would have butchered us. They had a trench across the canyon with palisades 10 feet high, with a trench in front fitted with sharpened bamboo sticks set up on end and covered with grass. The Malabug River was barricaded in the same way. They had loopholes through the stone wall for rifles and their cannons on the side of the mountain, commanding the left of their works. About 50 feet up they had trenches and cannon.

On the right bank they had cannon trained on the pass and bags of grape shot, each bag containing 90 grape shot. Had we come up that canyon, as the insurrectos expected we would, they would have slaughtered us, for we would have had to deploy in a very swift river filled with slippery stones, and could not have formed a front of 30 yards. Farther down they had other trenches. We tore down their works and burned their houses, and coming down the canyon burned every house in sight or reach. Now, this we did not do in Luzon excepting where they fired on us from the houses. The whole expedition has been one

UNDER DIVINE GUIDANCE.

First, we fooled the insurrectos by taking another canyon and going into their rear into the interior 30 miles. We captured some Visayans who had been compelled to work on the mountain fort three months without pay, and they said they would show us the fort by way of revenge on the cruel Tagalos from Manila. Then we captured three others, Bolo men, who located the other fort, which we destroyed to-day, as well as the headquarters.

Bang! There goes the outpost, and some fool spearman is biting the dust by this time. They creep up to spear our men at the outposts. It is now 9 p. m. We have marched, under fire a part of the way, for over 130 miles; have captured and reduced to ruins two strong forts, and have burned two insurrection strongholds and have not lost a man. A most remarkable record, and, barring the men who were hurt by man traps or are suffering from sunstrokes, we are all right, but very tired, and in fact worn out for a few days. Colonel Birkhimer's superior strategy, under the guidance of God, has

enabled us to crush the Tagalo movement here and to force Aguinaldo's followers to fall back onto some other town. I hear that our regiment is coming down from Cagayan to go into camp down on the beach at San Martin or at Tagaloan, across the river. I am glad of it, for we have no natives here, no women, and no liquor to injure the men. We have the very best of mountain water here, flowing at torrent pace down through the rocky canyons. Now, I must close to-night and turn in, for I am just paralyzed. So good night.

Monday, December 24.—I am very tired to-day and have not the courage to move farther away than from my quarters to those occupied by our men. The mounted detachment went out to-day and brought in the large brass cannon which we found yesterday in the cannon fort. I am sorry to say that one of my men who was stricken by the heat yesterday has not recovered consciousness yet and is sinking. Another of my men has recovered consciousness and will recover. Fortunately the sky is overclouded to-day and I think we are going to have rain. We sent out details to-day to shoot cattle, and my men will have fresh meat for supper and breakfast. The sweet potatoes here are very good—better than they are in Luzon. The corn is also better. The farming sections are very beautifully laid out. The plateaus on the high land, or above the canyons, are covered with delicious grass, and there are millions here for men who have the means to stock a ranch.

This would be a great sheep-growing country. The Moros, they say, are very prosperous and have very fine farms. We have not seen any of them yet, as the Tagalos and Visayans have driven them back. At Llegan the Moros come in and trade with the soldiers, and are very friendly. I inclose you some leaves and beans from the coffee trees in our yard. The trees are very beautiful, and the berry, before it gets brown, looks like a big, red cherry. I also send you some flowers which look like clover. The landscape and foliage here is far more beautiful than it is in Luzon.

I hear to-day that the entire regiment is to be brought down to Villanuevas, on the bay. They say that that is a beautiful place, but I hope the Colonel will allow us to stay here in Santa Ana until we move around the bay to Butuan, our next place. The air here is very pure, and we have but few mosquitoes, but they are horrid in Cagayan. The heat here is quite intense between 9 and 11 o'clock, but after that there is a good breeze, unless you happen to get into a canyon or mountain pass, where the circulation is shut off.

DESERTER LEFT SHOES.

While we were reducing the fort in the canyon yesterday one of the men found a letter written by a Visayan insurrecto to his girl. It was full of loving expressions and wishes. We found a pair of shoes left by one of the American deserters. Those deserters were what we call vino fiends—that is, men who are fond of vino de cocoa, a very strong liquor made from the milk of cocoanuts. Their desertion was arranged by Visayan senoritas. The deserters received $500 (Mexican) for their guns and ammunition and the deserter then gets a senorita and all the vino he wants, besides a position on the general's staff. They also have servants to arrange for their comfort.

Our men are wild to get at the enemy when they see a man who looks like an American. We saw one who stood out on a crest watching us when we marched around in the rear of their forts, but he was up too high for our range, and we had to let the cur go. Another sat away up on the side of the canyon and shot at the mounted officers as long as there was one in sight. My men have just come back with three quarters of a beef and their shirt fronts full of onions (green). While they were out there—a mile from camp—the "Gugus" showed up on the ridge and opened up on our men, but never hit one. The men held onto their meat and brought it in. I am just now in receipt of our highland cream, six cans, and we are going to have crackers and milk and fresh beef for supper. We are regular gourmands when we get in, for when we are out we do have to fly light. I often make a meal on hard-tack and water, and am thankful for that.

So he describes the capture of cattle and the destruction further of property, and he also describes the country. He speaks of its fertility and the cultivated fields, abandoned by the people for fear of the "benevolent assimilation" which we seem to be imposing upon that country.

The PRESIDENT pro tempore. The Senator from Iowa moves that the Senate recede from the remaining amendment.

Mr. TILLMAN. Mr. President, before the vote is taken, I wish to make a brief statement:

Last summer, or in the spring, I introduced a bill providing for an exhibit to be made by the Government at Charleston similar to that at Buffalo, at a cost of $250,000. A favorable report was made on it, and the bill was placed on the Calendar. In the first week of the session, in December, it passed the Senate. It went to the House, and was smothered in committee.

When the independent bill for the St. Louis Exposition was passed by the House and sent over here, I offered the Charleston Exposition bill as an amendment to that bill, and the Senate very kindly and justly, as I thought, put it on unanimously. The bill went back to the House and the Charleston amendment was stricken out, and that bill, I believe, is in conference; at least, the Senate has appointed its conferees and the House never agreed to any conference, as I understand it. Is not that the case, I ask the Senator from Massachusetts?

Mr. LODGE. No; the House conferees and our conferees met. We had one conference. It went back on a disagreement, and, I believe, has been sent back again into conference.

Mr. TILLMAN. Well, the bill fell in a deadlock in the conference?

Mr. LODGE. Yes.

Mr. TILLMAN. I have never contended for anything in regard to this exposition business except what I thought to be simple justice. I did not believe that it was possibly the right thing for the Government to spend so much money on this kind of thing. I rather thought we were going into the exposition business rather extravagantly. But I did feel that if Buffalo had received $500,000 and St. Louis was to receive $5,000,000, it was nothing but a just proposition that Charleston should receive the little pitiful sum of $250,000, which was all she asked. I have insisted on that view. I have demanded what I believed to be equality, not of amounts, but equality of principle; in other words, that the city in my State should not be considered as an outcast and treated differently from these other two.

I am perfectly willing to have all of these exposition amendments go out of the sundry civil bill if it is necessary for the bill to become a law. Of course I shall vote "no" against the motion to recede, because I do not understand how it is, and why it is, that the Senate must bow down and yield to the dictation of the House in a matter of this kind.

Mr. PETTIGREW. Mr. President, it seems to me the minority has nothing to lose in an extra session and they have everything to gain. If they would defeat the sundry civil bill it would compel an extra session and compel the Republicans to stay here and discuss this Filipino question. I believe the time has come when the people of the United States are getting sick of it. They are coming to discover the barbarities they are practicing in that country. They are discovering that we have no commerce with that country, and can not have, and will not have. They are coming to find that we shot the first shot and began the war and we are fighting our allies; that we are committing an act of treachery and national infamy and dishonor.

It seems to me the minority can afford to stay here and talk about it. I have felt so all winter, and it seems to me now that they could gain an advantage. They can get together themselves and cease to be a ragged, straggling crowd here that does not belong to any party. They are approaching that, and if they would stay here for two or three months and discuss this question there would be a Democratic party once more in this body; and it would be a good thing for them; and then it would divide the Republicans. The dissatisfaction and discontent of the Republicans were witnessed in the defeat of the subsidy bill, which was defeated by Republicans who could not be whipped into line by their bosses. Half of them nearly were dissatisfied with the bill, and they did not want to vote for it, and were glad of an opportunity to escape.

Another thing, the Republican party have come to a point where they will not defend the course of the Administration in the Philippines. They will not stand up here and defend or argue any longer. They do not want to talk about it. They simply line up, and they are getting sick of that.

It seems to me that the Senator from South Carolina, instead of being so anxious to surrender on this bill in order to get it through, ought to be anxious and take the opportunity and talk the time out until 12 o'clock, and compel the Republicans to stay here and compel them to hear these things, and fight out this great issue, in which is involved the honor of the American people and what there is left of the honor of the Administration.

Mr. TILLMAN. Mr. President——

Mr. PETTIGREW. I yield to the Senator.

Mr. TILLMAN. If it had been determined by those on this side with whom I consulted that it was wisest and best to force an extra session rather than to submit to the legislation on the Army bill, I would have been the last man to yield on that question. In consultation with my colleagues we were confronted with the condition that if we forced an extra session after we had thoroughly ventilated the entire proposition and shown its infamy, and had given every evidence that men could, to the people of this country, that it was a departure from all the time-honored principles of our Government and our traditions as a people, after we had done everything that could cast odium upon those who were guilty of it, then if we forced the extra session, we would be met with a larger majority than we now have in both branches, and one which was elected at the time the President was elected by a larger majority than he had when he was first elected, and that we would have only delayed the time by a few weeks when, from mere exhaustion, we would be overpowered and this same Philippine amendment would go through.

Mr. PETTIGREW. I did not yield for a speech. I am willing to have the Senator speak as long as he chooses, and I will yield the floor in a moment.

Mr. TILLMAN. The Senator is opening up a very large question here.

Mr. PETTIGREW. I am perfectly willing to yield the floor and let the Senator talk about all he has a mind to, but I do not like to hold the floor and interrupt him.

Mr. TILLMAN. I just want to set myself right.

Mr. PETTIGREW. Mr. President, I should like to finish.

Mr. TILLMAN. If the Senator refuses to let me finish, of course I will have to yield.

Mr. PETTIGREW. I do not know when you would finish, and I would expect to have to stand here.

Mr. TILLMAN. We are not apparently very much interested in this thing under discussion. I should like to get through. I will get through in two minutes.

Mr. PETTIGREW. I will yield the floor with the understanding that I will resume if the Senator wants to make his speech in the middle of my speech.

Mr. TILLMAN. But I want to get through my statement now.

What I was going to say was this: The extra session would have brought with it a larger majority and one which possibly would have perpetrated a great deal more that was contrary to the Constitution and more outrageous in its character than the present Congress has done; and therefore we would have gained absolutely nothing as a matter of principle except that we had forced an extra session upon the country.

I was going to say it had been charged in the papers that I had been bought off by the exposition appropriation.

Mr. PETTIGREW. Nobody believed that.

Mr. TILLMAN. Those who undertook to start that lie knew it was a lie when they began it. No man has ever dared approach me with any hint that I could be seduced or induced to cast any votes here because of money that my State was getting. I do not care a thrip about the exposition money or anything else in that regard. I simply abandoned the idea of filibustering to prevent the passage of the Philippine amendment and the Cuban amendment because I thought we had gone far enough to show to the country that the Republicans were bent—hell bent, so to speak—on that, and it was useless to resist.

Mr. PETTIGREW. Now, Mr. President, there was no minority report on the Army enlargement bill. There was no minority report on the Philippine amendment, by which we revolutionized this Government and coupled with the Republic an empire.

I am glad to see that there are signs of reviving life; and I believe in the future there will be a minority party. The American people have a minority party, and there ought to be one in this body, and there will be. So, I say, it would be a good thing to stay here and let the minority discuss these questions and keep them before the American people, for not only the Republicans are getting sick of it, but you can make great political capital and gain great advantage to yourselves and do a great patriotic duty. You have the chance to do it and you ought to do it. I would be very glad, indeed, to join with you in doing it, and kill both these bills.

The river and harbor bill is a job. There are some meritorious appropriations in it, and a good many that are not. It is more stupendous in its proportions than the subsidy bill. It involves more money. That involves $9,000,000 a year, but this starts off with $50,000,000. You would save a vast sum by the defeat of this measure. Both measures ought to be defeated, one for the purpose of securing an extra session and the other because it never ought to become a law. I would be very glad to see it done, and I would be glad to join with the minority in securing that result.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Iowa.

The motion was agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House still further insists upon its disagreement to the amendment of the Senate to the bill (H. R. 13189) making appropriations for the construction, repair, and preservation of certain rivers and harbors, and for other purposes, upon which the committee of conference have been unable to agree, asks a further conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. BURTON, Mr. REEVES, and Mr. CATCHINGS managers at the conference on the part of the House.

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. 10302) requiring common carriers engaged in interstate commerce to make full reports of all accidents to the Interstate Commerce Commission; and

A bill (H. R. 13729) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1902.

INTERNATIONAL EXHIBITION AT ST. LOUIS, MO.

Mr. VEST. Mr. President, I ask the Chair to lay before the Senate the communication from the House of Representatives conveying to us the report of the conference committee upon the St. Louis Exposition bill made day before yesterday.

The PRESIDENT pro tempore. The Chair lays before the Senate the action of the House of Representatives.

The Secretary read as follows:

IN THE HOUSE OF REPRESENTATIVES, *March 1, 1901.*

Resolved, That the House agree to the report of the committee of conference on the disagreeing votes of the two Houses upon the amendments of the Senate to the bill (H. R. 9829) to provide for celebrating the one hundredth anniversary of the purchase of the Louisiana territory by the United States by holding an international exhibition of arts, industries, manufactures, and the products of the soil, mine, forest, and sea, in the city of St. Louis, in the State of Missouri.

Mr. DEPEW submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9829) to provide for celebrating the one hundredth anniversary of the purchase of the Louisiana territory by the United States by holding an international exhibition of arts, industries, manufactures, and products of the soil, mine, forest, and sea, in the city of St. Louis, in the State of Missouri, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreeing vote on Senate amendment numbered 1, and agree to the same.

That the conferees have been unable to agree to Senate amendment numbered 2, providing for the erection of a Government building and the making of a Government exhibit at the Interstate and West Indian Exposition in the city of Charleston, S. C.

CHAUNCEY M. DEPEW,
H. C. LODGE,
GEORGE G. VEST,
Managers on the part of the Senate.

J. A. TAWNEY,
GEORGE W. STEELE,
JOHN S. WILLIAMS,
Managers on the part of the House.

The report was agreed to.

Mr. VEST. I move that the Senate recede from amendment numbered 2, which has just been laid before the Senate.

The PRESIDENT pro tempore. The Senator from Missouri moves that the Senate recede from amendment numbered 2.

Mr. LODGE. Before that vote is taken, it should be understood that moving to recede from amendment numbered 2 kills the Charleston Exposition appropriation and passes the St. Louis Exposition appropriation.

Acting on behalf of the Senate, the Senate conferees adhered to that Charleston appropriation. I still think that it ought to be made. I do not think it is fair to cut it off. I have not changed my mind from the vote I gave in conference. I merely wished to say this so that the Senate might know on what it was voting.

Mr. VEST. Mr. President, I simply wish to say that at the last session of Congress, as we all know, the Senate unanimously agreed that if the people of St. Louis should raise $10,000,000 and the Secretary of the Treasury should certify to that effect, then that the Government would advance $5,000,000 for the purposes of that exposition. Every Senator who was present then and voted for that proposition pledged himself on his honor and that of his constituents to this contract.

This is not an original proposition as to the expediency of the action had at the last session of Congress, but it involves the good faith of the whole people of the United States. Because of this legislative action the people of St. Louis went to the last limit in their financial ability and resources, having no doubt that Congress would redeem at this session, if they succeeded in raising the $10,000,000, the pledge then made.

Now, Mr. President, I have no feeling except the kindest possible one toward the proposition in regard to the exposition at Buffalo and that at Charleston. We have a right to expect from both these places the same kindly sentiment which the people of St. Louis and of Missouri entertain for those localities. When Charleston some years ago was visited by a terrible calamity and many of her citizens were almost in a state of destitution, the people of St. Louis were amongst the first to give their earnest sympathy and their liberal contributions to that suffering community; and I appeal now, with all the earnestness of which I am capable, to the Senate, to the representatives of New York and of South Carolina, that this act of simple justice shall be carried out and the contract fulfilled on the part of the Government, the conditions of which have been complied with on the part of the people of the city of St. Louis. I ask this, and I shall be greatly mistaken in the feelings that I know actuate every Senator if what I have said falls to the ground and is without effect.

Mr. TILLMAN. Mr. President, I have only a word to add to what I have already said. I am at great disadvantage here, because there is no one who regrets more than I do to have the appearance of opposing the Senators from Missouri. They are men of national reputation, with great minds and characters. They have been here a long time. They have many friends; they have many more friends than I have; they have more influence, and I hate to even appear to antagonize them. The appeal is made that we simply do justice to the city of St. Louis in carrying out an act which every man knows went through here by sufferance, because one objection would have knocked it out. It went through the other House under a condition of paralysis of the tender consciences of those men who are now claiming to be watchdogs of the Treasury. These honest patriots have stood guard to-night to see that Charleston gets nothing, and that Buffalo gets nothing additional; but those men, I say, stood guard over there and declared by their action, if not by their words, that the Charleston Exposition bill should not be placed upon a similar condition of legality with the St. Louis Exposition. It was a more modest scheme and an equally just one.

Therefore, when the Senator from Missouri says he appeals to us to do justice, simply upon the technical proposition that we have passed an act by which we promised to do thus and so, it is not altogether right or fair that Senators should take it into consideration. We will have to get down to bed-rock principles here.

The United States has spent, I think, something like $11,000,000 on expositions. It is now proposed to spend $5,000,000 more on another exposition. My State has never had any of the largess of the Government. It has been a kind of outcast, a disinherited daughter, ever since 1865, and when we come here to simply ask that the United States Government, under whose flag in the Spanish war South Carolinians rallied as promptly as citizens of any other State, shall give this little pitiful sum of $250,000 to assist her development I leave it to Senators whether they are disposed to give to one city $5,000,000 and to give us nothing.

Mr. SULLIVAN. Mr. President, I desire to say but few words on this subject. I do not believe that the Senate of the United States or Congress should give to South Carolina, or to any city there, a quarter of a million dollars, to Buffalo, N. Y., half a million dollars, and to St. Louis, Mo., $5,000,000 and leave standing at the doors of the Senate those to whom this Government owes hundreds of thousands of dollars, and has owed these debts many years, denying them justice, denying them the right to be heard, or to have a single cent paid to them for honest dollars that have been due these many years.

I have talked here in vain to this Senate; I have sought to get the claim of Eli Ayres allowed; I have appealed time and again for a hearing, yet I have not had that hearing. In 1834 his property was taken from him by this Government, converted into money, and the money put into the Treasury. He was robbed, plundered, pillaged. All these years have gone, and not a cent has been paid back. It seems to me the opportunity ought to be given sometime, somewhere, somehow, when we should inquire whether or not this Government shall be lavish in giving away money taken out of the pockets of the taxpayers, or whether it shall pay its debts.

It appears to me that this is a very fitting time to make the inquiry, whether or not we will pay our debts and be honest, or whether we shall be overgenerous to every corporation that comes along asking some concession, and to every person who wants to put his hands into the public Treasury.

A few days ago when this question came up I observed then that there were Senators who were very astute to make points of order to kill off this or that or the other amendment to the bill; but when this appropriation for a half million dollars came up it went onto the bill; and I thank God that the House, in its wisdom, has seen proper to reject all three of these propositions. I want to see the time come when this Government shall pay its honest debts before it goes to giving out money in this way. I am tired of seeing honest claims held up and denied here year after year—yes, not only year after year, but for fifty and seventy-five years—and yet any kind of an arrangement can go through here when some one, with such propositions as these, comes along and he may be accommodated and money loaned. I will be most happy if it shall occur that all three of these claims, these petitions, these propositions of donation, be defeated.

Sometimes I think, as I sit here and listen to the numbers of private pension bills that are passed, not by the dozen, but by the hundreds—not under the general law that prevails, but by special legislation, to take out of the Treasury money, when the appropriations for pensions now run up to one hundred and forty-five or one hundred and fifty million dollars—what a pity it is that our people will not stop first and pay the honest debts that are justly due, and then afterwards be generous.

I would not withhold a single cent from anybody to whom it was due; but I do want to say here and now, we should be a little more careful about the appropriations to pay bills of the character now under discussion, and first pay those which have been long since past due. If this were done, this Government, which boasts of its desire to stand before the world as never repudiating a debt, would appear in a much better light.

So far as I am concerned, I think the point of order made the other day as to the Buffalo Exposition should have been sustained; and I repeat that I am glad the whole matter has been rejected in the House. I hope the Senate will concur in that opinion. I think we had first better pay our debts, and afterwards be generous.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Missouri [Mr. VEST].

Mr. TILLMAN. I ask for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. BURROWS (when his name was called). I have a pair with the Senator from Louisiana [Mr. CAFFERY].

Mr. DEBOE (when his name was called). I am paired with the Senator from Tennessee [Mr. BATE]. If he were present, I should vote "yea."

Mr. HANNA (when his name was called). I have a general pair with the Senator from Utah [Mr. RAWLINS], which I will transfer to the Senator from Kansas [Mr. BAKER], and vote "yea."

Mr. HANSBROUGH (when his name was called). I am paired with the Senator from Virginia [Mr. DANIEL].

Mr. HEITFELD (when his name was called). I have a general pair with the Senator from New York [Mr. PLATT].

Mr. McBRIDE (when his name was called). I have a general pair with the Senator from Mississippi [Mr. MONEY]. If he were present, I should vote "nay." I do not know how that Senator would vote if present.

Mr. PETTUS (when his name was called). I am paired with the senior Senator from Massachusetts [Mr. HOAR]. I must withhold my vote, as I do not know how he would vote.

Mr. PRITCHARD (when his name was called). I have a general pair with the Senator from South Carolina [Mr. McLAURIN]. If he were present, I should vote "yea."

Mr. PROCTOR (when his name was called). I am paired with the Senator from Florida [Mr. MALLORY].

Mr. SPOONER (when his name was called). I have a general pair with the Senator from Tennessee [Mr. TURLEY], who is absent. I am informed if he were present, he would vote "yea." I therefore feel at liberty to vote. I vote "yea."

Mr. TALIAFERRO (when his name was called). I am paired with the Senator from West Virginia [Mr. ELKINS], and therefore withhold my vote.

The roll call having been concluded, the result was announced—yeas 38, nays 10; as follows:

YEAS—38.

Aldrich,	Culberson,	Jones, Ark.	Spooner,
Allison,	Cullom,	Kean,	Teller,
Bard,	Dillingham,	Kearns,	Thurston,
Berry,	Fairbanks,	Lindsay,	Turner,
Beveridge,	Foraker,	McEnery,	Vest,
Carter,	Foster,	McMillan,	Warren,
Clapp,	Frye,	Mason,	Wellington,
Clark,	Gallinger,	Nelson,	Wetmore.
Clay,	Hanna,	Perkins,	
Cockrell,	Harris,	Sewell,	

NAYS—10.

Butler,	Lodge,	Pettigrew,	Sullivan.
Depew,	McComas,	Quarles,	
Hawley,	Martin,	Stewart,	

NOT VOTING—40.

Allen,	Dolliver,	McCumber,	Proctor,
Bacon,	Elkins,	McLaurin,	Quay,
Baker,	Hale,	Mallory,	Rawlins,
Bate,	Hansbrough,	Money,	Scott,
Burrows,	Heitfeld,	Morgan,	Shoup,
Caffery,	Hoar,	Penrose,	Simon,
Chandler,	Jones, Nev.	Pettus,	Taliaferro,
Chilton,	Kenney,	Platt, Conn.	Tillman,
Daniel,	Kyle,	Platt, N. Y.	Turley,
Deboe,	McBride,	Pritchard,	Wolcott.

So the motion of Mr. VEST was agreed to.

SENATOR FROM MONTANA.

The PRESIDENT pro tempore. The Presiding Officer has received a telegram from the lieutenant-governor of Montana, and is inclined to think that it is fairly entitled to be read to the Senate. It will be read, if there be no objection.

The Secretary read as follows:

[Telegram.]

HELENA, MONT., *March 3, 1901.*

Hon. WM. P. FRYE,
President of the United States Senate, Washington, D. C.:

As the presiding officer of the joint assembly of the seventh legislative assembly of the State of Montana, I desire to inform you and the honorable body over which you preside that the election of the Hon. William A. Clark as United States Senator from the State of Montana, on the 16th day of January, 1901, was the culmination of the expressed wish of the people of this State. Senator Clark was an issue in our late campaign, and the members of this legislative assembly, representing the fusion force composing the Democrats, the Populist, and the Labor parties voted unanimously for the return of Senator Clark to your honorable body.

Any person or persons protesting against the admission of Senator Clark as a member of your honorable body takes a position entirely unwarranted and a reference to the returns at the polls during the recent State election will show this fact, which has subsequently been emphasized by the solid vote of his party and its fusion allies in the legislature. The late campaign in the State of Montana was a hard-fought struggle, yet it was honorable and honest, and it is the firm and honest belief of the undersigned that Senator William A. Clark stands to-day before your honorable body vindicated by the people of this State, and any effort to besmirch his character or oppose his admission to your body is wrong, and can not be supported by any legal testimony.

FRANK HIGGINS,
Lieutenant-Governor of the State of Montana.

Mr. JONES of Arkansas. In connection with the telegram which has just been presented to the Senate, I have a telegram which I deem it my duty also to present to the Senate.

There was a protest against Senator Clark's right to a seat in the Senate by H. R. Knapp a day or two ago, which was ordered to be printed and lie on the table. I have a telegram, addressed to myself, from Helena, Mont., under date of March 2, 1901, as follows:

H. R. Knapp, who prefers charges against Senator Clark, is not a citizen of Montana. He is a blackmailer and an adventurer. No credence should be given any statement made by him. The election of Senator Clark was hearty, and not one dollar used to secure the same.

JNO. S. M. NEILL,
Member National Committee, Montana.

Mr. PLATT of Connecticut. I desire to say only a word about this telegram.

The PRESIDENT pro tempore. The Senator from Connecticut.

Mr. PLATT of Connecticut. Mr. President, of course I do not for a moment question the judgment of the Chair in laying the telegram before the Senate, but it is not in accordance with the rules of the Senate that a petition should be printed in the RECORD, and I take it that the telegram which has been presented is nothing more than a petition from the individual or the officer who sends it.

SAFETY APPLIANCES ON RAILROADS.

Mr. PETTIGREW. A while ago we passed a resolution in regard to the bill providing for safety appliances on railroads, which was supposed to have disappeared. The resolution has not been delivered to the House of Representatives, and perhaps it will be as well to reconsider the vote by which it was passed so as to make the record clear.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from South Dakota, that the vote by which the resolution referred to was passed be reconsidered? The Chair hears none, and that order is made.

RIVER AND HARBOR APPROPRIATION BILL.

Mr. NELSON. I present the conference report on the river and harbor bill.

The PRESIDENT pro tempore. The report will be read.

The Secretary read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate numbered 168, 219, 220, and 221 to 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, having met, after full and free conference have agreed to recommend and do recommend to their respective House as follows:

On amendments numbered 168, 219, 220, and 221 the conferees have been unable to reach an agreement.

KNUTE NELSON,
JAMES McMILLAN,
JAMES H. BERRY,
Managers on the part of the Senate.
THEODORE E. BURTON,
WALTER REEVES,
T. C. CATCHINGS,
Managers on the part of the House.

The PRESIDENT pro tempore. The question is on agreeing to the report of the conference committee.

The report was agreed to.

Mr. NELSON. I desire to make a brief statement. The conferees on the part of the Senate have made a diligent effort to come to an agreement with the House conferees, but it is perfectly evident to me that it is useless to attempt any further conference. The river and harbor bill will fail unless the Senate will recede from its amendments which are in disagreement. On that account I feel that it is proper for me to make a motion that the Senate recede from its amendments disagreed to by the House of Representatives.

Mr. PETTIGREW. I should like to know what matters are involved?

Mr. NELSON. The four amendments of the Senate to which I have heretofore referred—the three reservoirs and the Brazos River improvement item—the four amendments we have had in conference all day.

Mr. WARREN. I ask if the condition is exactly the same as when the first conference report was made?

Mr. NELSON. Yes. I will say further, if I may parliamentarily speak of the proceedings in the other body, that I can very well understand why the conferees on the part of the other House refused to agree to these amendments and why there is no hope of their ever agreeing to the amendments. Unless Senators want the river and harbor bill to utterly fail, all we can do is to recede from these four amendments.

Mr. CLARK. In other words, we are being held up.

Mr. WARREN. Mr. President, I am very, very sorry to hear the statement made by the Senator from Minnesota [Mr. NELSON]. I am sorry for him and for his fellow-conferees, who have labored so faithfully, in such good faith, and in so good a cause. I have sympathy for the Committee on Commerce of this Senate, the largest committee in numbers, and the peer of any committee in this Senate or in any parliamentary body in the world.

With great unanimity, as I am informed, that committee indorsed the proposition of having two or three or more reservoirs built in the arid and semiarid States, so that we might know from actual working tests whether it is feasible to conserve with reservoirs the waters of the United States for the double purposes of irrigation near the head waters of streams and to prevent floods and overflows along the lower portions, so that practical tests may be made and definite conclusions reached upon these two propositions.

I am also sorry to hear the Senator's statement on my own account, for I can truly say that there has been no bill before the Senate or before this Congress, there has been no measure in which I have felt a greater interest than in these particular amendments providing reservoirs for the West, which are a part of this measure. My disappointment is keen and bitter, and I feel more distressed over the prospective failure of the provisions of this bill providing relief for the people of my State and of the West than over the failure of any of the meritorious measures which have been before this Congress and for one cause or another have failed to pass and become laws.

And I am not alone in my disappointment. At my home and at many places in my State there are men and women anxiously awaiting the result of our deliberations to-night. They are sitting up all this livelong night, with ears at telegraph and telephone, breathlessly awaiting news upon this question, for they know its failure means more long years of waiting for recognition of their needs, and, on the other hand, its success means early realization of their hopes.

They believe that upon our settlement of this matter to-night depends, in a measure, the industrial life or death of their State; and if tidings reach them in the early daylight, as they read the news of the closing hours of Congress, that we have done nothing for them and have refused to recognize their modest request for one or two hundred thousand dollars for this laudable purpose, they will share with me my profound and disheartening disappointment.

Our people in the great West have asked nothing unreasonable in their request for this appropriation to grant them that which in every political convention, in every commercial congress, in every convention or meeting of organized labor, and in nearly every publication in the country is conceded and freely admitted without argument is their due.

What do the political parties say of this request in their platforms? And I mean their latest platforms, the ones upon which every member of the incoming Congress was elected and nearly all members of the present House of Representatives, voting upon these very propositions, were elected. Listen to them: The Republican national platform of 1900, adopted at Philadelphia, contains this plank:

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.

And the Democratic platform adopted at Kansas City recites:

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.

And the Silver Republicans also wheeled into line the same day and at the same place as their Democratic brethren and said:

We believe the national Government should lend every aid, encouragement, and assistance toward the reclamation of the arid lands of the United States.

So you see it is not a dogma of one party; it is not a dogma of two parties, but it is a proposition agreed to by all parties. There is no political party to-day that dare go before the people with a platform that should contain in it anything adverse to this proposition.

Every member of the present House of Representatives who will go into the next House, whatever his party, was elected upon a platform which pledged him to aid reclamation of arid lands, pledged him to do something toward building reservoirs at Government expense, pledged him to do just what the Senate has given him an opportunity to do when it invited his vote and support in behalf of these amendments. How many of these members so pledged by their party platforms have kept the faith?

The answer comes in the vote of the House to-night rejecting ignominiously these Senate amendments, embodying as they do precisely the precepts and principles enunciated in the platforms of three political parties.

Nor is Government construction of reservoirs at the head waters of streams a new proposition. We know that for years it has been considered proper and entirely reasonable to provide in river and harbor bills for building reservoirs on the head waters of the Mississippi. And why not on the head waters of the Missouri? Because, forsooth, the struggling farming and ranching industries of the West might be benefited, and because opulent power is always disposed and willing to strangle and crush with its mailed and cruel hand the weak and defenseless.

And in the House of Representatives we are weak and defenseless. We have in the House from wholly arid-land States and Territories but seven Representatives and two Delegates; from the semiarid States and Territories not more than 25 Representatives and Delegates—a total House representation from a section of the country comprising more than two-fifths of the area of the United States of about the number representing, for instance, the State of New York.

What wonder, then, that the State of New York, with her great delegation, can, if she chooses, in combination with other States

with large delegations, secure the passage of a bill with so much so-called pork in it that they can divide it around among such States and districts as they decide upon, and in the arrogance of their power can say, "this great Western empire shall not have a dollar to develop a national industry in which every poor man, every family seeking a home, every pioneer struggling with the hard conditions of frontier life, may have a share"—the oleaginous pork obtruding from every pocket fore and aft, that can snap their fingers at us if they will.

There is not a single good excuse for such action; not a single valid argument can be offered in its support. The House has offered nothing to justify its vindictive action save the nonsensical plea that if the farmers of the arid regions are benefited they will come into competition with the farmers of the East and thus injure them. As well might New York say that the growth of San Francisco will take away some of her industrial and commercial standing.

We are mutually dependent. What helps one section helps all. When part of our country prospers all other parts prosper likewise, and if the farmers of the West gain, in the same proportion will their brethren of the East gain. In fact, the House offers no argument against this proposition of conservation of the waters of the West. It simply stands flat upon the dictum that "might is right," and in this river and harbor bill dictatorially and obstinately rejects what I consider one of the most meritorious items it contains.

Mr. President, I want to predict that before another river and harbor bill passes and becomes law there will be reservoirs built or provided for by this nation, either in the river and harbor bill or on some other appropriation bill or in an independent measure.

I do not say this as a threat, for the West is not vindictive. It always takes the knock-out blows administered to it in good part and comes up smiling every year ready to do its share in the nation's work whether what it does is appreciated or not. But I do not believe this nation, which has grown great mainly because it has always helped the weak, will abandon this great principle and allow this great Western domain to suffer simply because, under the form of law governing representation in the House of Representatives its extent, resources, and capabilities have so small a number of Representatives to protect and secure its rights and requirements.

This great domain, nearly 2,000 miles across and extending from the northwest possessions of the Dominion of Canada on the north to the Republic of Mexico on the south, is settled by those who pushed westward with gun in one hand to protect against Indians and ax in the other to blaze the trail of civilization; and it is the part of your country from which you get, in proportion to population, the largest quota of soldiers to fight your wars. You get from its mountains and great elevated plains better soldiers than any other nation in the world has put in its ranks.

From its grazing grounds you get the hardiest horses for cavalry service to be found upon which to mount your soldiers, so hardy and enduring that Great Britain, Germany, and Mexico have their representatives among our horse growers of the West purchasing mounts for their cavalry. From this great domain you get the beef and mutton to feed not only your soldiers, but the great bulk of the population of the entire country, and the wool, also, to clothe them, and from its bounteous mines you get the gold and silver forming your monetary standard, making it possible to conduct the great commercial business of the country and to pay the enormous appropriations you are making here.

And right here I would remind those who so arrogantly, and I might say so flippantly, vote down, year after year, any and every proposition looking to arid-land reclamation by the Government of a fact which perhaps has escaped their notice. The Government receives annually from sales of the public lands in the arid and semiarid West over $4,000,000, and yet with this great income pouring in year after year not a penny can be spared to aid in the work of improving these or the remaining unsold public lands of the West. In the twelve or fifteen years the West has been before Congress asking for recognition its people have paid into the National Treasury for public lands an amount greater than the aggregate appropriations of this river and harbor bill, and in return have never received a penny for actual land reclamation.

I should like to ask some of those who believe that we of that district have no rights, how long they expect the Senators from the States comprising it to stand in their places here and vote "yea" time and time again on every river and harbor bill, on every bill to support the Navy, on every other bill that affects other parts of the country when, as a matter of fact, their own part gets nothing at all, and is sent home hungry and stripped and naked whenever it knocks at the door of the Treasury of the United States, through Congress, and asks for appropriations in aid of meritorious, beneficial, and practical purposes. How long are they to ask for bread and receive a stone? Not as a threat, but as a prediction, I say the time will not be long.

Mr. President, the Western country receives the benefits of protective tariff legislation on a few items—perhaps three or four in one State, half a dozen in another, and ten or twelve in another. But it is called upon to do its share in supporting a protective tariff upon some four or five thousand articles in each of the New England and Middle States. We do this willingly and cheerfully as we willingly and cheerfully pay our part of every appropriation made by Congress.

And in asking this appropriation we do not ask it to establish a precedent, so that we may have recognition on the river and harbor bill and then follow the usual custom of debauchery, of building up and inordinately adding to the amount of this appropriation every subsequent year. We simply ask that the Government may build two or three reservoirs—models, if you please—to demonstrate what may be accomplished by such works. In appearing before the Commerce Committee I want to say—and I know they will bear me out in my statement—I asked appropriations for no particular location and no particular State.

I said that if they could leave out the State I represent and find a better locality elsewhere, they could do so. I simply wanted to prove that there was or was not merit in the proposition of reservoiring water. The committee put on one reservoir that had been provided for through a survey made by authority of a clause in the river and harbor bill of 1896 providing the small appropriation of $5,000 for the examination of sites by the War Department, and report upon the practicability and desirability of constructing reservoirs necessary for storage and utilization of water and to reenforce the flow of streams. They put on another reservoir project surveyed by the Geological Survey. They put on a third which had been given attention and examined both by officers of the War Department and the Interior Department.

We want to demonstrate just what others want to demonstrate in respect to any industry—the feasibility of our model, if you please—before we commence to manufacture the article in great numbers. In other words, applying it to mining, we want a mill-run test and not an analysis. We know what water will do. We know what we can do with reservoirs in a small way. We want to know what it will cost to actually build and put in operation and use a reservoir that can be filled at one time of the year and emptied at another.

We want to know whether the rocks and soil underlying the reservoir will retain and hold the water from the flood time until the time of drought. We want to know what the action of the water and the wind may be upon the earth work, embankment, and masonry walls, and how they will stand. We want to know what the evaporation will be throughout the year. We want to know the quantity of water we can actually discharge after husbanding it in flood time, and the effect upon the streams at low water.

Mr. President, we are not asking this as individuals. We are not asking it because it does us good individually or as States. We are not asking that anything unreasonable shall be given us. It is not unreasonable to ask the United States to do one thing or the other with its lands—either improve them herself or make laws whereby States or individuals can improve them. The United States, under the present system of land laws, is in the position of the dog in the manger. Laws made for settlement of land in humid sections are inapplicable in arid sections. Under the present laws the land lies there, nearly 700,000,000 acres.

The waters run on by it every year, and it is beyond the possibility of individual effort and it is not practicable under the law for the States to proceed in the work of getting the water from the streams onto the land without aid. We simply ask the Government to husband the water, to apply it to its own land, apply the cost to it, and let us have a settlement wherein and whereby full reimbursement can be had. If it were possible we would say to the United States, "Take your land up and move it away." But there we all are.

This is no new matter with those of us who come from those States. As long ago as the time when Jefferson Davis was an engineer officer and actually in the service he reported that it was entirely feasible, by a system of reservoirs at the head waters of the streams, to do away with the overflow of the Lower Mississippi River and the Missouri; and I fail to see why, in a river and harbor bill, if you give it out as a principle that you can take water off from land under the river and harbor bills you can not as consistently provide for putting water on the land. And why do you take it off the land? Why, to improve the land, of course.

You have appropriated hundreds of thousands of dollars—yes, many millions of dollars—in this river and harbor bill, and in every river and harbor bill that has preceded it, for the sole purpose of taking water off from land, so that the land may be productive. It seems to me if it is legitimate to take water off of land to make it productive in the Southern States, it is just as legitimate to put water onto land to make it productive in the Northern States. In the latter we have this advantage, that when you take the water off the land in the Southern States and make the land from which you take it valuable, that is the only good

that you effect with it. On the other hand, when we put water on the land to make it fertile in the high northern arid country we are also removing the cause of the floods in the lower country.

We are, by reservoiring the water and holding it back and fructifying land, in the meantime making it unnecessary to drain the land below and to expend millions upon levees and dikes. In conserving water for irrigation purposes we are incidentally protecting the lower river lands from floods and inundations, or, if primarily such reservoirs are built for preventing floods and inundations, we are incidentally aiding irrigation. Build the reservoirs primarily for irrigation or to prevent floods and you accomplish two desirable results, both deserving national aid.

I know there is nothing further I can do or say at this time to remedy the matter or improve the situation confronting us. I can only repeat what I have said before that I consider the action of the House on this measure one of the most monumental exhibitions of vindictiveness and stubbornness that has ever been witnessed in the Congress of the United States.

I thank God that standing out in contrast to the action of the House on this economic question the United States Senate time and time again has stood by and voted with its magnificent Committee on Commerce in support of its honest effort to give encouragement to the weak and struggling in our Western States. Unlike the House, it stands ready to extend the helping hand to those who have shown by their faith and their works they deserve such help.

Mr. STEWART. Mr. President, I am not going to prolong this discussion. I simply wish to call the attention of the Senate to the very serious opposition that has been exhibited during the present Congress to irrigation. In the Indian appropriation bill there was a proposition to irrigate lands for the Indians and for the whites alike, a very rare location, where a hundred or a hundred and fifty thousand acres of very valuable land, the best in the world, could have been brought under cultivation. It was beaten on the ground that it might be an entering wedge to commit the Government. The Government of the United States would undoubtedly have got back more than it expended in the enhanced value of the land. The Indians would have been provided for.

Here it comes again. It seems that it is desired to have a demonstration on the part of some people in the East of ill will to the West. It looks like that. It is not all the people of the East. I incorporated in my speech extracts from papers from every State in the Union, showing a kindly sentiment to do anything that might reasonably be done. There is no doubt that this amendment for the irrigation of these lands for the Indians and the whites alike would have been adopted if it had not been for the intimation that the East was favorable to irrigation. You put it in your platform and in your papers that you are in favor of irrigation.

I do not believe the sentiment exhibited by the action of the other House in regard to irrigation at this session is the sentiment of the country. I know it is not, if you take the whole press of the country into account, and if you admit that it expresses public opinion. I do not believe it is the sentiment, and I do not want it to go out West that the people of the East are governed by a spirit of hostility to this movement. I do not believe the people are, although these votes might indicate it.

[Mr. BUTLER addressed the Senate. See Appendix.]

Mr. MASON. Mr. President, I do not feel as if I ought to take further time of my colleagues on this matter. I believe the conferees representing the Senate and the committee of which I have the honor to be a member have done all that could reasonably be expected of them to secure favorable action upon one of the amendments which I have offered.

I feel that a great injustice has been done to several hundred people who have put their money into the enterprise. It is admitted that the Government has taken their property. I am informed that in the other Chamber some members of the conference committee stated that the claim was perfectly just, perfectly equitable; that the Government had taken this property and was using it and improving it for Government purposes. I call the attention of the Senate to the contract originally made by the act itself, under and by which the Government reserved the right to take it, and saying to the stockholders of this stock company that they would take it at its actual value to the Government.

I have shown to my colleagues that there was a great and a serious loss; that an unfriendly engineer made an estimate of about one-third, and that the committee finally, as a compromise, reduced it one-third, and now I am informed that at least one member of the conference takes the position that rather than pay for what the Government has already taken from my constituents he would rather see this river and harbor bill defeated. I can hardly believe that one in charge of the bill at the other end of the Capitol could have that sentiment. However, the course of the conference seems to indicate that that is probably his position.

It is exceedingly unfortunate that I should be placed here within six hours of the end of the session, where I can not present fairly before a committee and before the Senate the merits of the amendment which has been lost in conference, if the motion prevails that is offered by the Senator from Minnesota. It is not pleasant to be put in a position to abandon a fight or stand, like a dog in a manger, and say: "If I can not have what my constituents need and deserve, I shall refuse the right of others to have anything under this bill." I do not propose to take that position. I never have taken it here, and I do not propose to begin now.

I am glad to have had even this opportunity to explain the merits. I believe if this measure could have been considered at the long session, and a fair and full discussion had, there would have been no reason at this time for the Senate conferees to abandon the amendment which they very properly presented and so fairly fought for.

I have, therefore, Mr. President, after conferring with my colleague from my State, no desire to prolong the discussion upon this matter, and I have no desire to oppose the motion made by the Senator from Minnesota.

Mr. HANSBROUGH. Mr. President, I have a few words to add to the proceedings of this experience meeting. Early in the session to-night I made a request of some member of the Committee to Audit and Control the Contingent Expenses of the Senate to explain why it was that a resolution reported by the Committee on Public Lands and sent to that committee had not been reported back in some form or other. Up to the present time I have failed to get a reply from any member of that committee.

Now, Mr. President, I desire to say briefly that the information which has come to the Committee on Public Lands in regard to the conduct of the public-land system in the Territory of Hawaii—I was about to say is a little less than scandalous, but I will say that it presents a very interesting situation. The Committee on Public Lands of the Senate, dealing with public-land questions constantly, must necessarily be advised on that subject. That committee is overrun with communications, complaints, etc., from the people of Hawaii in regard to the conduct of the public-land system of that Territory.

I have conferred with the Department of the Interior on the subject and addressed the Secretary a letter, which he referred to the Commissioner of the General Land Office. Both of those officials replied to the committee to the effect that they know nothing whatever in regard to the public-land system of the Territory of Hawaii, and the Secretary of the Interior urged that a committee of one or the other branch of Congress should visit that island and ascertain the true situation in regard to the public-land system there. Upon that I offered a resolution, which was agreed to by the Committee on Public Lands, having jurisdiction of these questions and being familiar with the subject. The resolution was read, referred to the Committee to Audit and Control the Contingent Expenses of the Senate, and that committee, which I do not care to criticise, have deemed it best not to say anything about it, but to allow it to be smothered there.

Now, Mr. President, I say this in justice to the Committee on Public Lands. As its chairman I was authorized to report that resolution and I have urged that we get action upon it. Personally I do not want to go to Hawaii to investigate the public-land system of that Territory, or for any other purpose. I have other engagements for the coming summer. But I deem it a public duty for some member or members of the Senate to go to those islands and make an investigation and inquiry into the system of public lands prevailing there, because there is not a Senator here who can get one particle of information from the Secretary of the Interior, for the reason that he has no information to give on that subject. I have the documents here in my desk from the Secretary of the Interior to show that he is totally ignorant of what is going on in those islands to-day with respect to the public lands, which are to all intents and purposes under a foreign jurisdiction.

Mr. President, they have in the Territory of Hawaii—and it is a Territory the same as Arizona, the same as New Mexico, the same as Oklahoma—about 2,000,000 acres of public land, about 1,000,000 acres of it the very best agricultural land. Those lands are to-day totally in the hands of the sugar planters, and as I believe, and as the members of my committee believe, the Territorial officers there who have the control of these public lands are likewise in the hands of the sugar planters. I say, Mr. President, there should be some investigation of this subject, and it is the duty of the members of this body or the members of the other House to make such investigation.

With these statements I wash my hands of the affair, and the Committee to Audit and Control the Contingent Expenses of the Senate may take the responsibility.

Mr. WELLINGTON. Mr. President, I know it is an ungrateful task at this early hour in the morning, after a night session,

to say anything upon any measure, but I believe it to be a duty which I owe to myself and my constituency to say a word or two upon this bill.

I shall find no fault with the managers of the conference of this measure upon the part of the Senate, because I believe that so far as they were concerned they did the best they could, under the circumstances, to cut down objectionable appropriations and make the bill more acceptable to the people of the country. It was due to their efforts that the bill was cut down from $59,000,000 to $50,000,000.

Mr. NELSON. To $49,000,000.

Mr. WELLINGTON. To $49,000,000. The amount was $50,000,000, as stated in the report.

Mr. NELSON. It was reduced to $49,000,000 in conference. It was cut down $1,000,000 in conference.

Mr. WELLINGTON. I stand corrected. They cut down the bill $10,000,000. That is greatly to their credit, because, as we look around and about us year after year, we see that the expenses of the Government are constantly increased. Year after year we see in every Department of the Government increasing figures for carrying on that Department. And we have reached the high-water limit in this Congress, where the appropriations will be anywhere from $750,000,000 to $800,000,000.

A few years ago, I remember, there went up in this country the voice of the people protesting against the billion-dollar Congress. We have far exceeded that. This Congress has expended more than $1,500,000,000 for the various departments of our Government. This disagreeable fact makes it necessary that some one should look about and endeavor to cut down governmental expenses and to bring economy, if it be possible, into all branches of the Administration.

It may be said that a great many of the items of these increased appropriations of the present Congress are made necessary by the enormous expenditures which are chargeable to our foreign wars and the consequent augmentation of our Army any Navy. With that view I feel compelled to disagree. I do not believe that it was necessary to have war with Spain, and the slaughter of the Filipinos is still less defensible.

I do not believe that it is necessary to increase our Army, as we have done, to four times the number that was found sufficient previous to the late war, nor do I favor the transformation of the volunteer into the regular soldier. Further, I disapprove the increase of our Navy by the building of great hulks, which have already been proven worthless by the fact that our own shot and torpedo boats can puncture and destroy them.

But be that as it may, the fact is patent to everyone here that expenditures are increasing enormously, and that therefore appropriations are going upward as well.

I give this note of warning to the Senate of the United States, and to the House of Representatives now assembled, that the people will not longer submit to this sort of unwarranted increase. There must be a day of accounting and reckoning. They will call upon us, their representatives and servants, and demand to know why it is that they must assume the ever-increasing burdens of taxation, and why we have added to the appropriations by hundreds of millions of dollars when the actual necessity for so doing is not apparent. Therefore I commend, first, the committee, and then the conferees upon the part of the Senate. They have doubtless worked faithfully and honestly.

I am opposed to this bill in toto, because I believe it to be the very worst of its kind and character that has ever been attempted to be passed by any Congress—and there have been bad bills of this kind and character before. I can remember when a river and harbor bill was passed some years ago, and the people rose up against the Congress which enacted it, and defeated for reelection perhaps a hundred members of the legislative body that had engaged in that measure. But this bill is worse than its prototype of former years.

It goes far beyond the limits then set. I do not propose to favor the measure because, perchance, there are in this river and harbor bill some items that were asked for by the people of my State. I did not ask for the items that are in the bill for the benefit of our people, because I knew from the beginning that I would vote against it if given an opportunity. Unfortunately, during the time in which this bill was reported in the Senate and hastily put upon its passage I was absent by reason of illness and was prevented at that stage from opposing it.

It is for that reason that I have risen in this morning hour to sound the note of warning to you, to tell you that the people will not forever stand silently by and see this reckless, this wasteful expenditure of their money. It is a measure that can not be defended by Congress. It is a measure that should be defeated by Congress, and I hope we shall be able to defeat it.

Upon what do we base this theory that it is necessary for the General Government to go out and improve the harbors and the rivers and the creeks and the attenuated streams that are found throughout the country? Upon what principle do you do it? Upon the great principle asserted by Henry Clay, the illustrious commoner, many, many years ago.

His idea of the development of the vast resources of our country was that we Americans should build up America and develop the vast resources of our country by pressing forward to the westward, by using every force that we could command in this endeavor. For that reason he said we must have internal improvements. The first internal improvement that was given to the country was the great national road. That was before the coming of the steamboats. It was before the coming of the steam railroad and the still later electric railway.

They first endeavored to open up the great West by the national road. That was a great measure of internal improvement. It was well that it should be done. It did not belong to one little locality or to one State. It went through numbers of States, and its great object was to facilitate transportation and advance the development and settlement of our great country, then in its infancy. It was intended to send over the Allegheny Mountains the great stream of dauntless settlers to the westward, and it did so. This was the first great measure of internal improvement by the National Government.

But attention was next directed to the improvement of waterways. Harbors were enlarged, great rivers, deemed useful in commerce and trade, were improved by widening and making deeper their channels, and later came the building of canals. In these works the General Government aided.

Then came the era of railroads, but there the Government stopped. The Government built no railroads. That was left to private enterprise and to private capital. Yet the great system of railroads which, with its splendid network of lines, now extends over our land was built, and following that came the wonderful development of electric power, utilized and employed in transportation. I was never more impressed with the history of the progress made in this line of advancement than the other day, when, upon my journey homeward, I looked out upon the scene before me. Upon my left ran the waters of the Potomac, the river which the Potomac Company attempted to make a waterway to the Allegheny Mountains, as suggested by General Washington.

I then saw, to my right hand, the great national road, built under the auspices of Clay. I saw between them the Chesapeake and Ohio Canal; and running parallel with it the steam railway; and beyond, the electric railway, the latest improvement.

Before me was the story of a century. Since the beginning of the scheme of internal improvement there has been a change in the conditions of our country; and there ought to be, and there must be transformation in the country's policy. There is no need to expend public money on attenuated streams in West Virginia, or Wyoming, or Maryland, or Florida, or California, under pretense of internal improvement, as attempted in this bill. It is unconstitutional, for it was not contemplated to better purely local streams.

The idea of expending vast sums of money for the improvement of insignificant streams, such as those cited and noted, one after the other, by the Senator from Montana, in his masterly address, makes the scheme laughable and ridiculous. Sir, the time for it has passed by, because instead of benefiting the country by such attempts, the system has become a stench in the nostrils of honest people. The bill before us is a bill of jobs.

It is a bill of big and little steals, in which one man helps the other in looting the Treasury. No man can gainsay this statement. You know the bill is built upon the fact that State after State is provided for by an appropriation; that each State receives something by which its representatives in the House and the Senate are expected to stand up and vote for the whole measure. Forty States receive consideration; some in large, others in small amounts.

Take my own State. As I said in the beginning, I did not ask for a single dollar. I did not believe it was right to do it when I had determined to vote against the bill. I refused to go before the Committee on Commerce. Yet there are appropriations there for Maryland, and some of them I believe to be just and fair and honest, and possibly for the good and advancement of those communities for the harbors and waters of which appropriations are made. But rather than vote for this bill I will permit the State to lose these appropriations, because in my heart and soul I do not believe that it is a just bill, and I for one will vote against it.

As I said, this scheme for the development of our country originated in the mind of the great commoner. He put the twin doctrines of internal improvement and a protective tariff together. Both are good in their way, but you can go beyond the true line. You can by American protection kill foreign competition, and that is good; but the original idea was that by so doing you would build up in this country a competition of our own, and that it would be American competition.

However, the latest developments have shown in all the ramifications of trade that you have killed off the foreign competitor,

but the American manufacturers combine together and the great aggregation and amalgamation of capital destroy home competition and create in the country a monopoly. So it is that instead of being a benefit it becomes poisonous to the national system and ruins the classes intended to be benefited.

There are other ways of internal improvements beyond the river and harbor, and in this bill the most meritorious items, to my mind, are those that go toward the new plan—that of irrigation for our arid lands. A great Republican has said that the grandest thing the American citizen can do for the material development of his country is to go out into the arid States and there, by his brain and arm and brawn and muscle, let loose the water upon the sand and make that live which before was dead.

This bill attempted to do that. It attempted to give to the State of Wyoming some water foundations—reservoirs—something by which they could contain their water there until the proper season came and then divide it and distribute it, and call forth life from what was dead. That I have counted to be a meritorious measure, and if anything would have convinced me that I should vote for the measure, that would have been a strong reason.

But, sir, this measure will not do as it now stands. You give to Ohio $5,000,000 for the development of her harbors and her streams, but you can not give to Wyoming three or four hundred thousand dollars for the development of her arid land. In the reclamation and quickening of the vast body of arid land lies a great future for the country.

Instead of turning your attention to the conquest of the Filipinos, to the subjugation of the Cubans, to the maltreatment of the Porto Ricans, let them alone, let them have the right to enjoy that which we have—liberty, freedom, and self-government, and turn your attention to the vast empire that lies to the westward. Do what that great Republican said. Let all your vigor and your attention, your brain and your muscle, be turned in the direction of irrigation. It will pay abundantly to make out of the wilderness an oasis that shall cover the whole desert.

Now, sir, I will not further go into details of this measure, except that as there was reference made to my own State, I will cite those items that are in the bill.

One of the largest is that of Curtis Bay Channel, Baltimore Harbor, $50,000, and a contract of $146,000, which would make about $200,000 in all. So far as that is concerned, if this policy of internal improvement is to be honestly carried out, I believe here is an honest item.

The great city of Baltimore, over yonder in my native State, is the metropolis of the South. It has water advantages that few cities have. It has safe harbors. It lies yonder where ships can go out to all parts of the world; and if there is any harbor in this country that should have assistance, that should be deepened and widened, it is the harbor of Baltimore.

Then the other item that I see here is improving Rock Hall Harbor, Maryland, in accordance with the estimate, $5,000. Rock Hall is down on the Eastern Shore of Maryland, upon the Chesapeake Bay, and it is a place where a safe harbor can be made. It is a place that already commands commerce, and there is undoubtedly merit in the proposition for its benefit.

And so it is with the harbor of Queenstown, as also Claiborne Harbor. My friend the honorable Senator from Montana said he had not heard of Claiborne Harbor. I am sure he has reconsidered that. On his journey to Ocean City he entered this port. Maryland, one of the earliest settled of the original States, with her sister colony, Virginia, had many disturbances and troubles, and Claiborne is the one great name that remains there as the disturber of the peace. Therefore, as the name was ever in their remembrance, the inhabitants of the section named it Claiborne Harbor.

It is a place that is growing in importance every day. But, sir, local benefit must give way to the general good. These appropriations have merit, but they are bound up with iniquitous measures, and I will vote against this bill with these items included. Rather than see the country robbed out of the major portion of the $50,000,000, I will see these appropriations for my State buried with the dead body of this bill, which I will aid in defeating.

Mr. CARTER. Mr. President, I do not desire to be considered ungracious or unkind or inconsiderate. The cordial treatment I have received for six years in this Chamber, the uniform kindness and courtesy extended to me, impels me strongly and irresistibly to yield in kindness to my fellow-Senators. Nothing but a sense of duty in connection with this measure could impel me to offer any further objection to its passage. I feel now that a public service will be performed in preventing this bill from becoming a law.

I do not feel warranted in speaking for any other Senator, but I do feel justified in saying that, in my humble judgment, confronted this morning with the appropriation of $50,000,000 for such items as I took the pains to recapitulate last night, there are few Senators in this Chamber who do not falter, and there are many who would openly, vigorously, and unreservedly oppose the bill were it not for the pernicious manner in which the bill itself is framed. Senators feel compelled to stand mute because of local interests that this bill is calculated to serve. It would take time for each Senator to explain in a manner satisfactory to his constituents the reasons for his general opposition to the bill. In each and every locality, however unworthy in itself the project may be, the neighbors round about, who furnish supplies for the men at work, who furnish the labor, who execute the project, feel that the project has some merit; and, however small it may be, the Senator from the State is supposed to have been in some sense derelict in his duty, is supposed to have in some measure failed to comprehend the public interest and the interest of the community in opposing such a bill.

Mr. President, the hours are fast passing. The Senate Chamber must be prepared for the ceremonies to occur here at the hour of 12 o'clock. Senators are weary and anxious to procure some little rest before the fatigues of the day incident to the ceremonies to follow; and I wish to say now that it is probably as prudent for those who have this bill in charge to consent to a recess to such hour as will enable the Senate to dispose of the routine business, which must be transacted before the reassembling of the Senate at the hour of 12 o'clock. I should be glad to yield for a motion to take a recess, but for no other purpose. [A pause.] I do not wish to make that motion, and if the Senate does not care to take a recess, I shall be glad to proceed.

Before going forward and addressing myself to the merits of this question, I wish to briefly call the attention of the Committee on Contingent Expenses to the resolution referred to by the Senator from North Dakota [Mr. HANSBROUGH].

We had considerable declamation here some days ago relative to public lands in the Philippine Islands. Most stringent restrictions were placed upon the proposed civil government there with reference to the disposition of those lands and the timber growing upon them, yet the public lands of the Hawaiian Islands are in a much more satisfactory condition than would be the public lands in the Philippine Islands under the local government to be established there.

Mr. PETTUS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Montana yield to the Senator from Alabama?

Mr. PETTUS. I ask the Senator if he will allow me to make a request?

Mr. CARTER. I will yield temporarily for that purpose.

Mr. PETTUS. I am not going to do anything more than to make a request.

Mr. CARTER. Very well.

Mr. PETTUS. Mr. President, we have a long day's work before us. We are almost in a condition where we might take a recess for a few minutes, and I appeal to the Senator from Montana to allow us to have a half a minute's rest before we commence the new day.

Mr. CARTER. I have suggested to the Senate that it would be well to take a recess until 10.30 o'clock to give that rest to the Senate.

Under the joint resolution to provide for the annexing of the Hawaiian Islands to the United States, approved July 7, 1898——

Mr. NELSON. If the Senator from Montana will allow us a chance to vote on the bill, then we shall take a recess. I ask the Senator from Montana to let us vote, and then we can take a recess, as he suggests.

Mr. CARTER. I do not wish the Senator from Minnesota to misunderstand the purpose of the recess which I proposed.

I do not think this bill ought to become a law. That is a radical and unqualified statement; and, so believing, I shall do what lies in my power to prevent the passage of this bill between now and the hour of 12 o'clock. The bill will pass if my strength fails me to such an extent that I can not longer occupy this floor; and I am in a pretty fair state of health. [Laughter.]

Mr. President, the joint resolution to which I have referred provided:

> The existing laws of the United States relative to public lands shall not apply to such lands in the Hawaiian Islands, but the Congress of the United States shall enact special laws for their management and disposition: *Provided*, That all revenue from or proceeds of the same, except as regards such part thereof as may be used or occupied for the civil, military, or naval purposes of the United States, or may be assigned for the use of the local government, shall be used solely for the benefit of the inhabitants of the Hawaiian Islands for educational and other public purposes.

It will be perceived that that joint resolution left all matters relating to the disposition of public lands in Hawaii to special legislation by Congress. Congress discharged its trust in that behalf under the terms of an act which organized a civil government for the Hawaiian Islands, as found in chapter 339 of the Session Laws of 1899–1900, entitled "An act to provide a government for the Territory of Hawaii." That act in section 73 provides:

> That the laws of Hawaii relating to public lands, the settlement of boundaries, and the issuance of patents on land-commission awards, except as changed by this act, shall continue in force until Congress shall otherwise provide.

That left in force the Hawaiian act of 1895. I read now from section 17, on page 9, of the pamphlet containing the law, a portion of part 4, relating to public lands:

SEC. 17. The commissioners may, with the consent of the executive council, sell public lands not under lease, in parcels of not over 1,000 acres, at public auction for cash. Upon any such sale and the payment of the full consideration therefor, a land patent shall be issued to the purchaser.

And they may, with such consent—

That is, of the executive council—

sell public lands not under lease, in parcels of not over 600 acres, at public auction, upon part credit and part cash, and deliver possession under an agreement of sale containing conditions of residence on or improvements of the premises sold, or of payment by installments or otherwise of the purchase price, or all or any of such conditions.

Which agreement shall entitle the purchaser to a land patent of the premises upon the due performance of its conditions.

The commissioners shall have authority to fix any upset price for all such sales for cash or part credit and part cash.

All such sales shall be held in Honolulu, or in the district where the land to be sold is situated. Any person designated by the commissioners may act as auctioneer at such sales without taking out an auctioneer's license.

Provided, however, That land patents may be issued in exchange for deeds of private land or by way of compromise upon the recommendation of the Commissioners and with the approval of the executive council without an auction sale: *And Provided further*, That the President may, in his discretion, upon such recommendation and approval, execute quit-claim deeds for perfecting the titles of private lands where such titles are purely equitable or where such lands are suffering under defective titles, or in cases of claims to use of lands upon legal or equitable grounds.

In that country of limited area it will be perceived that public lands are being sold by the commissioners at public sale in tracts of not over 1,000 acres, and with the consent of the commissioners or the council lands are sold that are not under lease in parcels of not over 600 acres.

We hesitated, Mr. President, to extend the homestead laws to the Hawaiian Islands because 160 acres of land, allowed by the homestead law of the United States, was deemed too large a tract to be sold in those islands of limited area and dense population. Yet under a law of Congress, which we approved, because the Hawaiian act of 1895 becomes the act of Congress in this behalf, and under the approval of Congress, tracts of land are being sold in Hawaii at public auction for cash 1,000 acres in extent, or 600 acres under certain other conditions. The natural consequence of this situation is that the average man in Hawaii is deprived of the privilege which every citizen of the United States on the mainland enjoys, of going upon the public domain, improving a tract of land, and making his home thereon. These tracts are put up at public auction and sold for cash.

I wish to say to the Senator from Arkansas, who certainly disapproved in the most emphatic terms of the proposition to allow the public lands of the Philippines to be disposed of under a civil government, that this condition of affairs in the Hawaiian Islands, now in operation under force of Congressional enactment, is leading to the complete, and inevitably leads to the complete monopoly of the public lands of that country by the sugar-planting monopoly having its home in the States, and principally upon the west coast.

If on our own extensive public domain on the mainland it should be made to appear that by any chance a law had crept upon the statute books allowing a thousand acres of land to be sold in a body for cash, without any condition of settlement attached to it, Congress would, with as much speed as possible, repeal the law and remedy the evil. Yet when called upon to permit a committee of the Senate to inquire into the operations of this law, so repugnant to our own theories relative to the public domain, the expense is consulted, and in the meantime the sugar trust proceeds to purchase whatever is of any value in the Hawaiian Islands, to the exclusion of the natives and such of our citizens as may go there without the means to attend these sales and make purchases.

I do not know upon what theory those who oppose the granting or selling or disposition of lands in the Philippines can stand idly by and refuse to interfere in this scheme of land monopoly of the Hawaiian Islands. Since the old Oregon donation act, which only gave 640 acres of land to a settler, there has been nothing approaching this system of wholesale distribution of lands in large bodies to the people attending the sale who are apt to have the most money. I desire to put these statutes in the RECORD of to-day, to the end that the observations of the Senator from North Dakota, relative to his resolution providing for an investigation, may be thoroughly and clearly understood.

Now, sir, as to the bill. It consists of 135 pages. It is accompanied by a report of 423 pages. It appropriates, in round numbers, $50,000,000. Numerous items appear upon each page. The bill has been prepared at the short session of Congress. We will assume, for a more direct understanding of the procedure, that the bill should pass within five minutes. What opportunity, I pray you tell me, can the President of the United States have to inspect this bill with a view to determining how he may properly exercise his part in this legislation? The bill would be enrolled and passed up for his signature shortly before 12 o'clock noon to-day. He can not read it. It will be impossible for him to examine the report, and he therefore must practically abdicate his function in the legislation, except the formal work of attaching his signature.

The bill passed this body with its 135 pages and $50,000,000 in one afternoon, with scarcely two dozen Senators present when it was read. During the evening I took occasion to call attention to some of its provisions, and the Senate was amused at the ridiculous features of the bill as disclosed by a mere reading of the report on the respective items. A Senator told me an hour ago that there were items in this bill so much more ridiculous than those referred to that they would be entitled to a place in a comic almanac—items not referred to by me at all—as, for instance, as to one item said to be in this report. The engineer who inspected the proposed improvement is alleged to have stated that the only way to improve the stream was to cut down all the brush along its banks, pull out the snags, and when the river went dry to pick up the logs in the bottom, pile them, and burn them, and having done that to just put a dam at the lower end of the river, sink an artesian well, and fill the place with water. [Laughter.] I do not know that that is in this report; but I have been informed that something in substance such as I have stated was read in the other Chamber in connection with the consideration of this bill.

As a sample of some of the things that were not read this evening, I will call attention to Trinity River in Texas, and let us see what the Trinity River is. There is quite a handsome appropriation for Trinity River—$12,500 being provided for that stream.

This stream discharges into Galveston Bay through several mouths or passes.

I suppose, a sort of delta at the mouth of the river—

Opposite each of these a bar existed, over which there was a depth of but 3.5 feet at mean low tide, which was not sufficient for purposes of navigation, at least 5 feet of water being required.

Now, let us see about the matter. We start there with 3 feet. We had one place this afternoon with only 1 foot to start with, but this has 3 feet and 5 inches!

The improvement of this stream has been limited to that portion lying between the mouth and Liberty, at the head of tide water, a distance of 39 miles.

The project adopted for this improvement on June 18, 1878, consisted in the removal of snags from the river below Liberty and in dredging a channel 80 feet wide by 6 feet deep across the bar at the mouth of the pass then in use by vessels. The estimated cost of the work was $22,581.40. On May 4, 1889, an amended project was adopted. It contemplated the erection of two parallel jetties at the mouth known as the Middle Pass, placed about 275 feet apart and extending about 7,750 feet into Galveston Bay; also in closing the other two principal passes by submerged dams, the object being to create and maintain a channel 6 feet deep at mean low tide at the mouth of the river.

Now, mark.

The revised cost of the improvement was placed at $89,500.

The amount expended on this improvement to the close of the fiscal year ending June 30, 1899, was $69,444.76.

At that date the west jetty had been completed, its length being 7,359 feet, and a channel 100 feet wide by 5 feet deep had been secured at the mouth of the river.

Owing to rises in the river twice during the fiscal year, log jams have had to be removed from the Middle Pass of the river and once from Browns Pass, to enable boats to go up the river. The cost of removing these jams was $941.57.

Work done during the fiscal year was limited, for the reason that there was sufficient depth of water on the bar at the mouth to accommodate all vessels heretofore navigating the river.

By act of Congress approved March 3, 1899, an appropriation was made for the construction of a dredge boat and snagging outfit in connection with the improvement of Brazos River between Velasco and Richmond, West Galveston Bay Channel, Double Bayou, and the mouths of adjacent streams, which, by the law, will be available for use on the Trinity River.

With the $7,000 appropriated by river and harbor act approved March 3, 1899, a survey was made from Dallas, Tex., to the mouth, and a log jam at Browns Pass removed. The report upon the survey is printed in House Doc. No. 409, Fifty-sixth Congress, first session; also in Report of Engineers for 1900, Part IV, page 2318 et seq.

The following is from the letter of the Chief of Engineers transmitting the report of the engineer in charge of the survey:

"The length of the river from its mouth to Dallas is 511 miles, and Captain Riché states that for the proper improvement of the river it will first be necessary to cut down and remove all timber along the banks which would be likely to be washed into the river in times of flood, to remove by burning during low water all drift that has collected in the bed of the stream, and to remove all snags from the stream, which work would give a clean river from Dallas to the mouth, making it possible for light-draft steamers to traverse the entire distance at high water, and for intermittent navigation; but by canalizing the river by means of locks and dams, with the addition of an artificial water supply in the upper reaches of the river, to be obtained by storing surplus water during the wet season, or by sinking additional artesian wells"—

Here is the very same statement—

"or by a combination of the two methods, it will be possible to obtain a navigation which will be continuous at all seasons, except possibly for a short period during years of excessive drought.

"Captain Riché considers the improvement of the river for a 4-foot navigation from Dallas to its mouth not only advisable, but urgently necessary; and he presents a project for improvement to that depth in the manner indicated above, the estimated cost being—

For cleaning the river	$500,000
For 37 locks and movable dams	3,175,000
For artificial water supply	200,000
For bank protection	100,000
For dredging	25,000
Total	4,000,000

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 report of the committee of conference on the disagreeing votes

of the two Houses on the amendments of the Senate to the bill (H. R. 13705) making appropriations for the naval service for the fiscal year ending June 30, 1902, and for other purposes.

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. 4120) to pay Eliza R. Crawford the amount of a United States loan certificate issued in 1779; and

A bill (H. R. 13705) making appropriations for the naval service for the fiscal year ending June 30, 1902, and for other purposes.

RIVER AND HARBOR APPROPRIATION BILL.

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to 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.

Mr. CARTER. Mr. President, does this not really pass belief that we are entering upon a project to spend $4,000,000 of public money, enough to buy over 6,000,000 bushels of wheat in Minnesota, in order to make navigable a stream from which you must first take out the logs in the bottom and burn them, then clean out all the logs on the banks so that they will not roll into the river again and block it?

Mr. WELLINGTON. Swamp navigation.

Mr. CARTER. Swamp navigation. Then, strange, startling, you have not water to run in the river until you dig artesian wells at the head of it. I will stay here until this time to-morrow night, if need be, to prevent that item from going on the statute books of the United States, and I think it is the duty of every Senator in this Chamber, measured by my view, to join me in the effort.

Mr. President, $4,000,000 for Trinity River, starting in at the mouth with 3 feet of water—a river full of logs. Do not fail to remember that the first thing to be done with this river is to burn all the logs or destroy all the logs on the slopes leading down to the river, *and, I* suppose, cut the timber off, so that other logs will not bother you in the future. When you have done that, of course, you must burn the brush, because the brush might get in the river. Would it not be necessary? Of course.

It is a narrow, crooked little stream evidently, in which logs jam readily. After you have taken the brush off the hillsides and piled them on the logs and burned all the logs on both sides of the stream for 135 miles, you must then start in—no, I believe under the engineer's report you take a rest at that time and wait until the stream goes dry and then burn the logs that you find on the bottom of the stream. As a Senator behind me suggests, they would need about all the water in the stream to get up steam in the boilers. But let me not be understood as overstating this report. Mark the statement of the engineer. He states that—

For the proper improvement of the river it will first be necessary to cut down and remove all timber along the banks which would be likely to be washed into the river in times of flood.

That is one proposition. Second—

To remove, by burning during low water, all drift that has collected in the bed of the stream, and to remove all snags from the stream, which work would give a clean river from Dallas to the mouth, making it possible for light-draft steamers to traverse the entire distance at high water, and for intermittent navigation.

He then proceeds to say:

But by canalizing the river by means of locks and dams, with the addition of an artificial water supply in the upper reaches of the river, to be obtained by storing surplus water during the wet season, or by sinking additional artesian wells—

I assume they have some artesian wells there at present, and yet the stream goes dry—so dry that this engineer thinks we could burn the logs in the bottom of it during the dry season.

A slight computation will show that the $4,000,000 to be spent on this project, upon which we are to enter, would buy I do not know how many pounds of cotton. Cotton is probably worth 10 cents a pound. I do not know what the market price of it is at the present time, but it is easy to compute that it would buy a very large amount of cotton. Hence it will probably take the cotton crop of half a dozen counties in the State of Arkansas to make up the tax that will have to be paid for this foolish and silly enterprise. It will take the wheat crop of a Congressional district in the State of Minnesota. It will keep a good-sized army of working men toiling day in and day out for a year to make the money to pay the taxes to build this trifling, silly improvement.

Mr. President, it is difficult to be patient with an item of this kind. I wish to give due credit to this honorable body. I wish especially to give thanks to the Senate committee for striking out the item of $50,000 appropriated for this river. That was the appropriation to begin the work as it came to this body. The Senate committee cut that item down to $12,500, and the limit was sought to be placed upon it for the aggregate work of $556,657, "exclusive of the amount herein and heretofore appropriated."

It would seem that that limitation of something over a half million dollars would protect the Government. But such is not the case. It would until that amount had been spent, whereupon, with much force, indeed, some one would come up from that district and insist that inasmuch as we had spent more than a half million dollars cutting the logs off the hillside, burning the brush, cleaning up the bed of the stream, burning the logs there in dry time, it was eminently proper that we should follow up this half million dollars with the full amount estimated by the engineer as necessary to accomplish anything at this point.

The half million dollar item here provided would, according to the engineer, barely clean out the river. He says "for cleaning the river, $500,000." When you have spent the $500,000 you will have burned the logs on the bank, and probably you will have burned the logs in the channel of the stream; but the estimate goes on to say that is of no avail. You must have locks and movable dams, or else the $500,000 spent in cleaning the stream will have been utterly wasted. You can not afford to throw away the $500,000. Here you have a great stream, Trinity River, cleaned up, the logs taken from the banks and from the channel of the stream. Then you must have 37 dams, and when you undertake to get the 37 dams you must spend $3,700,000.

After you have the dams erected, you have not anything to put in them. So you must dig artesian wells up at the head of the stream to get some water to fill the space above the dam. Then you have to have a hundred thousand dollars for bank protection—whatever that may mean; then for dredging, $25,000. After we have dug the artesian wells, built the 37 locks, cleaned out the stream, and burned the logs, and have our four millions invested in Trinity River, you will have saddled upon the Government of the United States an everlasting expense in keeping it dredged and keeping the locks in repair. How much is it going to cost each year? On this one item alone this bill should fail.

Let us get down to the mouth of the Brazos River:

Continuing improvement, $30,000.

I suppose that is more of a river. Let us see what the engineer says about it. He says:

The river and harbor act approved March 3, 1899, contains the following item: "Mouth of Brazos River, Texas: For dredging and such other work as may be deemed most effective in the judgment of the Secretary of War in improving and developing the harbor, $85,000: *Provided*, That no part of said sum shall be expended until the Brazos River Channel and Dock Company shall file with the Secretary of War a transfer to the United States of the jetties and auxiliary works; also a release of all rights and privileges conferred upon said company by its charter or by the act of Congress approved August 9, 1888, to charge or collect tolls for the use and navigation of said river; and the Secretary of War is directed to have an examination made of the mouth of the Brazos and the jetties and report to Congress the estimated cost of extending the jetties one-half mile, and the estimated depth and width of the channel to be obtained by such extension, and the estimated cost of obtaining 20 feet of water and a channel 150 feet wide."

This is a former item approved, and a contract was entered into.

"(*a*) Estimated cost of extending the jetties one-half mile, $1,100,000, in addition to $165,000 required under existing project for repairing and completing the present jetties, the estimate being based upon the supposition that the extension work can be placed under one contract.

"(*b*) The extension of the jetties one-half mile would not of itself improve the channel, but if supplemented by dredging and a system of spur dikes to contract the channel to about 440 feet between jetties, estimated to cost $200,000, a channel depth of 20 feet and width of 150 feet could be practically constantly maintained by an expenditure of $30,000 annually.

"(*c*) Estimated cost of obtaining 20 feet of water and a channel 150 feet wide: (1) By jetty extension, spur dikes, and dredging, $1,300,000, and $30,000 annually for maintenance, or (2) by dredging alone, $375,000, and $40,000 annually for maintenance."

In the opinion of Captain Riché, concurred in by the division engineer, the best method of improvement is by dredging alone.

The report was transmitted to Congress and printed in House Document No. 652, Fifty-sixth Congress, first session; also page 2426, Report of Engineers for 1900.

Now we have Brazos River again. These millions roll up:

BRAZOS RIVER BETWEEN VELASCO AND RICHMOND, TEX.

The Brazos River, Texas, from Richmond to Velasco, flows in a generally southerly direction, the distance between these points being 89 miles. It flows through Fort Bend and Brazoria counties and empties into the Gulf of Mexico about 5 miles below Velasco.

The river and harbor act approved March 3, 1899, provides as follows:

"For the improvement of the Brazos River between Velasco and Richmond, West Galveston Bay Channel, Double Bayou, and the mouths of adjacent streams, $65,000, out of which said sum a suitable dredge and snagging outfit may be provided to carry on said work and to be used on other approved projects on the Texas coast, including streams emptying into the Gulf of Mexico and bays connected therewith.

Heretofore the projects embraced in this improvement have been independent (see improving Brazos River, Texas, between Velasco and Richmond, Annual Report of the Chief of Engineers for 1895, p. 1838 et seq.; improving channel of West Galveston Bay, Annual Report of the Chief of Engineers for 1892, p. 1556 et seq., and improving Double Bayou, Annual Report of the Chief of Engineers for 1898, p. 287 et seq.).

The object of the improvement, in part, is to obtain and maintain a navigable channel depth of from 4 to 6 feet across the bars at the mouths of most of the streams and bayous along the Texas coast by dredging and snagging, the plant to be owned and operated by the United States.

Now, 4 to 6 feet of water. There are a number of these bayous, and for that purpose we start in here with an item of $30,000, and the further item of $400,000 is to be appropriated for the Brazos River Channel and Dock Company, etc., an item which was stricken out in conference, I believe.

The first item of this Brazos River is $30,000. The second item is

$50,000, and then there is an amendment providing the sum of $50,000. The $50,000, the $100,000, and the $30,000 are to get 4 feet of water, and the report nowhere shows that the water, when it is procured to the depth of 4 feet, will be of any special value to the country or to the State of Texas. It would certainly be a waste of considerable money from the Treasury of the United States.

Now, passing by Trinity River and the rivers I have just named, we take the Upper White River, in the State of Arkansas. You will find there is very little of merit in it, I think, by reference to the report.

UPPER WHITE RIVER, ARKANSAS.

The original condition of this portion of White River and the previous projects for its improvement are given in the report for White River.

The approved project for this work, based on a report printed in the Annual Report of the Chief of Engineers for 1897, page 1992, contemplates providing slack-water navigation from Batesville to Buffalo Shoals, a distance of 89 miles, by means of 10 fixed dams with concrete locks. The locks are to be 175 feet long between hollow quoins and 36 feet wide, with a lift of about 14 feet, and with a depth of 4 feet on the lower miter sills.

The total estimated cost is $1,600,000, based on having sufficient funds on hand to construct one lock and dam complete each working season.

Up to June 30, 1899, there had been expended on this work $535.79. Plans were in preparation for the first lock, and the survey of pool No. 1 was nearly completed.

During the year ending June 30, 1900, the survey of pool No. 1 was completed and the exact locations of Dams Nos. 1 and 2 determined. Plans have been completed for the locks and dams at sites Nos. 1 and 2. Owing to delay in procuring land at the site of Lock No. 1, below Batesville, construction could not be begun last season. The land was procured in December, 1899, and the plant has been installed, and work upon the cofferdam for Lock No. 1 is well under way.

Here we have a stream without sufficient water in it to float anything. We must put in locks and dams and practically build a canal without any showing here of commerce on the river or anything to indicate why we should appropriate the money. I wish to be entirely correct. Nine thousand tons of material passed over this river in 1899 and 39,000 tons in 1900. The interest on the money invested in this improvement would pay for the entire tonnage, I venture to say, that passes over this river every year.

Mr. President, I submit that no business man, no company or organization conducted upon business principles, would for one moment entertain the idea or thought of investing this large amount of money in the proposed project. It would be deemed utterly ridiculous.

Why not build an electric railway up and down the stream and use what little water there is for generating electricity? You can build the railroad for less than you can build the locks and dredge out the stream; and then it would be of some use to the country through which it passes. If we stopped with the loss of money on the expenditure, it would be one thing; but when the improvements are made they must be maintained. Each and every year, as long as time runs, the Government will be required to invest a certain amount of money to keep the people who make their living out of dredging employed in dredging the channel in the stream and keeping the locks in repair. That certainly can not be a mistake. So White River in Arkansas is about as bad as Trinity River in Texas, although it does not appear from any report that it would be necessary to cut the logs down on both sides of the stream, or to burn the logs in the channel of the stream during the dry time in the summer when the creek runs dry.

Mr. McBRIDE. Where is that river?

Mr. CARTER. I was referring to White River in Arkansas. We have St. Francis River in Arkansas provided for—a very important stream, with some water running through it, and for it we are going to appropriate $8,000. Let us see what the St. Francis River is:

ST. FRANCIS RIVER, ARKANSAS.

This river rises in southern Missouri, flows in a southerly direction, and enters the Mississippi near Helena, Ark.

In its original condition this stream was not navigable at any stage above Lester Landing, between Lester Landing and Marked Tree navigation was possible at high stages only, and below Marked Tree it was difficult at medium stages. Snags and fallen timber were the principal obstructions.

The original project was to improve navigation below Lester Landing by cutting a channel through "The Lake" and clearing the river of obstructions by snagging operations. The present project (adopted October 21, 1884) is to remove drift, logs, and snags from the channel and overhanging timber from the banks from the mouth to Kennett, Mo. (279 miles), and close chutes and sloughs in the "Sunk Lands," so as to make the river navigable at high stages to Kennett, Mo., at medium stages to Marked Tree, and at low stages to a point about 30 miles below Madison, Ark.

The amount expended up to the close of the fiscal year ending June 30, 1899, was $58,908.65.

The condition of the river below Marked Tree on June 30, 1899, was good for navigation at a 4-foot stage or over. Above Marked Tree a fair high-water channel had been made through the "Sunk Land."

Operations during the year ending June 30, 1900, consisted of cutting overhanging timber and removing snags from the mouth to 15 miles above Madison, or 85 miles above the mouth. This part of the river was left in good condition.

Now, Mr. President, here we have another proposition to cut down the trees that overhang the banks, trim off the willows, burn off the brush, and take the loose logs far enough back into the interior from the river banks to prevent their falling into this little stream and blocking it up. That process has gone on for a few miles up the river, and we are expected to put about $8,000 more in the continuance of that work for the present season. Of this sum of $8,000 it is provided that—

$1,000 may, in the discretion of the Secretary of War, be expended in removing obstructions in L'Anguille River, its tributary, from its mouth to the town of Marianna.

So that $7,000 will be devoted to this brush work along the St. Francis River in Arkansas. This is to get 4 feet of water. There is no commerce about that. There can be no pretense that this is in aid of any national improvement. Yet, Mr. President, we are asked to support this bill which from beginning to end is replete with just this class of items.

Yet, Mr. President, with all these items, lacking in merit to such a degree, we find the strange condition of refusing to provide a small appropriation, which once made will endure, with a view to enhancing the value of the public lands of the United States. I do not believe that the time has come to fully and completely deal with the arid-land question, but, when the time does come, I hope the question will not be dealt with in such a manner as the items herein contained appear to be handled. Let merit be the test; let river and harbor bills fail; let Senators and Members defeat them mercilessly, until such time as a river and harbor bill possessed of actual merit, and that kind of a bill alone, shall be presented for the consideration of Congress.

I do not wish to be understood as casting, or attempting to cast, any reflection upon any committee of Congress, nor upon any member of either body. The committees work conscientiously and faithfully in an effort to perfect a bill of this kind. They are the victims of a vicious system. They work on the bill as the preceding bills were worked upon. Each person having a little project is encouraged with a small appropriation to begin with. The engineers being somewhat good natured, anxious, as the employees of the Government generally are, to extend the scope of their operations, give the best reports they can upon each new project surveyed. It is a very rare thing indeed for an engineer to report on a survey adversely.

And yet with the disposition to do the very best possible to give a good report, we find such statements coming here as the basis of appropriation as this relating to Trinity River, and White River, and the various streams to which I have referred, where, with the most lenient hand, the most considerate judgment in favor of the bill, the engineer, in deference to his sense of duty, is compelled to yield to the country in his report such facts as would, in the judgment of Congress, condemn the project without any sort of reservation.

The engineer who made this report on Trinity River did the best he could to wash the thing through. If his own keen, deliberate judgment had been called for by a private capitalist or by a company intending to work this project for profit or to some advantage, he would, without any qualification, have condemned the project. I think it may be said, and that, too, without any stretch of the imagination, that taking these reports and going through them fairly and impartially from a plain business standpoint, without any reference to getting votes or helping the bill through, this bill would be cut down to $10,000,000. Fifteen million dollars would be the outside limit, cutting off the useless items. Fifteen million dollars will cover every reasonable project outlined in the bill.

Why should the $35,000,000 be thrown away? It might be asked why should any Senator take a stubborn stand upon the bill? I believe that it is the duty of every Senator to take a stand against this bill, and unless that is done these bills will grow from $50,000,000 to $75,000,000, from $75,000,000 to $100,000,000, and in the course of a few years it will be found that aside from any new projects, any new development, any new work, we will have a fixed charge upon the Government for dredging out these useless streams in a vain attempt to utilize and protect the property which we have attempted to bring into existence by the lavish expenditure of money, without rhyme or reason in many cases.

If you will take the $35,000,000 thrown away in the muddy waters of these little streams and build reservoirs in the arid regions of the United States you will bring about conditions which will furnish homes for hundreds and thousands, yea, tens of thousands of deserving American citizens anxious to find homes upon the public domain, and who are unable to do that because unable to provide the capital to reclaim the desert at the beginning. With the $35,000,000 wasted, the Senator from Wyoming [Mr. WARREN] appealed in vain for a small pittance for experimental work in this direction. The Senator from South Dakota [Mr. PETTIGREW] appealed in vain.

Mr. PETTUS. Mr. President——

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

Mr. CARTER. Certainly.

Mr. PETTUS. I just wanted to ask the Senator a question. I have been supporting your arid-land notions ever since I have been here. Do you not know that you are making it odious in the eyes of all mankind? How can I go along with a set of men

who are conducting themselves in the way that the business of the Senate has been conducted this morning? There must be something radically wrong about it, and all mankind——

Mr. WELLINGTON. I ask the Senator from Alabama what there has been out of the ordinary in the conduct of the Senate here except that there has been confusion upon confusion by Senators who did not occupy the floor. He need not lose his temper because he has been here all night. We have been here, and it does not stand him in hand, and it is not just, and it is not fair, to intimate that there has been conduct in the Senate that has not been proper. There has been nothing done in the Senate, so far as we are concerned, in support of the position we have taken that has not been fair, honest, just, and correct.

Mr. CARTER. Mr. President, if the price of the reclamation of the desert is to involve such a reckless expenditure of public money as this bill proposes, then the desert will not be reclaimed. The Senator from Wyoming I cited as presenting a meritorious project which was little heeded and vigorously opposed. Compared with Trinity River, compared with the appropriations made for the rivers in Alabama, it stands up as a monumental proposition judged by the elements of merit.

I do not think that it is ill-mannered or unjust to the Senate to resist the passage of this bill. I do not believe that the bill can be defended in any school district or any Congressional district or in any State in the Union. You will find some sympathy for it in the immediate localities where the expenditures are to be made; but let me say to the Senators who challenge the conduct of those who oppose this bill that they will falter if confronted with the request to have this report and bill published in their States. I should like to have the Senator from Alabama confronted down in some school district of that State with this Trinity River proposition and inquired of concerning his reasons for supporting it.

Mr. PETTUS. I have never said one word in its support, in any way, shape, or fashion.

Mr. CARTER. The Senator would not, I am quite sure. He would not defend it, yet he blames me for condemning it. Nobody will try to defend the poor item that is about as meritorious as hundreds of other items in the bill.

Mr. PETTUS. The Senator calls on me for an answer. I tell him I have never blamed anybody for their opposition to any bill, not in the slightest degree.

Mr. CARTER. I am thankful to the Senator for that.

Mr. PETTUS. So far as this bill is concerned, I have expressed no opinion about it; but I have an opinion, and a very decided one, when a man holds up a Senate in this fashion on a day when we have to inaugurate a President. I have a decided opinion on that conduct.

Mr. CARTER. Mr. President, I suggested at the beginning of my remarks that it would be desirable and very agreeable to me to take a recess until 10.30 or to such other hour as seemed to the Senate appropriate to the transaction of the routine business preceding the inauguration ceremonies. I would be delighted now to yield to the Senator from Alabama for the purpose of making a motion to that effect, or for asking unanimous consent that the Senate shall stand in recess until 10.30.

But, Mr. President, if the price of my silence is to be the passage of this bill I will not hold my peace. I think I am doing my country a service right now. There is not a solitary one of these projects that will suffer during the coming summer. Every one of the river and harbor improvements possessed of any merit has been taken care of in the sundry civil appropriation bill. That statement may require qualification. There are many meritorious items in this bill, but they do not predominate, in my judgment.

Let the Senate take this question up next December, at the beginning of a *long* session, a session that will not be terminated by inaugural ceremonies, debate the bill from stem to gudgeon, take the pruning knife and cut these spurious items out without mercy, and compel Senators to stand on this floor and under the sanctity of their official oaths attempt to defend these little items, small in themselves but in the aggregate making up nearly $50,000,000.

Why, Mr. President, if the time has come when we must be silent because we are weary and allow this kind of legislation to go unchallenged, the Government is at the mercy of courtesy, courtesy ever yielding and complaisant, willing to do the nice thing rather than the just thing, willing to yield to the amenities rather than to follow the strict path of duty.

Mr. PETTUS. Will the Senator allow me to ask him a question by way of relieving him? I see that he is tired.

Mr. CARTER. I am not very tired.

Mr. PETTUS. Did the Senator ever say one word against this bill until the measure for the relief of arid lands was voted down? Did he ever mention in any way, shape, form, or fashion his opposition to this bill in the Senate?

Mr. CARTER. Mr. President, I will be perfectly frank with the Senator. I fully expected that this bill would be under consideration in the Senate for two or three days. The day it passed this body I happened to be engaged on the Committee on Appropriations—on a subcommittee, looking after another bill. To my astonishment upon entering the Chamber, not over two hours, I think, after the reading commenced, I learned that the bill had passed. With that I find fault; and the fault I find with the system which permits a thing of that sort. It is in the system of distribution which creates an invidious and commanding influence. With that system I am at war, and until the system is broken down there will not be an honest river and harbor bill prepared.

Mr. President, is it not useful to have some understanding before the country and the Congress as to what will be done in the future with this class of legislation? Conceal it as we may, the fact remains that these small items creep in because Members and Senators importune the committee, and importunity failing, they threaten and combine, and, to use the old-time phrase born in former days, they bulldoze to some extent, and finally force the item in. Sometimes it is expected to cut it out in conference, but if that fails the Government suffers, no community is much benefited, and the wasteful process goes on. Beat these bills time and again, cut them to pieces in debate on the floor. Let it be understood that a proposition lacking merit can not go through on this bill any more than it can go through on the sundry civil or the deficiency bill. When that condition is reached committees can deliberate coolly, logically, patriotically—provide for that which is necessary and refuse to make provision for that which is unnecessary.

For many years I have witnessed the growth of this bill. The country has witnessed it. There need be no mistake about that. This river and harbor bill is known to people in the backwoods counties of every State in the Union as "the pork bill." Men who have never seen a harbor know that there is something wrong about the way this bill is put together. And yet no one is to blame for it any more than we are to blame for the customs which we inherit. But I do think that there ought to be a reformation at some time or some place. This bill will be $75,000,000 next trip. It raised its brazen head to $60,000,000 or thereabouts this time. Through most strenuous efforts the committee of the Senate reduced it a little below the $50,000,000 mark. I should not stand here for one moment in the way of the passage of this bill if its passage was demanded by any public interest whatever.

But the Government, Mr. President, will go on just as well. The Treasury will be $50,000,000 ahead. No one employed need be discharged. The contract work in the river and harbor system of contracts will continue, appropriations having been made in the regular sundry civil appropriation bill. I think that there will be no difficulty with the country. There is no danger whatever of anybody suffering. There may be a few contractors disappointed, but no Senator will be injured in his State if this bill fails to pass.

Surely no one will suffer if the harbor at Stamford, Conn., is not troubled this year with the ten thousand and additional dollars sunk there. Greenwich, Conn., will be quite as well off if they do not get the $14,000. Then Montauk, N. Y., continuing improvement, starting in with 1 foot of water, will be just as well off without the sum of $5,000 which this bill proposes to spend in that stream. For the harbor at Huntington, N. Y., $2,500; the contractors will miss it, but the Government will be in that amount. Here is a little item for improving harbor at Glencoe, N. Y., continuing improvement, $7,000. Glencoe will do quite as well without that money sunk in the harbor up there. It is not demanded by any commercial interest, and no one will suffer except the contractor who will fail to have work there through this season. Let him find employment somewhere else for the time being and give the Government a rest.

I am quite sure that our commerce will be in no sense checked or interfered with if we do not start in to try to make a harbor in the marsh pond at Flushing, where we have 1 foot of water to begin with.

Even my learned friend the Senator from New York [Mr. DEPEW] will not complain very seriously if the harbor at Peekskill, on the Hudson, is not benefited to the extent of $5,000 during this year.

But let me read the list of these harbors to some extent to show that there is scarcely a harbor that anybody ever heard of outside of the immediate neighborhood which is mentioned in this bill:

Improving the harbor at Ogdensburg, N. Y., $150,000.

There is no necessity for that this year.

Improving the harbor at Cape Vincent, continuing improvement—

Fifty-eight thousand dollars in money is to go into that.

Improving harbor at Oswego, N. Y.: Continuing improvement, $48,000.
Improving harbor at Great Sodus Bay, New York: For maintenance, $5,000.
Improving harbor at Little Sodus Bay, New York: For maintenance, $4,000.
Improving harbor at Charlotte, N. Y.: For maintenance, $10,000.
Improving Oak Orchard Harbor, New York: Continuing improvement, $2,000.
Improving harbor at Wilson, N. Y.: For maintenance, $2,500.
Improving Tonawanda Harbor and Niagara River, New York: Continuing improvement, $193,275, including the dredging of Tonawanda Harbor in Erie County.

You have to locate that by reference to the county.

Improving harbor at Dunkirk, N. Y.: For maintenance, $20,000. Improving harbor at Buffalo—

Here is a harbor that probably needs and merits consideration for an improvement, but we only give it $50,000. That will do very little for the harbor at Buffalo, but the commerce of that harbor will go on just the same.

Then:

Improvement of Buffalo Harbor: For extending breakwater south, to be let under contract, not exceeding $200,000.

Improving Lake Erie entrance to Black Rock Harbor and Erie Basin, New York, in accordance with certain House documents, $150,000.

That is an important item.

Improving channel between Staten Island and the New Jersey shore, New York and New Jersey: For maintenance—

But only the sum of $10,000 is provided. That will have very little effect in extending the harbor between Staten Island and the Jersey shore—New York and New Jersey—and of that sum, mark you, $1,000 may be expended on Lemon Creek. So that would leave for New York in this bill only $9,000. Lemon Creek would get $1,000 of that.

Improving Arthur Kill, or Staten Island Sound, from Kill van Kull to Raritan Bay, New York and New Jersey—

In accordance with reports submitted in House documents referred to of the Fifty-sixth Congress—

$50,000.

The PRESIDING OFFICER. The Chair calls the attention of the Senator from Montana to the engineer's report on that subject.

Mr. CARTER. I should be very glad to have the report upon that read, Mr. President, and I think it ought to be read, because certainly I know something of that section, and I do not recall this Kill van Kull country at all; but there is probably some reference to it in the report relative to improving the harbor of Kill van Kull, or Staten Island Sound, from Kill von Kull to Raritan Bay, New York and New Jersey.

MEMORIALS.

Mr. SHOUP. Will the Senator yield to me to present certain memorials?

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from Idaho?

Mr. CARTER. Yes, sir.

Mr. SHOUP. I present memorials from the legislature of the State of Idaho, and ask that they may be inserted in the RECORD, and one referred to the Committee on Commerce and the other to the Committee on Military Affairs.

The PRESIDING OFFICER. The memorials will be printed in the RECORD and referred as indicated by the Senator from Idaho.

Mr. WELLINGTON. I ask that the memorials may be read. They are memorials from a State legislature, and should be honored by being read in the Senate.

Mr. JONES of Arkansas. I object. Let us have the regular order, Mr. President.

The PRESIDING OFFICER. The Senator from Arkansas objects.

Mr. CARTER. I do not wish to raise any objection, but I think it is unusual to refuse the reading of a memorial from a State legislature. I think the uniform practice has been to the contrary.

Mr. WELLINGTON. It would be an indignity upon the legislature of Idaho not to have their memorials read. The rule requires it, and it is right.

Mr. JONES of Arkansas. I call for the regular order, Mr. President.

Mr. WELLINGTON. Does the Chair refuse to have the memorials of the Idaho legislature read?

The PRESIDING OFFICER. The Senator from Arkansas [Mr. JONES] has demanded the regular order.

Mr. WELLINGTON. I understand when those memorials were presented they became the regular order, in so far that, under the rule, they should be read to the Senate; and I insist upon their being read.

The PRESIDING OFFICER. There is no rule requiring a memorial to be read to the Senate.

Mr. WELLINGTON. I understand from a Senator on my left that one of the memorials is in relation to rivers and harbors, so that it is pertinent to the subject now under consideration.

Mr. President, it seems to me that under all the circumstances the memorials ought to be read.

The PRESIDING OFFICER. The Senator from Arkansas [Mr. JONES] has demanded the regular order.

Mr. CARTER. Mr. President——

Mr. WELLINGTON. Mr. President, I must appeal from the decision of the Chair upon that ruling.

The PRESIDING OFFICER. What is the appeal of the Senator?

Mr. WELLINGTON. I appeal because, in my opinion, the rule requires the reading. It is due to the legislature of a sovereign Commonwealth in this country that, when it sends a communication to the Senate of the United States, we must do it the honor of having its communication read in full.

The PRESIDING OFFICER. Will the Senator kindly point the Chair to the rule which so prescribes?

Mr. WELLINGTON. Mr. President, upon the insistence of several Senators I will withdraw the appeal.

The PRESIDING OFFICER. The memorials will be printed in the RECORD and referred as indicated by the Senator from Idaho [Mr. SHOUP].

The memorials are as follows:

EXECUTIVE DEPARTMENT,
SECRETARY'S OFFICE, STATE OF IDAHO.

I, C. J. Bassett, secretary of the State of Idaho, do hereby certify that the annexed is a full, true, and complete transcript of house joint memorial No. 5, by Mounce and Triesch, a resolution asking Congress for the opening of the Snake and Columbia rivers to navigation, which was filed in this office the 20th day of February, A. D. 1901, and admitted to record.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State. Done at Boise City, the capital of Idaho, this 25th day of February, A. D. 1901.

[SEAL.]

C. J. BASSETT,
Secretary of State.

House joint memorial No. 5, by Mounce and Triesch, asking Congress for the opening of the Snake and Columbia rivers to navigation.

To the Honorable the Senate and House of Representatives of the United States:

Your memorialists, the governor and legislature of the State of Idaho, would respectfully represent that a canal around The Dalles-Celilo Rapids of the Columbia River would open up the Columbia and Snake rivers to navigation and promote the settlement and development of the Pacific Northwest, and especially the Columbia River Basin, known as the inland empire, comprising a territory richer in wheat than the Dakotas, already producing over 5,000,000 bushels, and, with an open river to the sea, easily capable of producing 25,000,000 bushels, thereby of itself swelling the present magnificent total of 35,000,000 bushels of the inland empire to 55,000,000; the latter comprising a territory as rich in cattle and horses as Colorado; a territory as rich in choice timber as Michigan in her palmiest days; a territory richer in gold and copper than California or Montana, only awaiting transportation; a territory rich in fruits, rich in coal, rich in silver and lead, rich in lime, marble, and granite.

The products of the Columbia River Basin above The Dalles Celilo Rapids in 1900 approximate 80,000 carloads, which the railroads frankly admit they have not the facilities for handling. And yet the resources of this section are as yet only beginning to be developed.

The Clearwater country embraces about 6,200,000 acres, including the northeastern corner of Oregon; Asotin County, Wash.; Nez Perces, Latah, and Idaho counties and part of Shoshone County, Idaho. It is drained by the Snake and Clearwater rivers and their tributaries, and its only natural, logical, commercial outlet is by way of the Snake and Columbia rivers to the Pacific Ocean, already navigable from the heart of this territory to the seacoast, excepting only at The Dalles-Celilo Rapids and a few insignificant bowlder obstructions.

The population of this district is fully 50,000 people (while that of the inland empire as a whole to be directly benefited by an open river is 350,000 or more, and the territory is easily capable of supporting a population of 10,000,000 souls).

The agricultural wealth of this territory is of first importance. Its grain belt is estimated to comprise 2,200,000 acres. Its capacity of production of cereals for export is conservatively estimated at 25,000,000 bushels annually. About 700,000 acres of this land were fenced, but only 375,000 acres were cultivated during the year 1900, including 25,000 acres in cultivated grasses, and all classes of hay lands. This leaves 1,500,000 acres classed as first quality of grain lands, which are still unfenced waste. These lands are largely remote from the transportation facilities which alone are required to promote rich annual harvests.

The yield of cereals in the Clearwater country for 1900 is estimated at 5,450,000 bushels of wheat, 1,120,000 bushels of oats and barley, and 284,000 bushels of flax, a total of 6,854,000 bushels. Of this grain nearly 6,000,000 bushels should be exported before the next harvest; this would load over 7,000 cars, and the existing means of transportation are inadequate to move even the crop of this year.

The wheat soils of the plateaus adjacent to the Columbia and Snake rivers are certainly the richest on the continent, crops of 40 to 60 bushels per acre being not uncommon and 30 bushels being an ordinary average for large areas.

Bordering the grain belt are valleys and benches that are adapted to fruit growing and the cultivation of vegetables. This area of fruit land approximates 100,000 acres. The irrigable bottom lands approach 25,000 acres, and the benches and plateaus suited to apples, pears, cherries, prunes, plums, etc., aggregate a very large acreage. The shipments of fruits and vegetables for the year equal 490 carloads, including Upper Snake River. The capacity for the production of tonnage from orchards and gardens is very great, the average, when in full bearing and thorough cultivation, being 1 carload per acre. This industry, however, is, in a measure, still dormant, because it is dependent upon ready market facilities more than almost any other; it must wait for the extension of railroad and steamboat traffic routes. There are, perhaps, 2,000 acres in the district now cultivated to fruit trees which are fast approaching the age from which profitable crops may be anticipated.

The live-stock industry is next to agriculture in importance, measured by the year's returns. There is a record of the shipment of 19,090 head of cattle since January, 1900, valued at $450,000. This cattle industry is increasing. The large herds have been reduced on the ranges, but the raising of cattle on farms and in inclosed pastures has increased in still greater degree. There has been an increase of exports during the year, while the accumulation of stock cattle has increased fully 25 per cent. The limit of the output will not be reached for many years. These rich soils are prolific of a variety of crops suited to economic beef production. The shipments of sheep and hogs from the Lewiston district equal about 55,500 for this year. The flocks on the ranges count up fully 400,000 sheep. The wool shipped and in public and private warehouses amounts to about 2,000,000 pounds, valued at over $200,000.

The record of shipment of horses shows 3,425 head. Although range horses have decreased in the past five years, yet horse breeding is reviving on the farms, with a class of horses much improved over those which roamed the ranges a few years ago. It is believed from information gathered from stockmen that the horses of this district number fully 150,000.

Our timber interests are very important. The famous Idaho white pine belt is along the Clearwater River.

The State holdings of timber land alone amount to 170,000 acres in this belt, and over 100,000 acres have been entered by individuals as homesteads and by scrip for the timber. This land will average as stumpage 10,000 feet to the acre, a grand total of 2,700,000,000 feet of lumber in the Clearwater white pine belt. This vast product awaits transportation to make it valuable. The variety and quality of this timber make its value so high that it will be shipped to the Far East at a profit whenever practicable facilities are provided for its transportation.

The white-pine forests are in proximity to the Clearwater River, which requires only a small outlay to make it navigable for drives and rafts. A yellow-pine timber belt lies along the Grand Ronde River in Oregon and Washington, beginning 15 miles from the mouth of that stream and 40 miles from Lewiston. The Grand Ronde is suitable for log driving without improvement other than the booms for the control of logs afloat. The extent of this yellow-pine forest is fully 250,000 acres, estimated at 1,600,000 feet to the quarter section, a total of 2,500,000 feet of merchantable lumber. This timber is the most available large supply of common timber for the farming districts and the cities of the inland empire. This Grand Ronde pine belt must find a market by the Snake River water route or wait for a railroad from Elgin or Lewiston. These two forests aggregate over 5,200,000,000 feet of white and yellow pine, and in addition there are large quantities of tamarack, cedar, red fir, white fir, and lower grades of pine, covering nearly 3,000,000 acres. There is an almost unlimited amount of the timber, and also of soft woods suitable for paper pulp, and all within easy reach of waterways on which it may be floated to Lewiston as a shipping center.

The vast mining interests of this territory are still largely unproductive for no other reason than the absence of transportation. In extent and superficial values this district is claimed to excel any other mineral belt in the United States. There are now some 7,500 mineral locations with a legal status upon the county records within the district. Every one of these locations records the fact that mineral has been found in place. The universal opinion of experts is that these prospects, while they cover a vast area, present an average surface value greater than the average of any other district in America. Only with favorable transportation advantages can these prospects become profitable, producing mines. The mineral ores must be accessible to reduction works to be mined profitably. The average ores of Cripple Creek, Leadville, and the Coeur d'Alene would be valueless in the bins of any camp in this district. These millions of tons of ores must remain a dormant resource till transportation facilities are extended to the Snake River, Salmon River, and Clearwater River camps.

Until the present year one need of all this interior country has been a sufficient coal supply. This want now promises to be supplied by newly discovered coal measures. Good evidence of a coal vein of very great extent has been revealed within the year. The "blossom" of this vein has been traced across the whole plateau from the Bitter Root Mountains to the Blue Mountains, a distance of over 100 miles. On the Grande Ronde River it has been fairly well demonstrated that coal exists in large quantities and in merchantable quantity. This adds value to our mineral prospects, and also to our farm lands and all other commercial interests.

We can not, however, reap the benefit of this variety of resources without improved transportation facilities. Our ores and coal, our forest, range, farm, garden, and orchard products must be brought together to make them valuable. With the greatest natural wealth of any district in the United States of equal extent, we are held in a state of comparative inactivity by the absence of transportation facilities.

An open waterway to the ocean would so stimulate settlement, development, and production in all the industries named above that several railroads would, perforce, quickly follow and gridiron the territory described, and thus aid in upbuilding the richest portion of the inland empire, which would then easily rank with the most productive, most prosperous, and most progressive sections of America.

The inland empire as a whole posesses grain lands worth $200,000,000 when under favorable transportation conditions; live-stock interests now valued at $50,000; fruit lands prospectively worth $100,000,000; lumbering interests awaiting cheap transportation to have a valuation above $150,000,000; a grand total in these items alone of $500,000,000, not counting the millions in coal and ores and manufacturing, all awaiting the life-giving influence of an open river to the sea and consequent ample and economical transportation facilities. Even in this end of the year of 1900, with development in its infancy, the grand total of 80,000 carloads of these products have been crowding for shipment.

Wherefore we respectfully and earnestly memorialize the Congress of the United States to make adequate appropriations for the construction of a canal around The Dalles-Celilo Rapids of the Columbia River, thereby opening the Columbia and Snake rivers to navigation, and thus developing the greatest portion of the Northwest.

This joint memorial passed the house of representatives on the 30th day of January, 1901.

GLENN P. McKINLEY,
Speaker of the House of Representatives.

This joint memorial passed the Senate on the 11th day of February, 1901.

THOS. F. TERRELL,
President of the Senate.

This joint memorial received by the governor on the 18th day of February, 1901, at 5 o'clock p. m., and approved on the 20th day of February, 1901.

FRANK W. HUNT, *Governor.*

DEPARTMENT OF STATE, SECRETARY'S OFFICE,
Boise City, Idaho.

Filed this 20th day of February, 1901.

C. J. BASSETT, *Secretary of State.*

EXECUTIVE DEPARTMENT, SECRETARY'S OFFICE, *State of Idaho:*

I, C. J. Bassett, secretary of the State of Idaho, do hereby certify that the annexed is a full, true, and complete transcript of house joint memorial No. 4, by Scott, a joint memorial to Congress to create a branch of the National Soldiers' Home at Fort Sherman, Idaho, which was filed in this office the 20th day of February, A. D. 1901, and admitted to record.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State. Done at Boise City, the capital of Idaho, this 27th day of February, A. D. 1901.

[SEAL.] C. J. BASSETT, *Secretary of State.*

[House joint memorial No. 4, by Scott, in regard to a Branch of the National Soldiers' Home at Fort Sherman, Idaho, by the senate and house of representatives of the State of Idaho.]

A joint memorial to Congress to create a Branch of the National Soldiers' Home at Fort Sherman, Idaho.

To the Honorable Senate and House of Representatives of the United States:

Whereas by act of Congress and the orders of the War Department the troops have been removed from Fort Sherman to the newly established military post at Spokane, Wash.; and

Whereas the present site of Fort Sherman, with all its buildings and improvements, is worthless to the United States and can not be sold for any great amount of money; and

Whereas it is located in a healthy part of the State, at the north end of Coeur d'Alene Lake, a most beautiful body of water, upon which are many steamers, with Coeur d'Alene City near by, with good railroad facilities; and

Whereas there is not a National Soldiers' Home in the extreme Northwestern States:

Therefore we earnestly ask that you give this matter due consideration and establish a National Home upon the site of Fort Sherman, in order that those men that defended the country's flag in time of peril may have a pleasant, healthy place to spend their last remaining days on earth; and that a copy of this memorial be sent to each of our Senators and Representatives in Congress, and that they are urged to give their best influence toward the accomplishment of the matter herein set forth.

This house joint memorial No. 4 passed the house of representatives on the 1st day of February, 1901.

GLENN P. McKINLEY,
Speaker of the House of Representatives.

This house joint memorial No. 4 passed the senate on the 13th day of February, 1901.

THOS. F. TERRELL,
President of the Senate.

This house joint memorial No. 4 received by the governor on the 19th day of February, 1901, at 3 o'clock p. m., and approved on the 19th day of February, 1901.

FRANK W. HUNT, *Governor.*

DEPARTMENT OF STATE, SECRETARY'S OFFICE,
Boise City, Idaho.

Filed this 20th day of February, 1901.

C. J. BASSETT, *Secretary of State.*

RIVER AND HARBOR APPROPRIATION BILL.

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to 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.

Mr. CARTER. Mr. President, proceeding with these items, I reach: "Improving Claiborne Harbor." I presume Claiborne can wait.

"Improving Queenstown Harbor, Maryland."

Mr. WELLINGTON. Claiborne Harbor can wait.

Mr. CARTER. I presume it is in a very fair condition.

"Improving Rock Hall Harbor, Maryland." I presume that is not a matter of pressing necessity.

"Improving harbor at Keyport, N. J."—probably an important matter, but only $5,000 are allowed for that, and it will practically keep until the fall or winter or next year.

"Improving the harbor at Erie, Pa."

That is quite an important center of trade, but still it was thought proper to materially reduce that item. I presume that the commerce of Erie will continue during the summer just as well without this improvement as with it.

Mr. WELLINGTON. Will the Senator yield to me to make a motion?

Mr. NELSON. I call for the regular order, Mr. President.

Mr. WELLINGTON. It is a motion that is in order.

Mr. NELSON. Regular order, Mr. President.

Mr. WELLINGTON. I question the presence of a quorum, and demand a roll call. That passes the regular order.

The PRESIDING OFFICER. The Senator from Maryland has not addressed the Chair, and has not been recognized.

Mr. NELSON. The regular order is the Senator from Montana [Mr. CARTER].

Mr. WELLINGTON. Mr. President, allow me; did I fail to address the Chair?

The PRESIDING OFFICER. The Senator failed to address the Chair.

Mr. WELLINGTON. Mr. President——

The PRESIDING OFFICER. The Senator from Maryland.

Mr. WELLINGTON. I question the presence of a quorum, and ask for a roll call, Mr. President.

The PRESIDING OFFICER. The absence of a quorum being suggested, the Secretary will call the roll.

The Secretary (at 8 o'clock and 10 minutes a. m., March 4) called the roll; and the following Senators answered to their names:

Butler,	Frye,	McBride,	Sullivan,
Carter,	Gallinger,	Mason,	Taliaferro,
Clapp,	Harris,	Nelson,	Thurston,
Clark,	Hawley,	Perkins,	Turner,
Culberson,	Heitfeld.	Pettigrew,	Warren,
Daniel,	Jones, Ark.	Scott,	Wellington.
Fairbanks,	Kean,	Shoup,	
Foster,	Lindsay,	Stewart,	

The PRESIDING OFFICER. Thirty Senators have answered to their names—not a quorum.

Mr. FRYE (Mr. KEAN in the chair). I move that the Sergeant-at-Arms be directed to request the attendance of absent Senators.

The PRESIDING OFFICER. The Senator from Maine moves that the Sergeant-at-Arms be directed to request the attendance of absent Senators. The question is on that motion.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant-at-Arms will execute the order of the Senate.

At 8 o'clock and 14 minutes a. m. Mr. COCKRELL entered the Chamber and responded to his name.

At 8 o'clock and 15 minutes a. m. Mr. SIMON entered the Chamber and responded to his name.

At 8 o'clock and 20 minutes a. m. Mr. BERRY entered the Chamber and responded to his name.

At 8 o'clock and 21 minutes a. m. Mr. MARTIN entered the Chamber and responded to his name.

At 8 o'clock and 44 minutes a. m. Mr. DEBOE entered the Chamber and answered to his name.

At 8 o'clock and 45 minutes a. m. Mr. CLAY entered the Chamber and answered to his name.

At 8 o'clock and 47 minutes a. m. Mr. CHILTON entered the Chamber and answered to his name.

At 8 o'clock and 49 minutes a. m. Mr. BARD entered the Chamber and answered to his name.

At 8 o'clock and 51 minutes a. m. Mr. CHANDLER entered the Chamber and answered to his name.

At 8 o'clock and 55 minutes a. m. Mr. PRITCHARD entered the Chamber and answered to his name.

Mr. PETTIGREW (at 8 o'clock and 56 minutes a. m.). I move that the Senate do now adjourn.

Mr. CARTER. I hope the Senator from South Dakota will not insist upon that motion.

The PRESIDING OFFICER (Mr. GALLINGER in the chair). The question is on agreeing to the motion of the Senator from South Dakota that the Senate adjourn.

The motion was rejected.

At 9 o'clock Mr. MCCUMBER entered the Chamber and answered to his name.

At 9 o'clock and 5 minutes Mr. HANSBROUGH entered the Chamber and answered to his name.

At 9 o'clock and 8 minutes Mr. PLATT of New York entered the Chamber and answered to his name.

At 9 o'clock and 10 minutes Mr. BATE entered the Chamber and answered to his name.

At 9 o'clock and 15 minutes Mr. TELLER entered the Chamber and answered to his name.

The PRESIDING OFFICER (Mr. KEAN in the chair). Forty-five Senators have answered to their names. A quorum has responded.

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 report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14018) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1902, and for other purposes.

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. 636) for the relief of St. John's Lodge Free and Accepted Masons, No. 3, of Newbern, N. C.;

A bill (H. R. 9829) to provide for celebrating the one-hundredth anniversary of the purchase of the Louisiana territory by the United States by holding an international exhibition of arts, industries, manufactures, and the products of the soil, mines, forest, and sea in the city of St. Louis, in the State of Missouri;

A bill (H. R. 9835) to establish a code of laws for the District of Columbia; and

A bill (H. R. 14018) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1902, and for other purposes.

RIVER AND HARBOR APPROPRIATION BILL.

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to 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.

Mr. CARTER. Mr. President——

Mr. WELLINGTON. I ask the Senator if he will allow me to move that the Senate take a recess until 10.30.

Mr. CARTER. I yield for that purpose.

The PRESIDING OFFICER (Mr. KEAN in the chair.) The Senator from Maryland moves that the Senate take a recess until 10.30.

Mr. BERRY. Mr. President, I call for a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

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

Allison,	Clay,	Kean,	Shoup,
Bard,	Cockrell,	Martin,	Simon,
Bate,	Fairbanks,	Mason,	Stewart,
Berry,	Foster,	Pettigrew,	Taliaferro,
Butler,	Frye,	Pettus,	Teller,
Carter,	Gallinger,	Platt, Conn.	Turner,
Chilton,	Harris,	Platt, N. Y.	Wellington.
Clapp,	Hawley,	Pritchard,	
Clark,	Jones, Ark.,	Scott,	

The PRESIDING OFFICER. Thirty-four Senators have answered to their names. There is not a quorum present.

Mr. JONES of Arkansas. I move that the Sergeant-at-Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant-at-Arms will carry out the order of the Senate.

Mr. CHANDLER, Mr. QUAY, Mr. KYLE, Mr. HALE, Mr. MALLORY, Mr. WARREN, Mr. PERKINS, Mr. SULLIVAN, Mr. DEBOE, Mr. FORAKER, and Mr. NELSON subsequently entered the Chamber and answered to their names.

The PRESIDENT pro tempore. Forty-five Senators have responded to their names. There is a quorum present.

Mr. CARTER. Mr. President, in the course of the remarks which I have had the honor to make to the Senate during the last few hours, I have found it necessary, in order to elucidate the nature of my objections to this bill, to quote from the text of the bill at some length, and likewise from the report of the committee which accompanies the bill, to the end that there may not be any basis for suspicion, even, that points of particular weakness have been taken out for appropriation.

Mr. PETTIGREW. Will the Senator yield to me to make a motion for a recess until 11 o'clock?

Mr. CARTER. I yield to the Senator.

Mr. PETTIGREW. I move that the Senate take a recess until 11 o'clock. It seems to me it is nonsense to go on with this discussion.

The PRESIDENT pro tempore. The Senator from South Dakota moves that the Senate take a recess until 11 o'clock. The question is on that motion.

The motion was rejected.

Mr. CARTER. I am gratified that the Senate has refused to take a recess at this moment, for the reason that I desire to complete the statement I was proceeding to make at the time the Senator from South Dakota made the motion for a recess.

Mr. TELLER. If the Senator will speak a little louder, we would get more benefit from his speech.

Mr. CARTER. I will speak louder as I warm up to the text. [Laughter.]

To the end that there may be no basis whatever for charge or suspicion that the quotations made from the bill and the report of the committee, which accompanies it, I deem it proper at this time to insert the full text of the bill, and likewise the report which accompanies it, to the end that the country may know the precise text of the bill and the causes urged in the report for its passage. To that end, not wishing to weary the secretaries nor to annoy the Senate with any direct request, I will proceed to read the bill, Mr. President:

An act (H. R. 13189) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums of money be, and are hereby, appropriated, to be paid out of any money in the Treasury not otherwise appropriated, to be immediately available, and to be expended under the direction of the Secretary of War and the supervision of the Chief of Engineers, for the construction, completion, repair, and preservation of the public works hereinafter named:

For construction of breakwater from Mount Desert to Porcupine Island, Maine: Continuing improvement, $12,500—

As amended by the Senate it reads, "$25,000"——

Mr. CHANDLER. Mr. President, is the Senator from Montana entitled to read this bill without making comments upon it? He has undoubtedly the right to read it and comment upon it, but has he the right to take a bill of that size and read it, and, while reading, say nothing?

Mr. CARTER. I shall be glad to enlighten the Senate upon some of the provisions of this bill between the lines. I have no desire to read the bill, but would prefer to insert it as a part of my remarks. I think it is important that the country should know what this bill is. I know there is very little hearty support for the measure in this body. I know that if it should be passed upon—as other bills are passed upon—on its actual merits, the bill would receive a very meager vote in this Senate; but it has fallen to my lot to oppose the bill during the night, and I have quoted sufficiently from it to, I think, convince those who may read the RECORD that the bill should not pass, because it is inherently lacking in the merit entitling it to the favorable action or consideration of the Senate.

But with reference to the observation of the Senator from New Hampshire [Mr. CHANDLER], I do not wish to consume the time of the Senate in commenting upon the bill during the reading.

Here, Mr. President, we have, beginning on line 5, page 2:

Improving harbor at Camden, Me.: Completing improvement of outer harbor in accordance with the report submitted in House Document No. 263, Fifty-sixth Congress, first session, $7,500.

I presume that is a meritorious appropriation. The next is—

Improving Bucksport Harbor, Maine, in accordance with the project submitted in House Document No. 275, Fifty-sixth Congress, first session, completing improvement, $20,000.

I presume that is a meritorious appropriation.

Improving harbor at Isle of Shoals, Maine: For completing improvement in accordance with the report submitted in House Document No. 255, Fifty-sixth Congress, first session, $30,000.

It would be interesting to read the report in that connection.

Improving harbor of refuge at Little Harbor, New Hampshire: Completing improvement, $13,000.

Improving harbor at Burlington, Vt.: For the immediate renewal and repair of the existing breakwater, $57,750.

Improving harbor at Newburyport, Mass.: Continuing improvement, $30,000.

While each one of these appropriations may have merit, I insist that they will not suffer sufficiently during the few months remaining of this summer after June 30, to warrant the Senate in passing them with the enormous weight of improvident legislation associated with them in the bill.

Improving harbor at Rockport, Mass.

Improving harbor at Gloucester, Mass.

Sums are appropriated in the first instance of $22,481.80, and in the second instance, that at Gloucester, $75,000.

These points are points of shipment for large quantities of granite. It is important that there should be good harbor facilities there, and it is not likely that any special or serious accident will occur at that place or either of these places to seriously retard the development of the continuation of commerce in the harbor. Nothing that has happened will prevent the coming and going of vessels after June 30 precisely as before June 30.

These items illustrate my contention that there is no present necessity for the passage of this bill, and that the bill should not pass, because it has not been considered as it should be considered.

Mr. ALLISON. Will the Senator yield to me that I may offer a resolution which it is necessary to pass?

The PRESIDENT pro tempore. Does the Senator from Montana yield to the Senator from Iowa?

Mr. CARTER. Certainly.

STANDING AND SELECT COMMITTEES.

Mr. ALLISON. I offer the resolution which I send to the desk, and ask unanimous consent for its immediate consideration.

The PRESIDENT pro tempore. The resolution will be read.

The Secretary read as follows:

Resolved, That the standing and select committees of the Senate, as constituted at the end of this session, be, and they are hereby, continued until the next regular session of Congress, or until their successors are elected.

The resolution was considered by unanimous consent, and agreed to.

CUSTOMS OF CONFERENCE COMMITTEES.

Mr. ALLISON. I desire to present, from the Committee on Appropriations, a statement respecting the customs of conference committees, in response to a resolution passed at the last session. I ask that it may be printed as a document.

The PRESIDENT pro tempore. It will be printed as a document, if there be no objection.

Mr. CARTER. I ask that the document be read for the information of the Senate. I should like to hear it. I understand it is a statement giving the amounts of appropriations at this session. It is an important paper, and it should be read.

Mr. ALLISON. I will say to the Senator that it is not a statement of appropriations, but it is a statement in conformity to a resolution which was adopted on the motion of the senior Senator from Massachusetts [Mr. HOAR] respecting the usual customs of conference committees of the two Houses. Perhaps it will be more fully explained if we add another chapter to it. The statement was prepared some months ago.

Mr. PETTIGREW. Let the statement be read, Mr. President.

Mr. CHANDLER. It is impossible to hear the statement of the Senator from Iowa [Mr. ALLISON], so as to know what the document is.

Mr. ALDRICH. Let it be read.

Mr. CHANDLER. Yes; let it be read.

The PRESIDENT pro tempore. It is impossible to have order with the galleries being occupied as they are at present.

Mr. ALLISON. Mr. President, at the last session of the Senate the senior Senator from Massachusetts [Mr. HOAR] offered a resolution asking the Committee on Appropriations to make inquiry respecting the customs of conference committees. The statement I present is in response to that resolution, and has been prepared by the clerk of the Committee on Appropriations. I only ask that it may be filed and printed as a document.

The PRESIDENT pro tempore. The statement will be printed as a document, if there be no objection.

Mr. PETTIGREW. I object, unless it is read, so that we may know what it contains.

Mr. ALLISON. Well, Mr. President, I will withdraw the statement for the present.

The PRESIDENT pro tempore. The Senator from Iowa withdraws the statement.

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 amendments of the Senate to the bill (H. R. 11830) for the relief of the devisees of Casper Barber and their assigns from the operation of the act restricting the ownership of real estate in the District of Columbia to American citizens.

The message also announced that the House had passed the bill (S. 5715) granting a charter to the General Federation of Women's Clubs.

ENROLLED BILLS SIGNED.

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

A bill (S. 5943) to establish Lowelltown, Me., a subport of entry;

A bill (S. 5715) granting a charter to the General Federation of Women's Clubs; and

A bill (H. R. 11830) for the relief of the devisees of Casper Barber and their assigns from the operation of the act restricting the ownership of real estate in the District of Columbia to American citizens.

MEMORIAL.

Mr. KYLE presented the following joint resolution of the legislature of South Dakota; which was ordered to lie on the table, and to be printed in the RECORD:

STATE OF SOUTH DAKOTA, DEPARTMENT OF STATE.

UNITED STATES OF AMERICA,
State of South Dakota, Secretary's Office:

I, O. C. Berg, secretary of state of the State of South Dakota, do hereby certify that the attached instrument of writing is a true and correct copy of joint resolution No. 6, as passed by the seventh legislative assembly of South Dakota, as the same appears of record in this office and of the whole thereof.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of South Dakota. Done at the city of Pierre this 27th day of February, 1901.

[SEAL.] O. C. BERG, *Secretary of State.*

House joint resolution No. 6.—A joint resolution and memorial requesting the Congress of the United States to treat with the Indians for the cession and opening for white settlement and free homestead entry all that portion of the Rosebud Indian Reservation lying within the boundaries of Gregory County, S. Dak.

Be it resolved by the house of representatives of the legislature of South Dakota (the Senate concurring):

Whereas there is in the organized portion of Gregory County, S. Dak., about six Congressional townships, said tract being too small in area, population, and assessed valuation to successfully maintain a county government without causing such government to become unduly burdensome; and

Whereas there is also within the boundaries of said Gregory County, S. Dak., about 23 Congressional townships of agricultural land which forms a part of the Rosebud Indian Reservation, and upon which are living a few Indians who have all taken their allotments in severalty; and

Whereas it is understood that the Indians are willing for a reasonable compensation to cede all that portion of the reservation herein mentioned to the Government; and

Whereas the ceding of said portion of the reservation to the Government would still leave a sufficiently large and suitable territory to meet all the requirements of an Indian reservation, while at the same time the ceding and opening to white settlers of all that portion of said reservation above referred to would add to the productive farming land of the State, enlarge the area of Gregory County to a proper and desirable size, and greatly lessen the expense of maintaining the government of said county: Therefore, be it

Resolved, That we respectfully petition and memorialize the Congress of the United States to treat with the Indians at the earliest practicable date for the cession of all that portion of the Rosebud Indian Reservation lying within the boundaries of Gregory County, S. Dak., and that said tract be open to free homestead entry by white settlers; and be it further

Resolved, That we hereby request our Senators and Representatives in Congress to use their best efforts to effect the object prayed for in this memorial; and the secretary of state is hereby instructed to forward copies of this memorial to our Senators and Representatives in Congress.

RIVER AND HARBOR BILL.

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to 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.

Mr. CARTER. Mr. President, this bill, which I have proceeded to read and will finish reading if the time is sufficient, merits opposition, as I have stated, from every Senator who believes in scrutinizing with jealous care all appropriations of public money.

I regret, indeed, that through the hours of the night the voices of the Senators on the opposite side of this Chamber have not been heard to remonstrate against the passage of this bill. I listened here some time ago to a long-continued and spirited debate,

confined to a few able Senators, upon a bill which became known on that side of the Chamber as the subsidy bill. That bill was intended by those who framed it to provide for the reestablishment of the American merchant marine. The principle involved in the bill had been for a long time an elementary principle of Republican faith. The principle embodied in that bill had been favorably commented upon or ratified and reratified in the national platforms of the Republican party for a long, long time.

It was known everywhere that the Republican party intended, when placed in power, to pass a law granting a reasonable bounty upon tonnage for the purpose of developing the ocean steamships floating the American flag. The principle was not new. The people had passed upon it. Since 1889 a bill substantially the same as the bill recently presented in this body has been urged, persistently urged, by the Republican party. The well-known party position upon this question and the persistent efforts to crystallize that principle of party faith into the law were such that the opposition in the Chamber was not taken by surprise when the bill was presented.

Ample time was taken for debate. Every provision of the bill was gone over with the utmost care. Just criticism led to appropriate amendments, and finally the bill was prepared for passage. Apparently every Senator in the Chamber who desired to speak to the merits had spoken. The burden of the song of the opposition was that that bill, which would tend to uplift the American merchant marine, which would send our commerce over the seas under our flag, could not be favorably entertained by the opposition because it carried $9,000,000 per year out of the Treasury of the United States.

Mr. WELLINGTON. Will the Senator from Montana allow me a question at this point?

Mr. CARTER. I shall be glad to hear the Senator from Maryland.

Mr. WELLINGTON. Is it not true that not only was there a silent opposition to the subsidy bill in this Chamber, but that throughout the country Republican newspapers and prominent Republicans rose up against it? I hold in my hand a pamphlet which is devoted to the ship-subsidy bill. In it I find an extract from the Indianapolis Journal, a good Republican newspaper, I believe, in opposition to that bill. I find that the Dubuque (Iowa) Times, in an issue of December, is opposed to the ship-subsidy bill; I find that the Chicago Tribune, in December, 1900, was opposed to the ship-subsidy bill; I find that the Portland Oregonian was opposed to the ship-subsidy bill; I find that the New York Press was opposed to it; I find that the Chicago Times-Herald was opposed to it; I find also that the New York Evening Post was opposed to it, and in it there is an interview by Phillips, of Pennsylvania, which is in itself a complete denunciation of the bill.

Mr. CHANDLER. Will the Senator from Maryland allow me to ask him a question? Did the fact that these newspapers, Republican newspapers, if they were, were opposed to the ship-subsidy bill justify filibustering upon this floor in order to defeat it, because that is the question?

Mr. WELLINGTON. That may be the question, and I take pleasure in answering the Senator from New Hampshire. I believe there are times when anything that can legally be done under the rules is right to be done to defeat a vicious measure, and it ought to be done. I have tried to answer the question of the Senator from New Hampshire.

I desire, Mr. President, if the Senator from Montana will permit, to read some of these extracts. For instance, the Indianapolis Journal, of December, 1900, said this:

[From the Indianapolis Journal, December, 1900.]

THE PEOPLE OPPOSED TO SUBSIDIES.

Not only is there no popular demand for a subsidy measure, but there is no reason to believe that it would benefit any person outside of those engaged in building and running ships, and of these classes it would benefit only those who least need it—the large builders and ocean liners, and not small ones.

Congressmen must not mistake the atmosphere of Washington for that of the country at large, or the clamor of a few shipbuilders and owners and their lobby for the voice of the people. Let Republican members go back to the platform of 1896, which demanded the upbuilding of our merchant marine and carrying trade by other methods than a money subsidy.

I wish to read in addition to that, if the Senator from Montana will permit, from the Dubuque Times, and I do this because if there is an ultra Republican State in the Union, it is the State of Iowa, and this, I believe, is one of the leading newspapers of the State of Iowa. It is published in Dubuque, the home, I believe, of the distinguished chairman of the Committee on Appropriations. The Dubuque Times in December, 1900, said:

[From the Dubuque (Iowa) Times, December, 1900.]

SHIP SUBSIDY BILL.

The ship-subsidy proposition is less popular than the tariff, for at least two reasons. One is that nobody can be induced to believe that the foreigner pays the freight, when the bill itself expressly provides that it shall be paid out of the national Treasury in cold cash. The other is that the word "subsidy" has an unpleasant sound, suggestive of the Credit Mobilier and land grants for railroads that were never built.

The subject is one little understood by the people; and even if the subsidy principle be conceded, only those familiar with the condition of the shipbuilding industry and the condition and needs of the merchant marine can undertake to say whether the pending bill has been framed on the lines best calculated to increase this nation's importance in the carrying trade at the minimum of cost to the Treasury. There are conflicting interests in the trade, some being interested in one class of vessels and some in another, and each desiring a bill in its own interest.

If the pending measure becomes a law it will be heard from in the next campaign. No inconsiderable part of President McKinley's support in the recent election came from those to whom the subsidy idea is extremely distasteful.

[From the Chicago Tribune, December, 1900.]

SUBSIDY SCHEME NOT VOTED ON IN NOVEMBER.

Discussing President James J. Hill's intensely interesting prophecies of what the merchant marine of the nation is approaching in development, the Chicago Tribune editorially says:

"It was not understood when the spellbinders were urging the people of the Northwest to vote in favor of the reelection of President McKinley that one of the first items on the Senatorial programme when Congress met would be the passage of a 'shipping-subsidy' bill which contemplates annual expenditure for thirty years for the special benefit of a number of rich men residing in Eastern cities. There is nothing whatever in this adroit resolution (the shipping plank of the Republican national platform of 1900) about 'subsidies.' The word 'subsidies' was carefully omitted from the platform.

"Nor was anything said during the campaign in regard to the extension of our merchant marine by a scheme of public expenditure continuing for a generation. Nobody can recall an instance of a public meeting at which the shipping-subsidy bill was made the subject of fair, candid argument or any argument at all; nor were the claims to public aid of the persons interested in such legislation ever explicitly set forth. * * * The Republican party should not be in favor of one set of measures prior to November 6 and in favor of an entirely different kind of measures subsequent to November 6."

[From the Portland Oregonian, December, 1900.]

FACTS AGAINST THE SUBSIDY.

By the time Congress is again in session conditions will be much less favorable for the passage of a shipping-subsidy bill than ever before. Every shipyard of importance in the country is running to its fullest capacity, and many new ones have come into existence, with some of the old doubling and trebling their facilities for turning out vessels. Contracts for mercantile craft alone on the Atlantic and Pacific coasts amount to $30,000,000, and it is now almost a certainty that more new tonnage will go into the water under the American flag in 1901 than in any previous year in the history of the country.

The fact that America is building ships for foreign governments, which have had the world for a market in which to buy their ships, shows plainly that there is an advantage in our favor on the first cost of the ship. The fact that building and sailing American ships in competition with the fleets of the world has enabled a few Americans to pile up colossal fortunes shows that we can operate the ships as cheaply as the foreigners can operate their craft.

Of the grain ships en route to Portland at the present time 25 fly the German flag, while Great Britain, for the first time in the history of the port, has dropped back to second place, with but 23 ships.

Over two-thirds of these German ships were built and owned by the British until a short time ago. As a matter of fact, half of them have passed from the British to the German flag within the past three years. No subsidy was asked or needed when Germany decided to increase her merchant marine; but she said to her subjects: "Go forth into the markets of the world and buy ships wherever you can buy them the cheapest." If American capital could have secured the same permission from our Government, all of these ships which Great Britain supplanted with steamers would not now be flying the German flag.

[From the New York Press, December 15, 1900.]

THE SHIP-SUBSIDY JONAHS.

In justifying the distribution of this grant under the proposed law the champions of the bill can employ something more of talent and energy than they have yet displayed. They have greatly improved their law since its first introduction, when, in the language of Mr. Hill, of railroad and Pacific trade fame, it gave three-quarters of the annual $9,000,000 to "nine gentlemen, all my good friends," the owners of the International Navigation Company or American Line. But, though the bill has been bettered since then, there is too much of the "nine gentlemen" in it yet.

As a matter of fact, the subsidizing of fast mail boats, a proper object in itself—if they are really fast—does not rightly come within the purview of this measure. Its preamble states its purpose as a response to a demand made by the "profitable employment of the surplus productive power of the farms, factories, mines, forests, and fisheries of the United States for the increase of its foreign commerce." The "nine gentlemen" of the American Line are engaged in an entirely legitimate business. They are carrying American mails, and they ought to be paid so that they can carry them in American *Deutschlands* and *Oceanics*, instead of sticking to little, slow old *Parises* and *New Yorks*.

They should not be let off again with the building of *St. Pauls* and *St. Louises*, but compelled to the construction of vessels which the Post-Office would select with the sole eye which it is bound to have to celerity of service. The increase of the mail subsidy to 21-knot vessels when 23 knots is the typical speed of the fast mail boat of the day is a farce, not to call it something harsher, upon its face. But, whatever it is, let the Government deal with it separately upon its merits and not muddle it up with a measure designed to freight the surplus products of American "farms, mines, forests, and factories" which these vessels, having no cargo space for grain, coal, lumber, and locomotives, never carry.

With this separation the bill would be without logical opposition in Congress or the country, and we fail to see why it should lose the votes of the many Senators and Representatives whom the American Line has been carrying to Europe and back every summer for the last ten years in anticipation of this particular roll call. It may be true of our Government, as Hamilton said of the English, that it can not be worked without bribery, but there is no reason why the measures and men which require bribery should be mixed up with those which do not. There is no reason why a shady scheme to make some slow, old boats of a native line pay dividends which under the competition of their alert foreign rivals they can not earn even with their present grant should smirch a clean legislative project to facilitate the entrance of American capital into the ocean carriage of American products.

If it is necessary, let the leeches and their lobbyists take their $7,500,000 and go off in a corner with it. Then let the other $7,500,000 be employed in encouraging the construction of as great a number as may be of slow cargo boats—12 knots is good, but 9 is better—which shall reclaim the freightage of the 90 per cent of American exports which now floats in foreign bottoms. This, with the involved salvage of at least $100,000,000 a year, is the great purpose of the measure under discussion. It can never be served, but rather will it be thwarted, and above all will it be gravely clouded as long as it is

coupled with another and palpably suspicious proposal to increase the mail pay of a steamship line which has ceased to compete in fast mail service and wants to be rewarded for so doing. Through the very dissimilarity of their purposes and objects the "nine gentlemen" of the American line are the Jonahs of the ship-subsidy bill.

I desire to read an editorial from the Chicago Times-Herald, published in Chicago December 15, 1900:

[From the Chicago Times-Herald, December 15, 1900.]

THE WEST AGAINST THE SHIP-SUBSIDY BILL.

Senator HANNA'S speech in favor of the ship-subsidy bill Thursday was the most effective presentation of his side of the proposition that has yet been heard in the Senate. It appealed to the only consideration that renders the proposal to spend $9,000,000 a year in the attempt to build up the American merchant marine tolerable to the American people—natural pride and natural business instincts. In his own words, it was an "appeal to the American people for the reestablishment of the great shipbuilding industry."

"I want," said he, "to put it on higher grounds than mere dollars and cents. It is away and beyond that point in patriotism and pride in our national life. As to the popularity or unpopularity of this measure, I stand here to say that every line of it is in the interest of the American people. Upon that basis I make my appeal."

There is no room to question Senator HANNA'S sincerity and mastery of his subject. His own connection with the shipping industry of the Great Lakes for the past forty years has given him a familiarity with the details and development of the business that served to make his speech a revelation of accurate knowledge and experience to his fellow-Senators.

But, unfortunately for his main argument, that knowledge and experience was gained under conditions altogether different from those that prevail on the ocean. Nature has given to the United States a practical monopoly of the carrying trade of the Great Lakes. We have the coast line, the commerce, the ports, and the cash. All we have had to do was to build the ships. What competition there is has been all among ourselves. Canada has not had the ports, the incentive, nor the means to compete with us.

On the lakes the natural laws of supply and demand have been with us, on the ocean they are against us. While they favored us our shipbuilding industry flourished and our flag floated on every sea and in every port. When, with changing conditions, those same laws were against us, our ships and flag gradually vanished from the foreign carrying trade of the world.

HANNA ANSWERED BY FRYE.

It was Senator HANNA'S misfortune to follow Senator FRYE'S exhaustive two days' effort on the same side of the question, whose speech affords all the ammunition that the opponents of the ship-subsidy bill need for answer to the appeals of the Ohio Senator. For instance, Mr. HANNA asks:

"Why should we not put some of our idle capital into the building of ships and sailing them for the benefit of our producers and manufacturers?"

Senator FRYE afforded the explanation when he said: "Our ships, costing 25 per cent more than those of England and Germany, with operating charges at least 40 per cent greater by reason of higher wages and better living, unprotected, are compelled to compete with those protected."

The use of the terms "protected" and "unprotected" here is a clever avoidance of the words "subsidized" and "unsubsidized," which are obnoxious to the American ear. But by whatever term it may be described, it cuts a very insignificant figure in diverting the carrying trade of the world from channels into which it has fallen through natural causes.

According to Senator FRYE the following amounts were paid by the nations named annually to encourage their respective merchant marine:

Country.	Year.	Amount.
Great Britain	1899	$5,857,525
Germany	1899	1,894,620
France	1899	7,632,242
Italy	1899	2,185,266
Russia	1899	1,371,187
Austria	1899	1,724,249
Spain	1896	1,629,927
Netherlands	1898	259,971
Norway	1899	136,943
Sweden	1898	31,844
Denmark	1899	82,455
Japan	1899	3,492,107

NOTE.—These figures include mail subsidies and construction, navigation and fishing bounties. In 1899 the United States paid $968,211 in mail subsidies.

In order to show what an insignificant part "protection," "bounties," "subsidies," or whatever you choose to call it, plays in the building up of a merchant marine, it is instructive to glance at the following statement of the merchant navies in 1850 and 1898 of some of the nations mentioned by Senator FRYE:

Country.	1850, tonnage.	1898, tonnage.
British	4,232,962	13,988,508
German		2,453,334
French	688,153	1,242,091
Italian (1870)	1,012,164	875,851
Austro-Hungarian (1870)	329,377	380,414
Dutch	292,576	455,609
Norwegian	298,315	1,694,230
Swedish (1870)	346,862	605,991
Danish (1870)	178,646	511,958

These two tables taken together prove that the enormous subsidies paid by France have been ineffectual to retain her proportion of the carrying trade of the world, while the merchant marine of Norway, Sweden, and Denmark, with insignificant government aid, have moved up until combined it occupies a second place to that of Great Britain.

What is the explanation of this? Senator FRYE in a single sentence furnishes the only true and incontrovertible solution, to wit: "The Norwegian ships can beat the world to-day in cheapness of carrying." If the operating charges of American ships are at least 40 per cent greater than those of English and German ships, what show have they to compete with Norwegian ships, which cost 25 per cent less than ours and can be operated cheaper than those of England or Germany or any other nation?

But Senator FRYE is also authority for the statement that the effect of American competition, when subsidized, on the carrying trade of the world would be to reduce freight rates 25 per cent, and that "on the Atlantic ships are carrying, or two years ago were carrying, as low as they could profitably."

He also said "It has been utterly impossible for an American citizen under existing conditions to invest his money in American ships to engage in the foreign carrying trade." In short, investment in American ships is not profitable under natural conditions with normal freight rates, and yet Mr. FRYE would have us attempt to make it profitable by taking $9,000,000 a year out of the Treasury to foster a competition that would have the immediate effect to reduce the present unprofitable freight rates "at least 25 per cent."

If the Senator will permit me to conclude, the Times-Herald further says:

This is so preposterous a proposition that it is a conclusive reply to the strong appeal of Senator HANNA for some legislation that will restore our merchant marine on the ocean. * * *

In the matter of voting money for building a Navy the West, which has not an inch of coast to protect, has proved its national spirit by supporting every appropriation asked. It is not affrighted by the word "subsidy," but it balks over a proposition to take money from the National Treasury to render the conditions of a self-supporting merchant marine more unprofitable than ever.

If the ships of other nations, in a competition open to all, can carry our exports and imports more cheaply than we can ourselves, let them play the rôle of hod carriers at the wages of hod carriers.

If what we pay to other nations for carrying our freight enables them to buy our products and manufactures, they are welcome to it so long as we have more profitable employment for our capital, brains, and industry.

I desire to read an interview, or part of an interview, by Thomas W. Phillips, formerly a Representative in Congress from the Twenty-fifth district of Pennsylvania, a member of the Industrial Commission, and a business man of note, who has the courage of his convictions, as is shown by the comments made to the correspondent of the New York Evening Post:

[From the New York Evening Post of December 18, 1900.]

WASHINGTON, *December 18.*

Good Republican testimony to the iniquity of the ship-subsidy bill is not so scarce as one would suppose, though for reasons of party discipline it is often hard to get Republicans of high standing to repeat in public what they freely say in private conversation. Thomas W. Phillips, however, formerly a Representative in Congress from the Twenty-fifth district of Pennsylvania, member of the Industrial Commission, and a business man of note, has the courage of his convictions, as is shown by these comments made to your correspondent:

"The supporters of the ship-subsidy bill, in Senate report No. 473, explain its introduction by saying that we need more American vessels engaged in foreign trade. They cite the fact of a great decline in American shipping and give as the reason therefor, first, that the cost of construction is greater in the United States than in Great Britain or Germany; second, that the cost of operating vessels under the American flag is greater than under foreign flags; and as a third reason they cite causes based on foreign legislative encouragement.

COST OF BUILDING AND OPERATING STEAMSHIPS.

"They then propose as a remedy this bill, giving a subsidy of $9,000,000 annually for twenty years to American shipowners under very peculiar and astonishing conditions. To show that these claims are incorrect one need only remember that one of the principal items in the cost of construction of steel ships is the steel plates of which the whole ship except her machinery and rigging is built. According to the last report of the Commissioner of Navigation the price of steel ship plates in the United States in September last was $24.64 per ton and in Great Britain $38.88 per ton, so that the principal material used in the construction of a ship was over one-third cheaper in the United States than in Great Britain.

"Another great item in the cost of building a steamship is her machinery. It is a fact well known and conceded to-day that American machinery is now made better and sold cheaper in all the markets of the world than the corresponding product of other nations. Therefore, both in ship plates and in machinery, America is now able to compete with the world. The rate of wages is somewhat higher in American shipyards than in British, it is true, yet it is admitted that American workmen with American machinery turn out a much greater product per man than foreign workmen. Add to this the fact that American workmen in this industry generally work one hour per day longer than the British, and we then understand why shipbuilding experts like Mr. Cramp say that a steamship can now be built as cheap in America as in any country.

"Again, the cost of operating vessels under the American flag is practically no greater than under the British flag. Insurance is only 12 per cent higher here than in Europe, interest is the same, and there is less difference between British and American wages than between British and continental wages; yet Britain builds and sails more ships than all the rest of the world combined. Furthermore, under this bill American shipowners are specifically permitted to hire three-fourths, or even more, of their crews in foreign ports at as low wages as their foreign competitors.

SUBSIDIES ALREADY HIGH.

"The seagoing tonnage of the world in 1899 was 18,880,000 tons, and of the United States 810,000, giving 22½ times as much for the rest of the world as for the United States. As stated in the Senate report, American subsidy payments are $1,400,000 annually, and foreign subsidy payments $26,000,000 annually, showing that while foreign tonnage is 22½ times as great as American tonnage, foreign subsidies are only 18½ times as great, the United States already paying an average of about 20 per cent more than the rest of the world.

"If this bill becomes a law we shall be paying more than one-third of the world's subsidy, with less than one-twentieth of the tonnage. There is no assurance that our tonnage will be increased by this, for some of the nations which, like Norway, pay the smallest subsidies make the greatest increases in the growth of their shipping. We are now paying a greater subsidy per ton than other nations, and our shipping increases less rapidly. These facts show that shipping does not increase in proportion to subsidies, and dispose of the last of the three arguments made in behalf of the bill."

Mr. CARTER rose.

Mr. WELLINGTON. I do not want to intrude too long upon the Senator, but if he will permit me, I think it is interesting reading in connection with the ship-subsidy measure. I will continue:

STANDARD OIL STEAMSHIP TRUST IN PROSPECT.

But there is a fourth reason for the ardent support which this particular subsidy measure is receiving in certain quarters. It is a reason not set forth

in the bill itself or by its supporters, yet it is potent with the promoters of the measure, and one that should receive the careful consideration of American lawmakers before they vote. This unmentioned cause is the expectation that the bill will materially aid in the creation of a great ocean steamship trust.

One need only read the names of the men and corporations originating and advocating this bill in order to grasp the purpose which lies behind it. Here are some of them, as given in Senator FRYE'S speech on December 5: C. P. Huntington, railway magnate; Charles H. Cramp, shipbuilder; C. A. Griscom, president of the International Navigation Company, which is controlled by the Standard Oil Company and the Pennsylvania Railroad Company; Aaron Vanderbilt; Harvey Goulder and Frank J. Firth, of the Lake Carriers' Association, and a number of others of like connection. The House minority committee's report throws still further light on this feature of the case. It quotes from the Chicago Tribune to give an idea of the extent to which the prime movers of this subsidy bill are concerned in and backed by other trusts:

Among the officers of this so-called American Line Company are Clement A. Griscom, president, and W. H. Barnes, Alexander J. Cassatt, and W. E. Elkins, directors. That is not the only directory, however, of which these gentlemen are members. They are also directors of the Pennsylvania Company, and Cassatt is president of that company.

RECESS.

Mr. HANSBROUGH (at 10 o'clock and 30 minutes a. m., Monday, March 4). Mr. President, I move that the Senate take a recess for thirty minutes.

The motion was agreed to; and at the expiration of the recess (at 11 o'clock a. m.) the Senate reassembled.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on the 2d instant approved and signed the following acts:

S. 3283. An act for the relief of Isaac R. Dunkelberger;

S. 2936. An act authorizing the appointment of James A. Hutton to a captaincy of infantry in the United States Army;

S. 4387. An act for the relief of Richard H. Townley, a lieutenant (junior grade) on the retired list of the United States Navy;

S. 4509. An act extending to the city of Everett, Wash., a subport of entry, the privileges of the act approved June 10, 1880, governing the immediate transportation of dutiable merchandise;

S. 3670. An act authorizing and directing the Secretary of the Interior to issue a patent to the heir or heirs of one Tawamnoha, or Martha Crayon, conveying to them certain lands in the State of North Dakota, confirming certain conveyances thereof, and for other purposes;

S. 6048. An act to amend chapter 559 of the Revised Statutes of the United States, approved March 3, 1891;

S. 2866. An act to extend the provisions of section 8 of the act entitled "An act to repeal timber-culture laws, and for other purposes," approved March 3, 1891, concerning prosecutions for cutting timber on public lands in California, Oregon, and Washington;

S. 5715. An act granting a charter to the General Federation of Women's Clubs;

S. 5573. An act to amend section 203 of title 3 of the act entitled "An act making further provisions for a civil government for Alaska, and for other purposes;

S. 5943. An act to establish Lowelltown, Me., a subport of entry; and

S. 5484. An act to provide for subports of entry and delivery in the Territory of Hawaii.

RIVER AND HARBOR BILL.

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 13169) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. WELLINGTON. Mr. President, at the time of the recess I was engaged in reading. I will proceed.

John D. Archbold * * * and Henry H. Rogers are also directors of the International Navigation Company. The first named is a prominent director, and the last named director and vice-president of the Standard Oil Company. There is a concern known as the National Transit Company, which is a part of the Standard Oil trust and controls its oil-distributing business. Its relations with the Pennsylvania Company are exceedingly intimate. Among the directors of the National Transit Company are J. D. Archbold, H. H. Rogers, and Clement A. Griscom. The latter is the connecting link between the International Navigation Company, the Pennsylvania Railroad, and the Standard Oil Company.

Will the farmers, workingmen, and legitimate business men of the United States submit to be taxed $9,000,000 a year as a gift to aid such a coterie of distinguished trust magnates in their latest scheme to secure a monopoly of ocean transportation as well as on the land and on the lakes? This scheme would leave the farmers, miners, and manufacturers at the tender mercies of the new monopoly, just as the Standard Oil trust now controls the production and distribution of petroleum, where profits are governed only by greed.

As late as December 9 James J. Hill, president of the Great Northern Railroad, in a speech at Chicago, said that he had made some inquiries concerning the building of boats in this country and on the Clyde, and found that he could have them constructed here at a much lower figure than in Scotland.

THE FOREIGN-OWNERSHIP FRAUD.

This bill, as described by its authors, is "a bill to promote commerce," etc. The title is a misnomer. It should be called "a bill to destroy competition and create a world-wide transportation trust controlled by the millionaire monopolists of America." The conclusive evidence that this is what it is intended for is contained in the measure itself, and in the facts set forth in House and Senate reports. For example, the bill provides that the $9,000,000 subsidy per year shall be distributed among vessels owned and built in the United States, and among such foreign-built steamships as were on the 1st of January, 1900, engaged in foreign commerce and owned and contracted for by American citizens or American corporations or by foreign corporations of which the majority of the stock is owned by American capitalists.

This provision is a palpable act of favoritism in the interest of those privileged individuals or corporations who for a considerable time prior to January 1, 1900, had the exclusive information that this provision was to be inserted in the law. This section, together with other features of the bill which make it necessary for a new ship to be built within five years in order to get the full benefit of the subsidy, gives those capitalists who possess "inside information" in advance an opportunity not only to make their contracts for foreign-built ships previous to January 1, 1900, but also to make contracts with American shipyards so as to monopolize the capacity of the yards during practically the full period of five years. Of both these opportunities they may have availed themselves, thus shutting out all other Americans from either having their foreign-built ships registered or getting their home-built ships constructed in time to take advantage of the benefits of the subsidy.

With this bill enacted into law, and contracts already made securing to them annually a gift of $9,000,000 of the people's money taken in taxes, they will be in a position to complete the organization of their ocean-ship trust and to use the subsidy as a weapon to exterminate all competitors. That they will do this can not be reasonably doubted, when it is known that the men behind the job are the Standard Oil officers and their associates, who have largely destroyed free competition in transportation, both in the oil trade and in other industries in the United States, through large discriminations. They also heavily dominate the transportation franchises of the great cities.

GIVES AUTOCRATIC POWERS TO SECRETARY OF TREASURY.

Another danger involved in the bill is the autocratic power which it vests in a single Government officer—the Secretary of the Treasury—to decide questions and controversies arising under its operation, thus making him judge, jury, and executioner. The far-reaching effect of this power and the other features of the proposed law is seen in the fact that the operations of the shipowners under it will be in the nature of contracts with the Government, which the bill specifically provides can not be abrogated for ten or twenty years. Its supporters say that under such a law ocean freights would be lowered, but there is nothing in the bill exacting a pledge from the shipowners that they will reduce rates. They claim that all its benefits will go to the shippers and farmers, and not to the vessel owners. If this were true the shipowners would not be spending so much time to get the bill passed.

It may be important to observe, moreover, that there is nothing in the bill to prevent American owners of stock in the corporations benefited under this law from selling their stock to foreigners. The defenders of the bill are vigorously attacking other proposed plans of legislation to aid American shipping. It is not now a question of other plans, but is this plan good or bad? The subsidy plan is not made good by the fact that some other plan is bad. The bill affords opportunity for fraud by providing that a vessel can draw subsidy if her cargo space is sold or contracted for, even if no freight is carried.

The argument that the bill would aid in the export of agricultural products to the temperate zone in Asia is absurd, since the agricultural products of the temperate zone of Asia are already in competition with us in the world's markets.

SLOW VESSELS DISCRIMINATED AGAINST.

The bill discriminates against the sailing vessels and in favor of steam vessels, against small steamers and in favor of large ones owned by great corporations. It puts the sailing vessels and smaller steamers at the mercy of the big monopoly, which will get the bulk of the subsidy because of the excessive premium paid to the fast mail and passenger ships owned exclusively by the great corporations.

It is obviously designed that existing ships and those contracted for may absorb the whole of the $9,000,000 subsidy, leaving no inducement to build new ships. Tank steamers, which are numerous, are making large profits now, and will get a great part of the subsidy. They are nearly all owned by the Standard Oil Company.

There is no provision in the bill stipulating that American labor shall get any share of the subsidy, which, it is claimed, is to be paid out for the benefit of labor. Our highest duty commercially is to protect American citizens from discriminating laws and to prohibit monopoly.

Both parties voted for the anti-trust bill in the House, and denounced trusts in their national platforms this year, yet the anti-trust bill is now relegated to the rear and a bill creating one of the greatest of all trusts is urged to the front. Was this programme designed to fool some of the people before election, or all of the people after election?

Mr. President, before I take my seat I should like to ask the Senator from Montana if he will permit me to make one suggestion to him?

Mr. CARTER. Certainly.

Mr. WELLINGTON. Before I interrupted the Senator he was devoting his attention to a description of a river, the Trinity River, in Texas, I believe, a river that is 135 miles in length, and he gave us to understand that this river was to have $4,000,000 for its improvement.

I was struck by an idea in this connection. Do you know, sir, that 135 miles of railroad could be built of the very best rails that can be obtained in this country or in England, 80-pound rails, for $2,700,000 for all that length? Then why not let the river alone and take the railroad, which is the modern style of transportation, and especially when you can get it for half the money?

Mr. CARTER. Mr. President, the question of the Senator from Maryland became more extended than I anticipated when I yielded the floor for a question. [Laughter.]

Mr. WELLINGTON. I beg the Senator's pardon for having interrupted him at such length.

Mr. CARTER. I am gratified to know through that observation made by the Senator——

Mr. HOAR. I desire to ask the Senator to yield to me for a customary resolution.

Mr. CARTER. I will yield to the Senator.

NOTIFICATION TO THE PRESIDENT.

Mr. HOAR. I offer the resolution which I send to the desk, for which I ask immediate consideration.

The PRESIDENT pro tempore. The Senator from Massachusetts offers a resolution, which will be read.

The Secretary read the resolution, as follows:

Resolved, That a committee of two Senators be appointed by the Chair, to join a similar committee appointed by the House of Representatives, to wait upon the President of the United States and inform him that the two Houses, having completed the business of the present session, are ready to adjourn unless the President has some other communications to make to them.

The resolution was considered by unanimous consent, and agreed to.

The PRESIDENT pro tempore. The Chair appoints, under the resolution, as the committee on the part of the Senate the Senator from Massachusetts [Mr. HOAR] and the Senator from Missouri [Mr. COCKRELL].

RIVER AND HARBOR BILL.

Mr. CARTER. Mr. President, I submit at this point a parliamentary inquiry, not wishing to transgress the rules of the Senate. Since the resolution just adopted announces that the business of this Congress has concluded, I inquire whether it is proper for me to proceed with my remarks. [Laughter.]

The PRESIDENT pro tempore. If the Senator from Montana had asked the Chair that question several hours ago, he might have given some information in regard to the subject. [Laughter.] He does not think it necessary now.

Mr. CARTER. I am very much gratified and very thankful to the Chair for permitting me to go forward, notwithstanding the pressure of business and the conclusion of business as well. [Laughter.]

I am much gratified to know, Mr. President, that the digression made by the eminent Senator from Maryland [Mr. WELLINGTON] was not in any sense calculated to divert from its proper course the line of remark I was proceeding to make upon the acts of the opposition in this Chamber during the debate on the shipping bill. I will recapitulate, to the end that the facts may be fresh before us.

A bill which had been repeatedly pressed before the American people and the Congress assembled during the last ten to fifteen years was finally perfected, passed through the House of Representatives after full and free debate, was presented in this Chamber for consideration after the most mature deliberation by a committee, which gave painstaking attention to every detail of the bill, and not within the history of legislation within my experience in this Chamber has any bill been accorded more thorough and entire attention by the country and by Congress than the shipping bill, which has been lain to rest by the action of the opposition.

That bill, Mr. President, represented one of the cardinal principles of Republican faith. For a generation the party had claimed in and out of season that the inevitable result of enacting a law along the lines that bill laid out would be the prompt revival of American shipping, and it was so insisted during the consideration of the bill on this floor. Our friends on the opposite side of the Chamber disagreed with the principle. They believed in free shipping, one of the tenets of the Democratic party, and yet, sir, during the discussion of that bill little or nothing was said of the principle of free shipping and no effort was seriously made to conduct the debate on party lines on the part of the respective parties with reference to this great question.

I submit here now that the chief object, the main point of assault, and the thought iterated and reiterated day in and day out, was that the bill carried $9,000,000 annually from the Treasury of the United States. The bill was opposed chiefly and with greatest force upon the question of public economy.

I take no issue with the Senators who repeated their speeches, and who deprived the majority in this Chamber from casting their votes in favor of the measure for which the majority stood. But I do take issue, Mr. President, with the right of Senators who invoked the privilege accorded to the minority here, of resisting to the death a measure deemed to be radically wrong or impolitic, to rise now and criticise the action of any Senator, or any number of Senators, in attempting to defeat this bill, which is charged and surcharged with indefensible items from page 1 to page 135. I say to the Senate here assembled now that no Senator can rise in his place and defend the items appearing in the aggregate on any single page of that bill.

The Senator from Maryland [Mr. WELLINGTON] has referred to Trinity River in Texas. That is only one of many cases. When we undertook to read the report during the night, members were somewhat startled by the frequency with which these items appeared. The Trinity River, a case in point, was this; and this is the engineer's report. Trinity River, a narrow, shallow stream, with 3 feet of water at its mouth, is to have $12,500 appropriated as an entering wedge to a $4,000,000 job; and for what?

The engineer says that the first work to be done is to cut the trees and logs off of the hillsides, so that they might not roll down into the river and choke it up. Then, says the engineer, after you have cut away the brush and disposed of the logs on the hillsides, you can, during the dry weather of the following summer, burn the logs that are in the bottom of the stream. [Laughter.] Still, you have not a navigable stream, because, startling as this may appear, ridiculous as it seems, the fact is that the engineer says that when you clean the logs and brush from the hillside and burn the logs in the middle of the stream in dry weather, you must make artesian wells up at the head of the stream to get water to fill it. [Laughter.]

That is the statement of the engineer—an engineer of the United States Army sent there to inspect that work—and this is not a single item standing out by itself, an item that might enter into this general aggregate by mistake or oversight. Not at all. There is a whole herd of these things. The bill is full of them.

Mr. President, a bill made up of such truck as this the Senate ought not to entertain with seriousness, but the seal of unmitigated condemnation should be put upon items like this in an appropriation bill.

Under our Constitution, sir, it is not the privilege of the President of the United States to select out these various items and veto them. If so, the weeding process might go on under the Executive hand in participating with us in the legislative function, but the bill must be accepted as a whole or vetoed entire. This, of necessity, presents to the Executive a most embarrassing alternative.

Had provision not been made in the sundry civil bill, which has recently passed, and which will ere a few minutes be a law, to provide for continuing contracts where river and harbor work is necessary, I should regard the defeat of this bill as a subject of regret; but as it is, sir, Senators will take home from this Chamber, after mature reflection, a sense of deep satisfaction in contemplating the work of this day on this river and harbor bill. Fifty million dollars will be saved to the Treasury of the United States and no injury done to any living human being anywhere.

Further still, a lesson will have been taught, which I certainly hope will not soon be forgotten. This bill, growing up on the principle of division and silence, has sprung from trifling proportions until it appeared, delivered to our table, carrying $60,000,000 for distribution in all the States, small and great, and on rivers never heard of outside of the locality until their names appeared in the river and harbor bill.

This lesson, Mr. President, if considered for what it is worth, will amply compensate the country for the little inconvenience that will follow the stoppage of work on these small streams and insignificant harbors between the 30th day of June and the time the next Congress can take this matter up.

Another proposition: With a bill containing so many items based upon such a great diversity of fact, each item having a basis of its own, subject to and requiring investigation, it is neither fair nor just that the Houses of Congress should be called upon in the last hours of a session to go through the details of this work.

Let this become the unwritten law, if you please, that river and harbor bills will hereafter be presented only at sessions of Congress not destined to be terminated by an efflux of time. Here, sir, we have a bill of 135 pages, containing many amendments, carrying, as I have said, in the neighborhood of $50,000,000, providing that those dollars shall be mixed in every little muddy creek from Maine to California and clear around the coast, not only to improve the rivers, but to dig artesian wells to supply rivers with water, to the end that the dam may have something to do. [Laughter.]

I say, sir, that there ought to be unlimited time, and there should be unsparing and relentless criticism. If, unhappily, these people have become educated to believe that the river and harbor bill is one of the things that regularly emanates from the Government biennially, and sometimes annually, they expect the coming of the river and harbor money in the neighborhood, not because it is going to improve anything, but because it is going to employ somebody in the neighborhood. Thus it is that each district, stimulated by something of self-interest in the immediate locality where the money is spent, gets up something of a sentiment in favor of the bill.

Let no Senator imagine that this sentiment is very deep seated or widespread, for such is not the fact—such can not be the fact. It would be, I believe, impossible to find a dozen men in any district in the United States who, in their sober senses, would approve of that Trinity River item as a separate proposition; not a member of the committee of conference nor a member of the Committee on Commerce would approve it as a separate proposition.

How does it find its way here, then? By the way so many items get into this bill—by a system of swapping and trading and the exercising of all such influences as follow swapping, trading, and bartering. No one intends to do wrong in this connection. Nobody feels that he is injuring the Government, because the abuse is so old that the custom has gained some degree of respectability by the passage of time.

The bill has grown steadily from a few million dollars not many years ago until now $60,000,000 passes this year without challenging an item. The next bill will come up boldly and brazenly with $75,000,000 to be taken from the public Treasury. The next bill will be $100,000,000.

The rivers are not increasing in number; the harbors are not increasing; but, Mr. President, we are starting out to make rivers where rivers do not exist. [Laughter.] Each and every piece of work that is done involves the necessity of continual maintenance. So this bill, speaking of little creeks down in the country, provides for maintenance of what? Not navigable water—nay, not so; because, as some Senator aptly said last night, the little boats that skip up and down many of these alleged rivers would pass over the country on a fresh field of dew without any river at all—would skate along.

We do need large expenditures at the chief commercial ports of the country. Those large expenditures are not made in proportion to the necessities of commerce at the central commercial places. Great harbors are neglected, to the end that votes may be procured to pass this bill through without challenge.

Think of it, Mr. President! This bill carries, as I say, $50,000,000. It is accompanied by a report of over 400 pages, passed through the Senate with a couple of dozen members present, about put as quickly as the clerks could read it. I feel quite confident it passed in less than four hours; I think in less than three hours.

I expected to say something about the bill at that time, supposing that this great measure, carrying $50,000,000 for all sorts of different and indifferent things, would naturally be debated, and the committee itself would feel constrained to offer some explanation to Senators for these weak-kneed items; but such was not the case.

I passed out to the Committee on Appropriations to attend a meeting there, and was gone a few minutes, and came back and found the river and harbor bill had passed. I am quite sure the yeas and nays were not called. Nor was there much formality about its passage. It was informally placed in conference, if I remember correctly, yesterday morning. The conference committee reported here after dark last night.

Senators were expected to read the 135 pages of the bill and the four hundred and some odd pages of the report, advise themselves of the righteousness of these various items, enlighten their judgment, and satisfy their conscience within, I suppose, about twenty minutes. The bill has led to some debate. I sincerely trust that Senators will hereafter feel it necessary to debate this bill. It is understood in the future that the bill must pass upon its merits; it will be a smaller bill; it will be a better bill, and it will more effectively subserve the public interest it is intended to accommodate.

Mr. President, I have detained the Senate longer than I expected. I regret very much that the desire of Senators to hear the truth about this bill led them to forego the privilege of taking a recess for certain hours during the night. I should have gladly yielded the floor for the purpose of allowing the Senate to stand in recess for a few hours, to the end that Senators might take much-needed rest. However, manifestly desiring to become thoroughly acquainted with the bill, the Senate remained in session.

I can not perceive that time enough now remains to dispose of it on its merits. I should like to see some member of the committee rise and explain why it is that three-fourths of these items were not stricken out in committee; why it is that the reports of the engineers were not scrutinized with some degree of care, to the end that items wholly wanting in merit, or apparently so, might be left out in consideration.

One word in closing, about the engineers of the Army. It rarely occurs that an engineer of the Army reports adversely upon any project he is directed to survey. In my humble judgment therein rests much of the difficulty connected with the preparation of this bill. From time immemorial, throughout the whole history of the Army of the United States, the Engineer Corps has justly held and has always been entitled to the entire confidence of the country.

This confidence has been abused only in very rare cases. The engineers are generally exacting, and possibly in some cases unjustly jealous of the Government's interest in enforcing stringent regulations and clauses in contracts. It so happens, however, that in the surveys of proposed improvements of rivers and harbors the feeling of good fellowship in some manner or other intervenes to such an extent that the engineer in reporting softens the truth to the very best of his ability.

So the engineer reporting on Trinity River passed by the artesian-well arrangement. He passed by the burning of logs in the middle of the stream during the dry weather in the channel, and he said that this thing could be done for about $4,000,000, and he itemized the expenditure. That report was made because the engineer in charge did not desire to hurt the feelings of the member of Congress in that district.

I imagine that that good fellowship which makes the world akin softened down that report. It seems to me, upon reading the report of the engineer, taking the plain facts as stated by him, it was his clear duty to directly and emphatically and in no uncertain terms condemn this project as not being feasible from an engineering point of view. As the Senator from Maryland suggested, a railroad could be built along the banks of this crooked little stream for half the money it would take to clear the timber from the hillsides, clean the river, burn the logs, put in dams and locks to hold the water raised from artesian wells.

Mr. President, I trust that this criticism, certainly meant in good part, may find lodgment in the mind of every engineer henceforth sent out to conduct a survey and an examination. No engineer would have tolerated a favorable report upon the Trinity River project, or a hundred other of these projects, for a private person. If he had reported to some railroad company that that was an investment that could be considered, he would have been immediately dismissed from the service as a person incompetent or lacking in strength of character to tell the truth when he saw it.

The criticism I have made of the engineers in this behalf is not intended to be unkind, nor do I wish it understood in this closing hour of the session that any remark I have felt called upon to make in connection with the consideration of this bill has been intended to reflect upon any member of either House. I have from the beginning attempted to show that this collection of matter known as the river and harbor bill emanated from a system inherently vicious and destined always to lead to an evil result.

It is the system of swapping—not in a wrongful sense—but in the sense of good fellowship in part, and through a desire to get legislation worked along and made successful. Thus it is that the larger items are diminished below the proper degree, that the smaller items may be provided with something. Where you can not do anything better for a district, throw a thousand dollars up there to try to improve a stream that never can be of any value for commerce.

This bill is just replete with items of that kind. There has not been an attempt on the floor of the Senate to defend any one of the items assailed. I feel now that since the committee thought proper to stand mute, since there is no defense offered for the items, it is fortunate indeed that they may go over to another Congress, where they can be fully and properly considered—considered as legislation carrying money from the public Treasury should be considered.

Mr. President, the appropriations at the present session of Congress are larger than ever before. I think they will reach, probably, in the neighborhood of $800,000,000; probably not so much as that—$750,000,000. Then, by laying this bill aside for future consideration we avoid reaching the $800,000,000 mark at this session of Congress. I trust that in the future this bill will be prepared with more care.

Other appropriations could not well be dispensed with. This one can be well laid aside for more deliberate consideration in the future. I have sought to lay it aside from a sense of public duty. Around about me in this Chamber I have observed Senators, whose hands are tied by the iniquitous system of construction which obtained in the bill, compelled to stand mute because cooperating, unconsciously it is true, in the execution of this scheme of legislation that carries into effect certain laws unnecessarily squandering the public money.

My part in this work, Mr. President, I am not ashamed of. I feel that in the six years I have been permitted to serve in this Chamber it has never been my privilege to perform a service which will be in the end more generally appreciated than the service performed here to-day. When this bill comes in again it will come in purged and purified and reduced to a legitimate basis, unless it so happen that the constructors or framers of the bill have confidence that in the future things will be done as in the past, this case constituting only an exception. But if I am advised of the temper of the Senate, this day's work will in some measure tend to call a halt on this class of legislation, this manner of appropriating the public money for public work of any sort.

The bill, as I have said, contains 135 pages. I should like very much to incorporate all of those pages in my remarks. At an earlier hour I undertook to read the text, and intended to read the text complete, not for the consumption of time, but to the end that the facts themselves might stand forth in the RECORD to justify the statements I had made of the bill in detail. I wish to have it understood that this argument, in so far as it has treated of the details of the bill, did not unjustly select weak points here and there for special mention. I may have been unjust to some of the special appropriations. Some measures or items of merit may have been lightly mentioned, but not consciously so. It has been my purpose to deal with the bill as fairly as I could in the limited time allowed for its consideration after the conference committee reported.

Mr. President, there was not one moment allowed, practically, to consider this bill as the committee proposed to have it finally adopted. The amendments stand in disagreement there at this moment. There has been no time for examination or reflection. Such remarks as I have made have been made upon the text of the bill, and I should be glad if it could be published in the CONGRESSIONAL RECORD, in order that the people might see just what a river and harbor bill is, from start to finish; so that the people in

Wisconsin might find the number of rivers that were being appropriated for down in Alabama of which they had never heard and which no geography ever delineated on a map.

If there be no objection, I ask the unanimous consent of the Senate to insert a copy of this bill in my remarks. I believe, however, that the bill as originally reported was read, but certain amendments that then appeared were subsequently disagreed to, so that now no text of the bill appears in the RECORD except in scattered form. I will, however, forego the request in view of the fact that perchance the copy of the bill now in the RECORD is quite as complete, as showing what the bill was when finally amended and offered to us for consideration, as the copy I hold in my hand.

It would be well if in conjunction with the text of the bill we could have this report go forth. The report explains in detail each and every item of the bill. It is largely drawn from the reports of the engineers. It deals with the facts and figures. I should like to have this complete report printed in order that the wheat growers in the Mississippi Valley, the miners of the Rocky Mountains, the people who work in the steel mills in Pennsylvania, and those engaged in industry and toil all over the country might find how we may expend $50,000,000 here in less than four hours upon a river and harbor bill, largely composed of items upon rivers of which the majority of the people never heard and never will hear until they come back again for an appropriation.

It has not been my purpose, Mr. President, to detain the Senate beyond this time, as the hour of 12 o'clock is near at hand.

Mr. SCOTT. I think the Senate is perfectly willing to extend the time of the Senator from Montana.

Mr. CARTER. I am perfectly willing to occupy the remainder of the time, but if any of the ceremonies of the Senate require the attention of the body, I am willing at this moment to surrender the floor.

Mr. WELLINGTON. Perhaps the Senator from Montana, before he sits down, would like to call attention to a few more items in this bill, and will do so on account of the euphonious names. I want to call his attention to Murder Kill River, in New Jersey, and Raccoon Creek, in one of the other States, both of which are to have some three or four hundred thousand dollars expended upon them.

Mr. CARTER. Raccoon Creek is in the list. Raccoon Creek has not been overlooked. Compared with most of the items to which I have alluded, it is a very meritorious item, and that is largely due to the modesty of the Senators from New Jersey.

Mr. President, in conclusion I thank the Senate for the considerate attention given to me in the course of these observations. I have endeavored to do my plain, simple duty. I realize that certain Senators, to whom this bill is very dear, indeed, earnestly wish I had yielded the floor at an earlier hour. I think upon mature reflection, however, any semblance of ill feeling incident to the disappointment of that kind will fade away. I recall many instances of contests on this floor where Senators indulged in very earnest and long-continued discussion, the effect of which was at the time to create some feeling, but it has been the general rule that the plain path of duty dictated by each man's conscience is a safe rule to follow.

NOTIFICATION TO THE PRESIDENT.

Mr. HOAR. Mr. President, the committee who were directed by the Senate to go with the committee of the House to wait upon the President and inform him that the Congress have completed the business of the session, unless he has some further communication to make to them, have discharged their duty, and are authorized by the President to say that he has no further communication to make.

THANKS TO THE PRESIDENT PRO TEMPORE.

Mr. JONES of Arkansas. Mr. President, I present a resolution and ask for its immediate consideration.

The PRESIDING OFFICER (Mr. ALDRICH in the chair). The Senator from Arkansas presents a resolution for which he asks immediate consideration. Is there objection? The Chair hears none, and the resolution will be read.

The Secretary read as follows:

Resolved, That the thanks of the Senate are hereby tendered to Hon. WILLIAM P. FRYE for the dignified, impartial, and courteous manner in which he has presided over its deliberations during the present session.

The resolution was considered by unanimous consent and unanimously agreed to.

ADDRESS OF THE PRESIDENT PRO TEMPORE.

The PRESIDENT pro tempore. Senators, I thank you for the resolution just adopted and for its kind assurances. My election to the honorable office of President pro tempore of the Senate by your unanimous vote will be the pleasantest memory of my public life. Such an expression of your confidence could not be otherwise than very grateful to me. I hope that I have never betrayed it. I think I can say in this presence that I have never been conscious of yielding to any personal or political partiality.

The duties of the office, expected to be merely temporary, became practically permanent by the death of our greatly loved and lamented Vice-President, Mr. Hobart; but your cooperation and the kind consideration made their discharge easy and agreeable. Your labors in this Congress are about to close, and you are to enjoy a well-deserved rest. I sincerely hope that it may be both pleasant and profitable; that our dear Lord may not permit any great sorrow to invade your homes, and that you may each and all return to duty with renewed health and strength.

GUESTS OF THE SENATE.

At 11 o'clock and 55 minutes a. m. the members of the House of Representatives, preceded by the Sergeant-at-Arms and Clerk, and headed by the Speaker and Chaplain, entered the Senate Chamber. The Speaker was escorted to a seat at the right of the President pro tempore of the Senate, the Clerk and Chaplain at the Secretary's desk, and the members of the House were escorted to the seats on the floor provided for them.

They were soon followed by the ambassadors and ministers of foreign countries, the Chief Justice, associate justices, and officers of the Supreme Court.

The heads of the Executive Departments, the Lieutenant-General Commanding the Army and his aid, the Admiral of the Navy and his aid, the Commissioners of the District of Columbia, and other persons entitled to admission occupied the seats on the floor of the Senate that were assigned to them.

SWEARING IN OF VICE-PRESIDENT.

The Vice-President elect (Theodore Roosevelt, of New York) entered the Chamber accompanied by members of the committee of arrangements for the inauguration, and was conducted to a seat at the right of the President pro tempore.

The PRESIDENT pro tempore administered the oath of office to the Vice-President elect.

The hour of 12 o'clock meridian having arrived,

The PRESIDENT pro tempore. The Chair declares the United States Senate adjourned sine die.

NOMINATION.

Executive nomination received by the Senate March 3, 1901.

TO BE ASSISTANT SURGEON OF VOLUNTEERS WITH THE RANK OF CAPTAIN.

W. Hoepfner Winterberg, of California (acting assistant surgeon, United States Army), March 2, 1901.

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 2, 1901.

ASSISTANT SECRETARY OF THE TREASURY.

Milton E. Ailes, of Ohio, to be Assistant Secretary of the Treasury.

SURVEYOR-GENERAL OF UTAH.

Edward H. Anderson, of Weber County, Utah, to be surveyor-general of Utah.

TERRITORIAL JUDGE.

George D. Gear, of the Territory of Hawaii, to be second judge of the circuit court of the first circuit of the Territory of Hawaii.

CONSUL-GENERAL.

William A. Rublee, of Wisconsin, to be consul-general of the United States at Hongkong, China.

CONSULS.

John H. Fesler, of Colorado, to be consul of the United States at Amoy, China.

Bradstreet S. Rairden, of Maine, to be consul of the United States at Batavia, Java.

MINERAL-LAND COMMISSIONERS.

George L. Wales, of Helena, Mont., to be a mineral-land commissioner in Montana.

Daniel Arms, of Philipsburg, Mont., to be a mineral-land commissioner in Montana.

John T. Ingram, of Bozeman, Mont., to be a mineral-land commissioner in Montana.

Jule M. Hartley, of Missoula, Mont., to be a mineral-land commissioner in Montana.

William H. Williams, of Cokedale, Mont., to be a mineral-land commissioner in Montana.

Peter T. Morris, of Bozeman, Mont., to be a mineral-land commissioner in Montana.

Edwin A. Jones, of Ottumwa, Iowa, to be a mineral-land commissioner in Montana.

Edwin S. Hathaway, of Missoula, Mont., to be a mineral-land commissioner in Montana.

George W. Garrett, of Arkadelphia, Ark., to be a mineral-land commissioner in Montana.

Charles D. Curtis, of Helena, Mont., to be a mineral-land commissioner in Montana.

Miles Cavanaugh, of Helena, Mont., to be a mineral-land commissioner in Montana.

Watson Boyle, of Washington, D. C., to be a mineral-land commissioner in Montana.

UNITED STATES ATTORNEYS.

Marshall B. Woodworth, of California, to be attorney of the United States for the northern district of California.

Reese Blizzard, of West Virginia, to be attorney of the United States for the district of West Virginia.

RECEIVER OF PUBLIC MONEYS.

August F. George, of Crookston, Minn., to be receiver of public moneys at Crookston, Minn.

REGISTERS OF THE LAND OFFICE.

Sylvester Peterson, of Ada, Minn., to be register of the land office at Crookston, Minn.

Wat Theodore Beall, of Leadville, Colo., to be register of the land office at Leadville, Colo.

COLLECTOR OF INTERNAL REVENUE.

Thomas E. Davis, of West Virginia, to be collector of internal revenue for the district of West Virginia.

APPOINTMENTS IN THE VOLUNTEER ARMY.

FORTIETH INFANTRY.

To be second lieutenant.

First Sergt. Thomas F. Loudon, Company F, Fortieth Infantry, United States Volunteers, February 23, 1901.

To be assistant surgeons of volunteers with the rank of captain.

George W. Daywalt, of California (acting assistant surgeon, United States Army), February 14, 1901.

Frederick C. Jackson, of Ohio (acting assistant surgeon, United States Army), February 14, 1901.

W. Hoepfner Winterberg, of California (acting assistant surgeon, United States Army), March 2, 1901.

PROFESSOR AT WEST POINT.

Capt. William Crozier, Ordnance Department, to be professor of natural and experimental philosophy at the Military Academy, February 23, 1901.

PROMOTIONS IN THE ARMY.

ORDNANCE DEPARTMENT.

Capt. Rogers Birnie, Ordnance Department, to be major, February 7, 1901.

CORPS OF ENGINEERS.

To be captains.

First Lieut. John S. Sewell, Corps of Engineers, February 2, 1901.

First Lieut. James F. McIndoe, Corps of Engineers, February 2, 1901.

First Lieut. Jay J. Morrow, Corps of Engineers, February 2, 1901.

ORDNANCE DEPARTMENT.

To be major.

Capt. Andrew H. Russell, Ordnance Department, February 2, 1901.

To be captain.

First Lieut. Tracy C. Dickson, Ordnance Department, February 2, 1901.

SIGNAL CORPS.

To be majors.

Capt. George P. Scriven, Signal Corps, February 2, 1901 (subject to examination required by law).

Capt. William A. Glassford, Signal Corps, February 2, 1901.

Capt. Joseph E. Maxfield, Signal Corps, February 2, 1901.

CAVALRY ARM.

To be majors.

Capt. Daniel C. Pearson, Second Cavalry, February 2, 1901.

Capt. Herbert E. Tutherly, First Cavalry, February 2, 1901 (subject to examination required by law).

Capt. Luther R. Hare, Seventh Cavalry, February 2, 1901.

To be captains.

First Lieut. Jesse McI. Carter, Fifth Cavalry, February 2, 1901.

First Lieut. Harry G. Trout, Second Cavalry, February 2, 1901.

ARTILLERY CORPS.

To be majors.

Capt. Walter Howe, Artillery Corps, February 2, 1901.

Capt. Peter Leary, jr., Artillery Corps, February 2, 1901.

Capt. Ephraim T. C. Richmond, Artillery Corps, February 2, 1901.

Capt. Ramsay D. Potts, Artillery Corps, February 2, 1901.

To be captains.

First Lieut. Charles T. Menoher, Artillery Corps, February 2, 1901.

First Lieut. T. Bentley Mott, Artillery Corps, February 2, 1901.

First Lieut. Gustave W. S. Stevens, Artillery Corps, February 2, 1901.

First Lieut. Richmond P. Davis, Artillery Corps, February 2, 1901.

First Lieut. Ernest Hinds, Artillery Corps, February 2, 1901.

First Lieut. Wirt Robinson, Artillery Corps, February 2, 1901.

First Lieut. George F. Landers, Artillery Corps, February 2, 1901.

INFANTRY ARM.

To be major.

Capt. George H. Roach, Seventeenth Infantry, February 2, 1901.

To be captains.

First Lieut. John S. Switzer, Fourth Infantry, February 2, 1901.

First Lieut. Herbert O. Williams, Twenty-first Infantry, February 2, 1901.

First Lieut. George D. Guyer, Sixteenth Infantry, February 2, 1901.

First Lieut. William F. Grote, Eighteenth Infantry, February 2, 1901.

First Lieut. William H. H. Chapman, Twenty-fifth Infantry, February 2, 1901.

APPOINTMENTS IN THE NAVY.

Thomas C. Wood, formerly a lieutenant in the Navy, appointed for temporary service under the provisions of an act of Congress approved May 4, 1898, for an advancement of eight numbers on the list of lieutenants of the Navy appointed for temporary service, as of date of July 3, 1898, for eminent and conspicuous conduct in battle, such advancement to be effective only to the date of his honorable discharge, September 28, 1898, and not to operate to restore him to the naval service.

George H. Norman, junior, formerly a lieutenant (junior grade) in the Navy, appointed for temporary service under the provisions of an act of Congress approved May 4, 1898, for an advancement of eight numbers on the list of lieutenants (junior grade) of the Navy appointed for temporary service, as of date of July 3, 1898, for eminent and conspicuous conduct in battle, such advancement to be effective only to the date of his honorable discharge, October 1, 1898, and not to operate to restore him to the naval service.

John T. Edson, formerly an ensign in the Navy, appointed for temporary service under the provisions of an act of Congress approved May 4, 1898, for an advancement of eight numbers on the list of ensigns of the Navy appointed for temporary service, as of date of July 3, 1898, for eminent and conspicuous conduct in battle, such advancement to be effective only to the date of his honorable discharge, October 17, 1898, and not to operate to restore him to the naval service.

John F. Bransford, formerly an assistant surgeon in the Navy, appointed for temporary service under the provisions of an act of Congress approved May 4, 1898, for an advancement of one number on the list of assistant surgeons of the Navy appointed for temporary service, as of date of July 3, 1898, for eminent and conspicuous conduct in battle, such advancement to be effective only to the date of his honorable discharge, March 23, 1899, and not to operate to restore him to the naval service.

Alexander Brown, formerly an assistant paymaster in the Navy, appointed for temporary service under the provisions of an act of Congress approved May 4, 1898, for an advancement of one number on the list of assistant paymasters of the Navy appointed for temporary service, as of date of July 3, 1898, for eminent and conspicuous conduct in battle, such advancement to be effective only to the date of his honorable discharge, December 2, 1898, and not to operate to restore him to the naval service.

Frederick G. Pyne, a citizen of New Jersey; Frederick B. Colby, a citizen of New York; Edward E. Goodhue, a citizen of Massachusetts, and William R. Bowne, a citizen of Pennsylvania, to be assistant paymasters in the Navy from the 28th day of February, 1901.

Reuben E. Bakenhus, a citizen of Illinois, to be a civil engineer in the Navy from the 27th day of February, 1901.

Former P. A. Surg. John F. Bransford, United States Navy, to be a surgeon in the Navy, from the 5th day of February, 1901.

PROMOTIONS IN THE NAVY.

Naval Constructor Francis T. Bowles, United States Navy, to be chief constructor and Chief of the Bureau of Construction and Repair in the Department of the Navy, with the rank of rear-admiral, for a term of four years, from the 4th day of March, 1901.

PROMOTIONS IN THE MARINE CORPS.

First Lieut. Smedley D. Butler, to be a captain in the United States Marine Corps, from the 23d day of July, 1900.

Second Lieut. Frank E. Evans, to be a first lieutenant in the United States Marine Corps, from the 23d day of July, 1900.

PROMOTIONS IN THE MARINE CORPS.

First lieutenants to be captains.

George C. Thorpe.
Charles S. Hill.
Robert M. Gilson.
Frederic L. Bradman.
George C. Reid.
Robert H. Dunlap.
Randolph C. Berkeley.

Charles G. Andresen.
Charles S. Hatch.
Hiram I. Bearss.
Robert F. Wynne.

Second lieutenants to be first lieutenants.

Wirt McCreary.
Wade L. Jolly.
John N. Wright.

Stephen Elliott,
James McE. Huey,
Rush R. Wallace, jr.,
Samuel A. W. Patterson, and
William C. Harllee.

POSTMASTERS.

Nora H. Kelly, to be postmaster at Lockhart, Caldwell County, Tex.

George W. Humphreys, to be postmaster at Dunsmuir, Siskiyou County, Cal.

Frank H. Bangham, to be postmaster at Susanville, Lassen County, Cal.

F. O. Brewster, to be postmaster at Harvey, Wells County, N. Dak.

James W. Hughes, to be postmaster at Huntington, Cabell County, W. Va.

Watson J. Matteson, to be postmaster at Marcellus, Onondaga County, N. Y.

Albert E. Martz, to be postmaster at Arcadia, Hamilton County, Ind.

Ambrose C. Montross, to be postmaster at Larchmont, Westchester County, N. Y.

J. M. Cheney, to be postmaster at Sonoma, Sonoma County, Cal.

Robert A. Miller, to be postmaster at Ponce, P. R.

Philip Schamber, to be postmaster at Eureka, McPherson County, S. Dak.

R. C. Skinner, to be postmaster at Iuka, Tishomingo County, Miss.

Alexander T. Boothe, to be postmaster at Pierce City, Lawrence County, Mo.

T. T. Smith, to be postmaster at Fort McPherson, Fulton County, Ga.

James Barnes, to be postmaster at Barnesboro, Cambria County, Pa.

Andrew C. Bailey, to be postmaster at Ford City, Armstrong County, Pa.

Edwin R. Baldrige, to be postmaster at Hollidaysburg, in the county of Blair and State of Pennsylvania.

Hambleton P. Wilson, to be postmaster at Altoona, in the county of Blair and State of Pennsylvania.

C. G. Coad, to be postmaster at Dallas, Polk County, Oreg.

Robert F. Schofield, to be postmaster at Edina, Knox County, Mo.

Aron B. Gardenhire, to be postmaster at Rockwall, Rockwall County, Tex.

Gustave Cranz, to be postmaster at Schulenburg, Fayette County, Tex.

John M. Moody, to be postmaster at Plano, Collin County, Tex.

William S. Strain, to be postmaster at Lancaster, Dallas County, Tex.

William D. Williams, jr., to be postmaster at McDonald, Washington County, Pa.

Robert H. Robinson, to be postmaster at Arlington, Gilliam County, Oreg.

Thomas H. Danforth, to be postmaster at Goliad, Goliad County, Tex.

Sidnan J. Overton, to be postmaster at Alice, Nueces County, Tex.

Thomas A. Cleary, to be postmaster at Gulfport, Harrison County, Miss.

HOUSE OF REPRESENTATIVES.

[*Continuation of proceedings of legislative day, Friday, March 1, 1901.*]

The recess having expired, the House reassembled at 2 o'clock p. m. (Sunday, March 3, 1901), and was called to order by the Speaker.

The Clerk read the Journal from the last approval up to the last recess; which was approved.

RIVER AND HARBOR BILL.

Mr. GROSVENOR. Mr. Speaker, I am directed by the Committee on Rules to ask immediate action on the following resolution.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Resolved, That immediately upon the adoption of this resolution it shall be in order without delay or intervening motion to move to nonconcur in the Senate amendments in gross or to agree to or ask for a conference on House bill 13189, making appropriation for construction and repair and preservation of certan public works, etc.; and after ten minutes debate thereon the previous question shall be considered as ordered, and without delayor intervening motion a vote shall then be taken.

Mr. GROSVENOR. Mr. Speaker, I demand the previous question.

Mr. HEPBURN. Mr. Speaker, I desire to make a parliamentary inquiry. Has the resolution upon this subject been offered to the House and referred to the Committee on Rules?

The SPEAKER. Undoubtedly, or they would not have reported the rule.

The motion was put, and the previous question was ordered.

Mr. GROSVENOR. Mr. Speaker, when the river and harbor bill came from the Senate, upon objection being made to nonconcur in the amendments, it was sent to the Committee on Rivers and Harbors. The object of this resolution is to bring that bill from the Committee on Rivers and Harbors and submit to the House at once an opportunity to vote either for or against concurring in the Senate amendments. That is the object of the rule. It is to get forward with the business in that way. I reserve the remainder of my time.

Mr. RICHARDSON of Tennessee. Mr. Speaker, does the gentleman from Iowa desire time?

Mr. HEPBURN. He does.

Mr. RICHARDSON of Tennessee. There was confusion on the floor, Mr. Speaker, and I did not catch the resolution. I would be glad if it could be reported again.

The SPEAKER. Without objection, the resolution will be reported again.

There was no objection.

The Clerk again reported the resolution.

Mr. BAILEY of Texas. Mr. Speaker, I desire to ask the gentleman from Ohio how it happened that the rule says "agree to or ask for a conference." If the Senate has asked for a conference, plainly, then, it is for the House to agree to it. If the Senate has not asked for a conference, it is the duty of the House to ask for it.

Mr. GROSVENOR. There may have been some misunderstanding or failure to understand in regard to the rule, but the same result is reached.

Mr. BAILEY of Texas. I thought the rule was unusual in form.

Mr. GROSVENOR. It is.

Mr. BAILEY of Texas. I have no objection.

Mr. GROSVENOR. Does the gentleman from Tennessee desire to occupy some time?

Mr. RICHARDSON of Tennessee. I think there is no one on this side who wishes to speak. I will yield to the gentleman from Iowa.

[Mr. HEPBURN addressed the House. See Appendix.]

The SPEAKER. The time of the gentleman has expired.

Mr. RICHARDSON of Tennessee. I yield eight minutes to my colleague from Tennessee.

Mr. HEPBURN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on this subject.

The SPEAKER. The gentleman from Iowa asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. CARMACK. Mr. Speaker, I shall address the House only for a very brief time before yielding my time to my friend from Nevada.

I have been greatly interested in the eloquent sermon that the gentleman from Iowa has preached to us upon this lovely Sabbath day, brimful and running over, as his sermons always are, with humanity and Christian charity. [Laughter.] I was interested also, Mr. Speaker, in the appeal which the gentleman made to the virtue existing upon this side of the Chamber, recognizing that there was none to appeal to upon his own. [Laughter on the Democratic side.]

Mr. Speaker, some gentlemen on that side of the Chamber are becoming intensely interested in the matter of economy in expenditures. The trouble with these gentlemen is that they begin at the wrong place. We are spending millions, tens of millions, hundreds of millions, upon projects upon the other side of the world, but when it comes to economy we must cut down the needful expenditures of the Government, expenditures to increase the commerce and prosperity of our own country, in order that we may have money to expend in criminal projects upon the other side of the earth. [Applause on the Democratic side.] The gentleman from Iowa [Mr. HEPBURN] is willing to spend "millions for crime, but not one cent for commerce." [Laughter on the Democratic side.]

If gentlemen want to be economical, let them take note of the fact that hundreds of millions of dollars are being expended today, and will have to be expended in the future, to violate the solemn, honorable pledges made by this Government. We have only to be honest to keep the honor of this nation unsullied; and

if we will do that, we can save money and have all that is needed to meet the peaceful expenditures of the Government.

I want to say, Mr. Speaker, that, in my judgment, there is no money more economically expended, or money that does more good for the people of the United States, than the money that is expended for the improvement of our rivers and harbors here in our own country.

But I say that not one dollar, not one single dollar, will ever come back to the people of the United States for the money which you are expending to-day in the Philippine Islands. You are willing to expend money in order that political and commercial adventurers and carpetbag thieves and scoundrels may have an opportunity to loot and plunder a people who have never done harm to you except by wishing to be free. [Applause on the Democratic side.] But when it comes to expending money for our own people you raise the cry of economy.

Let us be economical, Mr. Speaker, and let us spend our money here in our own land, among our own people, for the benefit of our own country, instead of squandering the blood and treasure of the nation upon criminal projects upon the other side of the world. [Applause on the Democratic side.]

Mr. NEWLANDS. Mr. Speaker, I wish to call the attention of the conferees that are to be appointed and of the House itself to three amendments of this river and harbor bill adopted by the Senate. One relates to the construction of three reservoirs on Piney Creek, in Wyoming, a tributary of the Missouri, another to the construction of the Great Bull River Reservoir, in that State, and another to the construction of reservoir on the Sioux River, in South Dakota. These three appropriations aggregate about $150,000 and involve a total, with the contracts which are herein authorized, of $337,000.

If the House will bear with me for a moment, I propose to show the relations of these reservoirs to the improvement of navigation upon the Missouri and Mississippi rivers, to which the rivers referred to are tributary. The total cost of these reservoirs will be $337,000.

Now, the average cost of storage water is between three and five dollars an acre-foot—that is to say, storage of water 1 foot deep and covering 1 acre costs between $3 and $5, and I assume that the cheapest storage has been selected for these experimental reservoirs. I assume, therefore, that from a total expenditure of $337,000 we will secure a storage of 100,000 acre-feet of water—that is to say, such water, if spread out, would cover a space of 100,000 acres 1 foot deep.

Now, you may say that the storage of that amount of flood water and its retention from the Missouri and the Mississippi rivers until the dry season, when those rivers are low, would have but little effect upon the Mississippi River below, for which we appropriate annually millions of dollars for protection against floods.

Let me state in this connection that this water is stored simply for emergency in the period of drought—the drought which comes in July and August. The storage of this water enables the utilization of the flood waters, which are not stored, for cultivation of land. The man who proposes to reclaim arid land finds the flood stream abundant for his uses in the early months of the irrigating season, but he fails to utilize it unless he is assured of a supply in July and August, when it is most needed for the maturing of the crops.

If he finds that the entire stream for these months is much reduced in volume and is appropriated by the people above, he knows that he can not reclaim the land and he abandons the enterprise; but if water is stored for use in the period of drought, he then utilizes the flood waters, knowing that when the floods abate the stored water can be utilized. Thus the storage of 100,000 acre-feet means the reclamation of at least 500,000 acres of land, and the floods which would otherwise go into the Missouri and Mississippi rivers and inundate adjoining lands are led out over the arid lands, and the lands themselves thus become the great artificial reservoirs which diminish inundation below.

Now, as I recollect, there are eight States and Territories tributary to the Missouri and Mississippi rivers, all having abundant streams which are fed by the snows in the mountains.

The SPEAKER. The time of the gentleman has expired.

Mr. NEWLANDS. I ask, Mr. Speaker, three minutes more.

The SPEAKER. The gentleman asks unanimous consent that his time be extended three minutes. Is there objection?

There was no objection.

Mr. NEWLANDS. We have eight arid and semiarid States and Territories tributary to these great rivers, and by an expenditure of $337,000 it is proposed to store about 100,000 acre-feet of water, which in itself will, when added to the flood waters not stored, facilitate the reclamation of 500,000 acres of land, worth, when reclaimed by settlers, at least $40 per acre, or $20,000,000.

So you start by this expenditure the creation of wealth aggregating $20,000,000 out of the arid lands, now worthless, and you store about 100,000 acre-feet of flood water in the reservoirs and about 900,000 acre-feet of flood water on the lands reclaimed, and you prevent this enormous mass of flood water from being precipitated on the Lower Mississippi at a time when it is bank full and when the levees are in danger and inundation is imminent.

I ask you to continue this system as to all the rivers in these arid and semiarid States—Kansas, Nebraska, Oklahoma, North and South Dakota, Montana, Wyoming, Colorado—by a comprehensive system of reservoirs intended to store the flood waters and enable their utilization in the reclamation of arid lands and the prevention of floods in the Mississippi and Missouri rivers.

There are two ways in which these floods can be guarded against. One is by dredging the channel or by erecting levees in order to protect adjoining lands; and another way is to maintain an equal and sustained flow of the rivers by the storage of the torrential waters. I submit that the mountain snows in these eight States, whence these great rivers take their source, contribute in no small degree to the torrential character of the Missouri and Mississippi rivers.

I trust that the conferees will take this matter into consideration when they go into conference, that they will not allow the narrow and provincial views, which have heretofore controlled them, to prevent them from entering upon a comprehensive plan of the storage of water which will immensely promote and develop the wealth of the country, by the creation of new land values and which will result in economy of expenditure lower down upon these great navigable rivers. I ask the chairman of the committee, if this matter goes into conference, if he will assure us that the House, in case they do not agree to the items, will have an opportunity to vote upon them?

Mr. BURTON. That will depend very much upon the course of business in the House. I think the chairman of the committee can give no assurance on that point. It depends upon the decision of the House. I will say to the gentleman, however, that the more time we occupy in this discussion on the special rule, the less time undoubtedly there will be for discussing the conference report when it comes.

[Here the hammer fell.]

Mr. GROSVENOR. I yield three minutes to the gentleman from New York [Mr. DRIGGS].

Mr. DRIGGS. Mr. Speaker, when the river and harbor bill was being considered in the House I was unavoidably absent, being engaged at the time on other public business. Several anti-river and harbor Representatives at that time saw fit to attack, in a certain way, the proposition in this bill for the improvement of the Buttermilk Channel. I simply desire to say, in the little time assigned me by the gentleman from Ohio, that that is an improvement which has been recommended by the Secretary of the Navy and the Secretary of War of each Administration since that of Mr. President Cleveland, and I know of no proposition in this entire bill which is of more benefit to the Government itself than this same Buttermilk Channel improvement.

Let me say to the opponents of this proposition that the Buttermilk Channel is one of the two channels leading from the East River into New York Bay. There were two propositions suggested by the various Secretaries of War and the various Secretaries of the Navy—one of them the improvement of the Diamond Reef Channel and the other the improvement of the Buttermilk Channel. In consequence of the fact that the improvement of the Buttermilk Channel would cost less money, the River and Harbor Committee, looking at the interests of the Treasury of the United States, adopted the less expensive of the two projects.

I wish to say also to every opponent of this measure that at the present time our great men-of-war—our first-class battle ships—draw from 28 to 32 feet of water, and some of them, I understand, draw 33 feet. It is now almost an absolute impossibility, except at the highest tide, for all these deep-draft battle ships to come to or go from the navy-yard and sail down the East River to New York Harbor without danger of striking on the rocks at the mouth of East River.

Laying aside entirely the question of personal advantage accruing to Brooklyn from this improvement, I sincerely trust that the chairman of the River and Harbor Committee will insist on the proposition of the House in relation to the Buttermilk Channel. I believe more arguments can be made in favor of it than in favor of almost any other proposition in the bill. It is a work for the Government to do. General Wilson, of the Corps of Engineers, says repeatedly in his report that the Government should proceed to see that that harbor is dredged to a depth of 40 feet and for the width of the channel 1,000 feet. In spite of recommendations of this kind, we are told by the opponents of this bill that when an improvement of as great importance as this is proposed we are working for the personal advantage of our constituents. I say it is public advantage, not personal advantage, that we seek in the improvement of that channel from the East River to New York Bay. I ask every fair-minded man on this floor to consider carefully the following report of Major Marshall, of the Board of Army Engineers:

Buttermilk Channel is the southeasterly one of two channels connecting the East River with the main channel of New York Harbor. It extends along the Brooklyn water front southwesterly to Red Hook, where it meets

the Red Hook Channel, and continues to the main harbor channel. The extreme length of Buttermilk Channel from the 40-foot curve in East River to the 40-foot curve in the main channel is 2½ miles. Throughout this length the channel had a natural depth of about 26 feet at mean low water, but the deep waterway was crooked, in many places narrow, and on account of the rapid current it was very difficult to follow. Improvements made under different projects adopted and completed since 1880 have resulted in making the 26-foot channel 1,000 feet wide.

The piers and landings along Buttermilk Channel are points for receiving, storing, and shipping large quantities of freight, grain, South American, Caribbean, Mediterranean, and miscellaneous goods. The freight terminal of the Ward Line, the Prince Line, the Anchor Line, and the Lamport & Holt Line are on this channel.

The commerce of Buttermilk Channel consists of widely varying classes of goods, including large amounts of sugar and coffee, cotton, and other articles received and shipped to South American, Caribbean, and Mediterranean ports.

For the calendar year 1899 a fairly accurate statement of freights received has been obtained. No records of freights shipped are procurable. In previous years the shipments have exceeded the receipts by an average of about 10 per cent, and the same ratio may be assumed for 1899.

Commercial statistics for the calendar year 1899.

	Tons.	Estimated value.
Receipts	5,857,292	$177,978,512
Shipments (estimated)	6,444,000	195,776,000
Total	12,301,292	373,754,512

Vessels arriving and departing (1899).

	No.	Draft.	Tonnage.
		Feet.	*Tons.*
Steamers	1,246	18-29	1,000-6,800
Sail	507	12-26	500-3,000
Barges, etc	31,390	(*)	(*)
Total	33,143	.....	.....

*No record.

The above statement is for cargoes and vessels at the several piers and landings. There is no means of making even an approximate estimate of the amount of freight which passes through this channel without touching at the landings.

I sincerely hope Congress will accede to our just, fair, and reasonable request. [Applause.]

Mr. GROSVENOR. I yield five minutes to the gentleman from Illinois [Mr. REEVES].

Mr. REEVES. Mr. Speaker, I would not occupy a moment but for the suggestion of the gentleman from Iowa this morning charging, in effect, that the formation of a river and harbor bill is the work of a combination of interests without regard to the justice of individual claims. I have been a member of the River and Harbor Committee for six years, and I am unwilling that the gentleman's statement should go unchallenged.

This bill as passed through the House carried in round numbers $60,000,000 of appropriation—a little less than that—and the story was given currency all over the country that this was an extravagant bill, filled with projects such as are intimated by the gentleman from Iowa. Yet when this bill went to the Senate, and when the general statement was given forth that the bill must be materially reduced, the Senate, after about a month's deliberation, increased 49 of the items contained in the bill as passed by the House, the total increase of those 49 items amounting to about $1,800,000. The Senate decreased only 15 of the items in the bill, and the total amount of the decrease was about $2,600,000, of which amount more than $1,600,000 was in the one item for the improvement of the Buttermilk Channel, New York Harbor.

Mr. HEPBURN. Was there not a horizontal cut that affected many more than those propositions?

Mr. REEVES. I will answer that question in a moment. I was coming to it.

The Senate, as I have just said, increased the projects for which we made appropriations nearly $2,000,000, and decreased the projects for which we had made appropriations $2,800,000, of which $1,600,000 was in one item alone. So that of these smaller projects, of which the gentleman from Iowa especially complains, the Committee on Commerce of the Senate, after scrutinizing the bill as carefully as they could, found 15 items which, in their judgment, should be reduced, and of those 15 a majority were the larger projects. So that the judgment of the Committee on Commerce of the Senate, be it worth much or little, was a disapproval of the large projects and not of the smaller ones.

Mr. Speaker, the bill as it passed the House contained 389 different projects for which we appropriated. The Senate Committee on Commerce found but 4 which in their judgment should be thrown out, and only those 4 they rejected. They increased, as I have said, 49 of our appropriations, and decreased 15; and they added 28 new projects of their own.

Now, I want to say simply this: I am not one of those who believe that any censure is due to the gentleman from Iowa or others who may think as he does.

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. REEVES. I would like just one minute more.

Mr. FITZPATRICK. We are very much interested in the speech of the gentleman, and I hope his time will be extended.

Mr. GROSVENOR. I yield the gentleman one minute more.

Mr. REEVES. Mr. Speaker, I do not think that the gentleman from Iowa and those who think with him should be censured. The policy of appropriations for this character of improvements is something about which men may honestly differ; and I agree with him upon this proposition: That the best interests of the country require that the vast amount of this appropriation should go to the larger harbors, where the greater commerce exists. I disagree with him on this point: There are a large number of smaller projects which are really valuable, and which I believe he would recognize as valuable, if time and opportunity gave him the privilege of examining them as we of the committee have to do.

Mr. GROSVENOR. Mr. Speaker, it is not the province of the Committee on Rules to judge of the value or nonvalue of an item in an appropriation bill. It would be a usurpation of authority if this committee should refuse the House the privilege of disposing of a matter of this importance in the most expeditious way, simply because they might differ about what the committee had reported on some of the items of the bill. Now, I admit that this thing of logrolling, against which the gentleman from Iowa has inveighed so eloquently, may be a very bad feature in some kinds of legislation. I notice that it runs more or less through a great many other things besides the river and harbor bill.

Now, on yesterday there came before the House a bill carrying items of appropriation for certain projects of a public character, located from the east, across the great central belt, and away out on the Pacific coast. It occurred to me that it was barely possible that there might be some community of interest between the various items of that bill, and that possibly there might be something in the nature of a little logrolling in that. I listened with great interest and great anxiety to hear my friend from Iowa get up and denounce the system of legislation that carried a combination of items like that bill. But he remained entirely and deferentially silent during the progress of debate and passage of the bill.

Mr. HEPBURN. Will the gentleman permit me to suggest that I have admitted that there was no such precipitation in my district as to make appropriations of this kind necessary?

Mr. GROSVENOR. Exactly.

Mr. HEPBURN. But there is enough rainfall to make it necessary to shield our courts from inclement weather. [Laughter.]

Mr. GROSVENOR. I listened to hear the gentleman's voice denouncing the logrolling scheme of public buildings from one end of the country to the other; and when he was silent and the bill went through practically without opposition, I turned to the bill itself to see what was the explanation——

Mr. HEPBURN. Human nature.

Mr. GROSVENOR. And if any of you want an explanation, go to the bill that passed yesterday and you will find the explanation. [Laughter and applause.]

Now, Mr. Speaker, I differ with the gentleman entirely and wholly upon another proposition. If we could regulate the size of the ships of all the world, then you might set the depth of the harbor and say, "Construct your ships to meet the water in our harbor or stay out." The trouble about it is that the shipbuilders of the old countries are unfortunately building 94 per cent of all the ships bringing foreign commerce into our harbors, and built of the depth they see fit to construct them; and we must have the depth of water or we must go without our commerce.

San Francisco asks no question of us; Seattle and Tacoma do not ask us to deepen their harbors; but there are harbors that must be deepened. If I had my way about it, for measures not only of commerce, but for measures of protection, national protection, I would put a channel not of 30 feet, but of 35 feet in the Delaware River and light that river so that it would be one great Pennsylvania avenue of commerce from Philadelphia out through the capes into the ocean. [Loud applause.] And I would invite the ships of all the world to come into our harbor.

The gentleman talked about Galveston. We did begin a project there that involved an engineering question of the material we used. When the teredo, as the vermin is named that infests the Southern waters, destroyed the mattresses put down, then we had to take another scheme. When I was a member of the River and Harbor Committee and went to Galveston, we lightered the ships that came to the harbor for 9 miles. To-day the ships laden with products of other countries coming after the products of our country go right up to the dock and discharge and receive freight, drawing the water that is necessary for the commerce of the world. So we can not measure the water with our harbor and expect to regulate the ships of the world. How are we going to compete with the manufacturers of iron and steel in the Old World if we carry only a 9-foot ship in Lake Erie, as we did twenty years ago? We must cheapen transportation by the deepening down of the

bottom of the ship that carries our products, and then we can compete with the people of the Old World.

I have no fears of this appropriation. I want to say to the gentleman from Tennessee that the people of this country have never yet criticised the amount of appropriation if they believed it was for a worthy object and if they believed it was to be economically expended. We heard the same cry made two years ago in the closing hours of the Fifty-fifth Congress. This same pitiable cry went up, and the people were told that we were to be wiped off the face of the earth. I remember the warnings, that came torrential, and with more eloquence and power than we have heard today, that we were to be obliterated as a political party.

Now, then, Mr. Speaker, I have this to say: While the Democratic party exists with the present organization; while they continue attacks upon commerce and the financial credit of this country; while it organizes itself as an organized cry against the courts and the integrity of the Government of this country, I pray we may always be wiped off the earth just as we were after the predictions of two years ago. [Loud applause on the Republican side.] I can say to gentlemen that the people of this country are intelligent, they are wise, they understand as well as Congressmen do what are the real needs of the country. Now, Mr. Speaker, this bill must pass under and by virtue of this rule or it can not be passed. I have no question about the judgment of the House. The gentleman from Tennessee said the gentleman from Iowa had turned to that side of the House because, he said, there was no hope on the part of this side of the House. I do not know what was in the heart of the gentleman from Iowa. I suggest to the gentleman from Tennessee that missionaries are generally sent where the heathen live [laughter], and that they do not preach to those who are righteous, but call the other fellow to repentance. [Renewed laughter.] So that if——

Mr. CARMACK rose.

The SPEAKER. Does the gentleman yield to the gentleman from Tennessee?

Mr. GROSVENOR. Yes.

Mr. CARMACK. I just want to say the gentleman from Iowa admitted the heathen were on that side, and he did not turn to them, because he had no hope.

Mr. GROSVENOR. That is one difference I have with the gentleman from Iowa in that respect.

Mr. CARMACK. One or other of the two gentlemen is bound to be right, and it is the only time that it ever occurred.

Mr. GROSVENOR. Mr. Speaker, time is precious, and I will not occupy any more than to say that the appropriations of this Congress will be overwhelmingly indorsed by the people of the country.

The SPEAKER. Time has expired on both sides. Debate is closed. The question is on agreeing to the resolution.

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

Mr. BURTON. Mr. Speaker, I move that the House nonconcur in the Senate amendments to House bill 13189, making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, and ask for a conference thereon with the Senate. I only want to say——

The SPEAKER. Let the Chair state the motion. The gentleman from Ohio moves that the House nonconcur in the amendments of the Senate, in gross, on the bill H. R. 13189 and ask for a conference thereon.

Mr. BURTON. Mr. Speaker, there seems to be some misapprehension of the purpose of this motion. It is a motion that we must pass in order that there may be a conference between the House and the Senate on this bill. Such action is rendered necessary by the fact that on Friday unanimous consent was refused, and I trust the motion will be promptly passed. I reserve the balance of my time. Does any gentleman want five minutes?

Mr. HEPBURN. Will the gentleman from Iowa permit me to ask him a question?

Mr. BURTON. Yes, sir.

Mr. HEPBURN. I want to ask if, to his knowledge, members of this House, without appointment as a committee of conference, have been in conference with any members of the Senate upon the disagreement of the two Houses as to these items within the last two days?

Mr. BURTON. I will say that there has been an informal communication between the members of the House and the members of the Senate on this subject.

Mr. HEPBURN. Attempting to perform the usual functions of a conference committee?

Mr. BURTON. My attention for the moment was diverted by a gentleman on my left. Will the gentleman kindly repeat his question?

Mr. HEPBURN. I understand they have been acting as a conference committee with all the usual powers, except those of appointment.

Mr. BURTON. Nothing has been finally determined upon, I will say to the gentleman, but it has borne a very close analogy to a conference.

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

The SPEAKER appointed as managers on the part of the House Mr. BURTON, Mr. REEVES, and Mr. CATCHINGS.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. CUNNINGHAM, one of its clerks, announced that the Senate had agreed to the amendments of the House of Representatives to bills of the following titles:

S. 4687. An act for the relief of Richard H. Townley, a lieutenant (junior grade) on the retired list of the United States Navy; and

S. 4787. An act to authorize the appointment of Thomas Lutz Stitt as an officer in the Navy.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to amendment No. 2 of the Senate to the bill (H. R. 12901) to supplement existing laws relating to the disposition of lands, etc.

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

H. R. 14309. An act for the reward of enlisted men of the Navy or Marine Corps;

H. R. 14260. An act to amend an act entitled "An act to constitute a new division of the eastern judicial district of Texas, and to provide for the holding of terms of court at Sherman, Tex., and for the appointment of a clerk for said court, and for other purposes," approved February 19, 1901;

H. R. 1452. An act to remove the charge of desertion and grant an honorable discharge to John C. Weckler; and

H. R. 13776. An act authorizing and directing the Secretary of the Treasury to deliver to the mayor and city council of Baltimore, Md., Ionic columns.

COMMISSION TO VISIT PORTO RICO, THE PHILIPPINES, AND CUBA.

Mr. DALZELL. Mr. Speaker, I submit the following privileged report.

The SPEAKER. The Clerk will read.

The Clerk read as follows:

Joint resolution (H. J. Res. ——) to provide for the appointment of a commission to visit Porto Rico, the Philippines, and Cuba, and report on the conditions therein.

Be it resolved, etc., That the Speaker shall appoint a commission of seven members of the Committee on Insular Affairs, who are members-elect of the next Congress, to visit Porto Rico, the Philippines, and Cuba, who shall report to the next Congress, at its first session, all such facts and conclusions as they deem material bearing upon the relations of the United States with said Porto Rico, the Philippines, and Cuba and the inhabitants thereof. Not more than four members of said commission shall be of one political party. The expenses of said commission, including not to exceed $1,200 for a stenographer, shall be paid out of the contingent fund of the House upon vouchers signed by the chairman of that commission.

Mr. DALZELL. Mr. Speaker, the purpose of this resolution is to authorize the Speaker to appoint a commission consisting of seven members to visit Porto Rico, the Philippines, and Cuba, and report such information as they may gain to the next Congress at its first session. The commission is to consist of seven members, four Republicans and three Democrats. They are to be appointed from the members of the Committee on Insular Affairs who are members-elect of the next Congress. The resolution is in the shape of a joint resolution, inasmuch as it was the opinion of the committee that under the decisions Congress could not prolong any of its parliamentary functions beyond its adjournment. That being the case, and as this will have to receive the signature of the President, it is material that whatever action the House shall take should be taken promptly.

Mr. LIVINGSTON. May I ask the gentleman what is the necessity for including the Philippines when we have the Taft Commission there? Why not rely on that, and allow this commission to go to Porto Rico and Cuba?

Mr. DALZELL. I would say to the gentleman that it has been suggested that one of the purposes of a commission of this kind would be to satisfy Congress as to the correctness or incorrectness of the report made by the Taft Commission.

Mr. POWERS. Would it not be necessary to send a committee after this one?

Mr. DALZELL. I should think that would be a question for the next Congress. [Laughter.] I now yield to the gentleman from Tennessee [Mr. RICHARDSON].

Mr. RICHARDSON of Tennessee. Mr. Speaker, the Committee on Rules considered the resolution very carefully, and I think the reasons which exist in favor of its adoption are many, and that there is nothing to be said against it. This is not the ordinary junket. I think it is absolutely essential in order for members to legislate intelligently with respect to our insular possessions that we should get it from partisan sources. For this reason I favor this resolution. I am opposed to getting it from nonpartisan sources. I want to get it from partisan sources so as to get all the truth. Let both sides be represented by their partisans and the whole truth can be brought out.

Mr. KING. Will the gentleman allow me?

Mr. RICHARDSON of Tennessee. Certainly.

Mr. KING. I think the argument of my friend that we need

information is correct. [Laughter.] Does he not think it would have been better to obtain the information before the Senate and House acted upon the legislation?

Mr. RICHARDSON of Tennessee. I do, but I think we shall have to legislate with reference to these possessions in the next Congress, and should possess ourselves of all the facts.

Mr. STEELE. Will the gentleman allow me?

Mr. RICHARDSON of Tennessee. Certainly.

Mr. STEELE. As long as we are about to surrender Cuba, and already have a commission in the Philippines, would not the gentleman consider this a provision for a junket, pure and simple?

Mr. RICHARDSON of Tennessee. I do not.

Mr. STEELE. I do.

Mr. RICHARDSON of Tennessee. I consider it essential in order to get at the facts, because I do not think we have ever had the facts. I now yield to the gentleman from Mississippi.

Mr. WILLIAMS of Mississippi. Mr. Speaker' I do not care to make any extended remarks. It seems to me we can get this information, if that is what we really want, in other ways. It seems to me we have obtained already information from a good many sources as to the conditions there, and will have information as to new conditions if they change. What is wanting is not information of the subject of iniquities and un-Americanism in the Philippines, but the power to arouse the moral sense of our own people. I agree with the gentleman from Indiana that this is going to result in nothing less and nothing more than one more great, big, Congressional junketing tour. I have never known one of these committees appointed by the House to go off for the purpose of "seeking information" that ever brought back any useful information to the House. They are wined and dined and junketed and made to take the views of those by whom they are surrounded, like a chameleon.

The SPEAKER. The question is on agreeing to the resolution.

Mr. STEELE. Let us have the yeas and nays on this resolution.

Mr. DALZELL. Mr. Speaker, the gentleman from Vermont desires time, and I yield to him.

Mr. POWERS. Mr. Speaker, this is the baldest, boldest, and most inexcusable proposition for a junketing trip I ever heard made on the floor of this House. [Applause.] The only excuse that is given to us comes from the gentleman from Pennsylvania [Mr. DALZELL], who says that the commission we have already sent to all these islands—and there are several—ought to be looked after by another commission. Will it not follow, necessarily, Mr. Speaker, that after this commission has made its report the next Congress will have occasion to send out another commission to look after this commission and see if it has done its duty? I hope this will be voted down by an overwhelming majority. [Applause.]

Mr. DALZELL. I now yield to the gentleman from Wisconsin [Mr. COOPER].

Mr. COOPER of Wisconsin. Mr. Speaker, the commission now in the Philippines was appointed by the Executive, and as to the politics of the respective members of the commission, nobody knows. I think that if Congress is to legislate for those islands it should appoint a commission representing the respective political parties of the country to visit them and investigate and report to Congress, and in support of that position I call the attention of the committee to what Senator JOHN C. SPOONER said in the Senate. I will read:

> I should say that we will not be ready to legislate for the Philippines until we shall have sent a joint committee from both Houses over there to investigate thoroughly the situation there, the people, the form of government which would be adapted to them. That we have not done.
>
> Mr. TELLER. Are we likely to do it?
>
> Mr. SPOONER. I hope we will do it.
>
> Mr. TELLER. When?
>
> Mr. SPOONER. I hope we will provide for it before this session comes to an end.
>
> Mr. TELLER. I see no signs of it.
>
> Mr. SPOONER. I have intended to propose a resolution of that kind, and I shall endeavor to do so.
>
> Mr. HALE. It ought to be done.
>
> Mr. SPOONER. Of course it ought to be done. Congress ought to know the exact situation in the Philippines in every aspect, and it seems to me to be one of the first duties of Congress to provide itself with information upon which can be adopted a reasonable and sensible legislative policy of some kind as to government in the Philippines.

The SPEAKER. The Chair feels it to be his duty to state to the gentleman from Wisconsin that this treatment of the action of the Senate in discussion is beyond the realm of parliamentary law.

Mr. COOPER of Wisconsin. I did not suppose that reading verbatim from the report of the Senate debate was a violation of the rules.

The SPEAKER. That is exactly what is prohibited. Each House must have its own freedom of debate.

Mr. COOPER of Wisconsin. Of course, Mr. Speaker, I accept the ruling of the Chair. I know that comments are improper concerning utterances in debate in the Senate, but I made no comments.

But, Mr. Speaker, I can conceive of no greater abdication of the function of Congress than for this body, composed of members of all political parties, to leave to the Executive alone the eliciting of the information on which we base legislation for islands which have no representatives in this body.

The Senate at the last Congress passed a resolution to send a commission to Hawaii. There was nothing of a junketing trip, as I understand, on the part of the committee that went to Hawaii—composed of members of both bodies of Congress—members of the House and members of the Senate—who went to that island two years ago, and who afterwards submitted their report.

A member of that commission, the gentleman from Minnesota [Mr. TAWNEY] made on this floor a very forcible speech in which his information was given at first hand. He spoke of what he had seen and what he had heard from the natives—what he knew, not what a person appointed by another man had said.

So far as a junketing trip is concerned, I am sure there will be nothing of a junket about it; there will be nothing improper done by the committee, but every effort will be made by us as legislators to see what is going on in our insular possessions. This information will be collected by Republicans and by Democrats, and a nonpartisan commission will report to this body.

Mr. SHACKLEFORD. I would like to ask the gentleman a question. This resolution, I believe, provides that the members of this commission shall not be all of one political party. I would like to know whether the Democrats to be appointed will be Democrats who voted the Republican ticket or bona fide Democrats?

Mr. COOPER of Wisconsin. I do not know of any Democrat on this floor who has voted with the Republicans during this session upon any matter pertaining to the government of our insular possessions.

Mr. SHACKLEFORD. What I want to know is whether we are going to have appointed McKinley Democrats or Cleveland Democrats or real, "sure-enough" Democrats. [Laughter.]

Mr. COOPER of Wisconsin. In reply to the gentleman from Missouri, I will say that I introduced the original resolution on this subject, and it provided for the sending of the whole Committee on Insular Affairs to those islands.

Mr. POWERS. Why not take in the whole House? Why not let us all go?

Mr. COOPER of Wisconsin. Oh, no——

Mr. RICHARDSON of Tennessee. Will the gentleman from Wisconsin yield to me a moment?

Mr. COOPER of Wisconsin. Certainly.

Mr. RICHARDSON of Tennessee. Under this resolution the three Democrats to be appointed must be members of the Insular Committee. There are but four gentlemen in that category—Mr. JONES of Virginia, Mr. MADDOX of Georgia, Mr. HENRY of Texas, and Mr. JAMES R. WILLIAMS of Illinois.

Mr. COOPER of Wisconsin. No one will question the ultra-Democracy of those gentlemen.

Mr. SHACKLEFORD. They are all right.

Mr. COOPER of Wisconsin. I would like to inquire of the gentleman from Missouri whether the Democracy of those gentlemen is satisfactory?

Mr. SHACKLEFORD. Certainly. I was thinking of the case of a gentleman from Tennessee who was appointed on the Philippine Commission, and of other cases of gentlemen appointed on commissions, who were selected as representatives of the Democracy, but who happened universally to be gentlemen who had voted against the Democratic ticket. I was apprehensive the same thing might happen in this case. I did not want to see appointed as Democrats men who had voted for McKinley.

Mr. RICHARDSON of Tennessee. As the gentleman from Missouri [Mr. SHACKLEFORD] has referred to "a gentleman from Tennessee," will he not tell us who the gentleman was?

Mr. SHACKLEFORD. I referred to Hon. Luke Wright, of the Taft Commission.

Mr. COOPER of Wisconsin. Mr. Speaker, there is another aspect to this question to which I wish to call the attention of the House. It has been charged in the House repeatedly—it has been charged in the newspapers of the country, many of them formerly Republican newspapers, and by many Democratic newspapers—that the information we are now getting from our insular possessions is not true information. I have read within the last three or four days that the information coming from those islands is distorted, that the press reports are censored, and that we can not legislate here as we ought to do in view of our duty to ourselves and our constituents. So, in all fairness, I suggest that this trip here proposed, instead of being a junketing trip, will be, if honorable men are appointed (and I can not doubt they will be) a patriotic trip to elicit information which we ought to have at first hand—information nonpartisan in character, and the only information which Congress will get which is nonpartisan.

Mr. BURKE of Texas. I would like to ask the gentleman a question.

Mr. COOPER of Wisconsin. Mr. Speaker, I do not desire in

anything I have said to make any insinuations as to the great ability, the perfect integrity, and the absolutely pure patriotism of the commission now in those islands. I have met those gentlemen. I know their reputation, as all of you gentlemen do. They are men of exceptional ability, some of them; and I use this adjective advisedly.

Mr. POWERS. If the members of that commission are men of such high character, why can you not trust their judgment?

Mr. COOPER of Wisconsin. I believe, as has been said repeatedly in the newspapers of the country, that we ought to have nonpartisan information on these questions from a body composed of members of all parties.

Mr. JONES of Washington. I should like to know why this commission should be confined to members of the Insular Committee?

Mr. COOPER of Wisconsin. Because under the rules that committee has exclusive charge of business pertaining to those islands.

Mr. JONES of Washington. Is that a good reason why this commission should be composed entirely of members of that committee? Could not other members of the House obtain some information which would be valuable?

Mr. COOPER of Wisconsin. I will say to the gentleman that when legislation touching these matters comes before the House it must of necessity come from that committee.

Mr. JONES of Washington. But it has to be considered by the whole House.

Mr. COOPER of Wisconsin. That is perfectly true; but under the rules of the House the debate is almost entirely carried on—at least the principal debate—by members of that committee.

Mr. GRIGGS rose.

Mr. COOPER of Wisconsin. I yield to the gentleman for a question.

Mr. GRIGGS. As I understand it, the Schurman Commission was first appointed to inquire into conditions in the Philippines. Is that true?

Mr. COOPER of Wisconsin. Yes, sir.

Mr. GRIGGS. Then, the Taft Commission was appointed to inquire into the correctness of the report of the Schurman Commission. Is that true?

Mr. COOPER of Wisconsin. No; it was not appointed for that purpose.

Mr. GRIGGS. And now we are to appoint another commission to inquire into the correctness of the report of the Taft Commisson. Am I right? If so, I should like to ask the gentleman from Wisconsin who is to watch this new commission?

Mr. DALZELL. Mr. Speaker, I yield three minutes to the gentleman from Alabama [Mr. UNDERWOOD].

Mr. UNDERWOOD. Mr. Speaker, I first desire order.

Mr. SNODGRASS. Mr. Speaker——

The SPEAKER. The gentleman from Pennsylvania has charge of the floor, so that any application for time will have to be made to him.

Mr. UNDERWOOD. Mr. Speaker, I only want to say a few words in favor of this committee. We have had a number of commissions appointed to investigate and report upon the condition of our new possessions. I do not know of any report that has been made by any of these commissions that has been satisfactory to this side of the House. There is not a gentleman on this side of the House that I know of that has given full faith and credit to the report of any commission that has been appointed by the Executive to report the facts to us. I know that the information of these commissions has not given satisfaction.

Now, Mr. Speaker, it is of the utmost importance that gentlemen on this side of the House especially should be furnished with facts that they can rely upon, that they can believe in, that they are willing to take as the basis of their action when we come to legislate hereafter. Regardless of what position the Supreme Court may take on these important questions, whether they will hold the present law constitutional or unconstitutional, there is no man on the floor of this House who does not know next winter we will be called upon to legislate in some way with reference to those questions. Now, I say to the Democrats of this House it seems to be folly, when we have an opportunity of sending three Democrats from the floor of this House of high character and personal standing and integrity that can not be questioned by any man, to refuse to take that opportunity to send those gentlemen there to bring us back the facts which we can use for the purpose of legislation.

Moreover, I say that the best way for this House to obtain information that it desires to use for the purpose of legislation is to appoint its own committees and send them forth to investigate, and not create commissions appointed by the Executive and then rely on their information.

Mr. ROBINSON of Indiana. Mr. Speaker——

Mr. UNDERWOOD. If we can not trust the members of this House to furnish us correct information, which will show us what is the best character of legislation, whom can we trust? More than that, we have had it illustrated to us in the last few months that if we want to get the facts, the bottom facts, in reference to a particular subject, the best way is to authorize a committee or commission that we can send forth as a committee from this House. Look at the investigation we have had as to the affairs at West Point. The remedy was pointed out——

Mr. WILLIAMS of Mississippi. But that had no politics in it.

Mr. UNDERWOOD. Well, but here politics are cared for by three Democrats.

The SPEAKER. The time of the gentleman has expired.

Mr. DALZELL. I yield one minute to the gentleman from New York [Mr. SULZER].

Mr. SULZER. Mr. Speaker, I am constrained to differ with my friend the gentleman from Tennessee. I believe this resolution should be defeated. It ought to be, in my opinion. For myself, I am opposed to Congressional junketing committees and Congressional junketing trips. If members of Congress want to visit Porto Rico, Cuba, and the Philippine Islands, let them go, and God speed them; but, sir, let them go at their own expense, and not at the expense of the taxpayers of the country. I sincerely believe the adoption of this resolution will be futile. It will establish a bad precedent, which ought not to be established. It will be a great expense, with no satisfactory results. It will give us no additional information. We have now all the information we want in regard to Cuba, Porto Rico, and the Philippine Islands to do our duty to humanity and to ourselves according to the traditions of this Republic.

The SPEAKER. The time of the gentleman has expired.

Mr. DALZELL. I yield one minute to the gentleman from Tennessee [Mr. SNODGRASS].

Mr. SNODGRASS. Mr. Speaker, I am not surprised to see that the other side are becoming alarmed at the situation as it presents itself to them. The thing I am surprised at is the fact that they are willing to confess their condition before the American people, and that they need to ask further information upon this subject.

But, Mr. Speaker, in reply to the facetious reference of the gentleman from Missouri to General Wright, of Tennessee, a member of the commission, I wish to say that the Democracy of General Wright will compare very favorably with the Democracy of the gentleman from Missouri. General Wright was a gallant Confederate soldier, and is an eminent lawyer, and I will say to the gentleman that he has the unquestioned confidence and respect of all the people in his great State.

Mr. DALZELL. I yield five minutes to the gentleman from Illinois, a member of the committee.

Mr. JAMES R. WILLIAMS. Mr. Speaker, while I am a member of the Committee on Insular Affairs, I desire to say I knew nothing of the appointment or proposed appointment of this commission until a few moments ago.

I wish to say, further, that I have no desire to go on this commission, and am not a candidate for one of the places; but I desire to say with all sincerity that in my judgment the members of this House would make a great mistake if they vote down this proposition. If you vote it down, let Democrats cease to complain against the character of information which we get from commissions sent by the Administration to these various islands. I am opposed to junketing trips.

The committee appointed to investigate hazing was not a junketing committee. This Administration had appointed a committee to investigate that subject, yet its information was of but little value compared with the information received by the members appointed by this House. I say if you are not satisfied on either side with the men to be selected, then let each party meet in caucus and select its members to be appointed upon this commission.

I believe the men who are appointed as Democrats ought to be Democrats, and not Administration Democrats. Let the men appointed as Republicans be Republicans. I have served long enough on the Committee on Insular Affairs to know how important it is, if it is to recommend any legislation to this House, that we should have proper information as to the conditions existing in those islands, as to what their people want, and as to what the people need, and this, in my judgment, is the only way that we can get information that is reliable.

The majority of this House must be satisfied with the report, and the minority of this House will receive much more reliable information than it will by any commission which has been appointed. I know some men appointed by the Administration on various commissions of this character, men aspiring to be kept in office by the Administration, men who go there without any independence.

I believe in sending as the three men of this commission independent Democrats who will go there and seek for information without any color whatever, and let the Republicans do the same

thing. The little expense that attaches to it is nothing as compared with the vast importance connected with the legislation of this Congress over the affairs of the people in these islands.

Mr. Speaker, as I understand, there is no salary connected with it, and I want to say that because I am a member of that committee I do not intend to vote on this proposition. I am not a candidate for the place, I have no anxiety to make the trip, and if these men are appointed they will bring us information that is reliable; and if you do not like these men, let it be agreed that each party in caucus shall select its own men and recommend them to the Speaker and let them be appointed, for it is important that this House receive reliable information not only in regard to Porto Rico, but more especially as to the Philippine Islands. [Loud applause.]

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. CUNNINGHAM, one of its clerks, announced that the Senate had insisted upon its amendments to the bill (H. R. 14236) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1901, and for prior years, and for other purposes, had agreed to the conference asked by the House on the bill and amendments, and had appointed Mr. HALE, Mr. ALLISON, and Mr. TELLER as the conferees on the part of the Senate.

SUNDRY CIVIL BILL.

Mr. CANNON. Mr. Speaker, I desire to present a conference report upon the sundry civil bill, and ask unanimous consent to dispense with the reading of the conference report and ask that the statement only be read.

The SPEAKER. The gentleman from Illinois presents a conference report upon the sundry civil bill, and asks that the statement be read and the reading of the report be omitted. Is there objection?

Mr. ROBINSON of Indiana. Mr. Speaker, I desire to reserve all points of order.

The SPEAKER. The gentleman from Indiana reserves all points of order on the report. Is there objection? [After a pause.] The Chair hears none.

[For conference report see Senate proceedings.]

The Clerk read the statement, as follows:

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14018) making appropriations for sundry civil expenses submit the following written statement in explanation of the effect of the action on each of said amendments recommended in the accompanying conference report, namely:

On No. 1: Strikes out the appropriation of $75,000 proposed by the Senate for public building at Butte, Mont.

On No. 2: Appropriates $28,000, as proposed by the Senate, for rental of quarters at Cleveland, Ohio.

On Nos. 3 and 4: Appropriates $175,000, as proposed by the Senate, for buildings at immigrant station on Ellis Island, and makes a verbal correction in the text.

On No. 7: Strikes out the provision proposed by the Senate extending the limit of cost of public building at Cheyenne, Wyo., to $325,000.

On No. 9: Inserts the provision proposed by the Senate authorizing the Secretary of the Treasury not to sell the old public building at St. Paul, Minn.

On No. 10: Appropriates $50,000, as proposed by the Senate, for a boarding vessel for Reedy Island quarantine station.

On No. 11: Appropriates $40,000, as proposed by the House, for a boarding vessel at Port Townsend quarantine station.

On Nos. 12, 13, 14, 15, 16, 18, and 19: Appropriates, as proposed by the Senate, for a light-house and fog signal at Point-no-Point, Maryland, $65,000; for a light-house tender for the Seventh district, $85,000; for a light-house tender for the Eighth district, $125,000 instead of $40,000 for a steamer for the Mobile ship-channel lights; extends the limit of cost of the inspector's and engineer's light-house tenders for the Ninth district to $115,000 each; appropriates for the Point Dume light-house station, California, $63,000, and for a light-house tender for the Tenth district, $125,000.

On No. 21: Appropriates $4,000, as proposed by the Senate, for maintenance of lights on channels of the Great Lakes.

On Nos. 22 and 23: Makes the appropriation for Porto Rican light-house establishment available for buoys.

On Nos. 24 and 25: Appropriates $200,000, instead of $150,000, as proposed by the House, and $100,000, as proposed by the Senate, for light-house and fog signals in Alaskan waters, and strikes out the provision proposed by the Senate authorizing contracts for said service at an additional cost of $250,000.

On No. 27: Appropriates $2,000, as proposed by the Senate, for a Lyle gun, beach apparatus, and two surfboats for use at Cape Nome, Alaska.

On No. 29: Appropriates $50,000, as proposed by the Senate, for a revenue cutter at Boston.

On Nos. 31, 32, 33, and 34: Appropriates $13,400, as proposed by the Senate, instead of $3,400, as proposed by the House, for special surveys by the Coast and Geodetic Survey.

On No. 37: Requires the Secretary of the Smithsonian Institution to report the expenditures under all appropriations made under the Astrophysical Observatory, as proposed by the Senate.

On No. 38: Appropriates $4,400, as proposed by the Senate, instead of $4,040, as proposed by the House, for rent of workshops for National Museum.

On Nos. 39, 40, and 43: Appropriates $4,000, as proposed by the Senate, for improvements at the Green Lake, Me., fish hatchery; $8,000, as proposed by the Senate, instead of $6,000, as proposed by the House, for additional land and water rights at San Marcos, Tex., fish hatchery, and $10,000, as proposed by the Senate, for a lobster hatchery on the coast of Maine.

On Nos. 44, 45, and 46: Appropriates $223,955.48, as proposed by the Senate, instead of $192,105.48, as proposed by the House, to pay interest on the public debt of Hawaii, and makes a verbal correction in the text.

On No. 47: Appropriates $1,086,200, as proposed by the Senate, instead of $1,035,000, as proposed by the House, for assistant custodians and janitors of public buildings, and prohibits the use of any other fund for this service.

On No. 48: Appropriates $19,500, as proposed by the Senate, for food and clothing for native inhabitants of the islands of St. Paul and St. George, Alaska.

On No. 50: Reappropriates, as proposed by the Senate, the appropriation of $7,000 heretofore made for coal bin for the Pension Office building.

On Nos. 51, 52, 53, 54, 55, 56, 57, 58, and 59, relating to Capitol building: Appropriates $37,530, as proposed by the Senate, instead of $34,250, as proposed by the House, for work at the Capitol; strikes out the appropriation, proposed by the House, of $18,200 for re covering with copper the roof of the central portion of the Capitol, and appropriates $153,500, as proposed by the Senate, for reconstructing and fireproofing the roof of the central portion of the Capitol; appropriates $2,150, as proposed by the Senate, for improving the steam-heating and ventilating apparatus in the Senate wing, and $25,000 instead of $67,500, as proposed by the Senate, for fireproof shelving in the Senate document rooms; appropriates $1,550 for repairs to the elevator in the Maltby Building, and $61,000 instead of $58,000 for refurnishing the Hall of the House and certain rooms in the House wing; and inserts a provision authorizing members of the House of the Fifty-sixth Congress to purchase the old desks used by them.

On Nos. 60 and 61: Inserts the provision proposed by the Senate relative to the manner of the selection of agents and others under the appropriations to prevent depredations on public timber and for the protection of forest reservations.

On Nos. 63, 64, 65, 66, 67, 68, and 69, relating to surveying the public lands: Makes the appropriation therefor immediately available but not continuing; authorizes the survey of lines of reservations except forest reservations; strikes out the provision, proposed by the Senate, authorizing the examination of surveying returns in the General Land Office; inserts a provision authorizing per diem compensation to surveyors of examination of public surveys; appropriates $480 for a custodian for Fort Sherman abandoned military reservation in Idaho; and appropriates $3,300, as proposed by the Senate, for surveying portions of the northern and western boundaries of the Yellowstone Park.

On Nos. 72, 73, 74, 75, 76, 77, 78, 79, 80, and 83, relating to the Geological Survey: Appropriates $16,000, instead of $13,000 as proposed by the House and $20,000 as proposed by the Senate, for skilled laborers and temporary employees; $250,000, instead of $240,000 as proposed by the House and $260,000 as proposed by the Senate, for topographic surveys; $16,280, as proposed by the Senate, instead of $14,000, as proposed by the House, for illustrations for Geological Survey; requires that the report on Mineral Resources shall be published in one octavo volume and as a distinct publication; appropriates $5,000, instead of $6,000 as proposed by the House, for purchase of necessary books and payment for transmission of public documents through the Smithsonian exchange; appropriates $75,000, as proposed by the Senate, instead of $70,000, as proposed by the House, for engraving and printing geological maps; strikes out the provision, proposed by the Senate, to include Porto Rico within the provision for gauging streams; and makes an appropriation for the survey of forest reservations available for such reservations as may hereafter be designated.

On No. 85: Authorizes, as proposed by the Senate, the lease of the land known as Mesa Verde, in Colorado, to the Colorado Cliff Dwelling Association.

On No. 86: Strikes out the appropriation of $15,000, proposed by the Senate, for binding the population schedules of the Eleventh Census.

On No. 87: Inserts the provision, proposed by the Senate, authorizing the Secretary of War to care for insane patients at any State asylum in California.

On No. 90: Appropriates $130,500, as proposed by the Senate, for completion of water-power dam at Rock Island Arsenal.

On No. 92: Appropriates $2,400, as proposed by the Senate, for the employment of an engineer by the officer in charge of public buildings and grounds in Washington.

On No. 100: Authorizes the purchase of additional land, not to exceed $2,500, for Vicksburg National Military Park.

On No. 103: Appropriates $50,000, as proposed by the Senate, for a power house and nurses' home at Providence Hospital.

On No. 104: Appropriates $1,750, as proposed by the Senate, for work on the isolating ward at Garfield Memorial Hospital.

On No. 106: Appropriates $1,500, as proposed by the Senate, for expenses attending the unveiling of the statue of General Logan.

On No. 107: Appropriates $50,000, as proposed by the Senate, for a statue of General McClellan.

On No. 109: Strikes out the appropriation of $25,000 proposed by the Senate for the relief of the destitute in Alaska.

On No. 120: Strikes out the appropriation of $30,000 proposed by the Senate for one barrack at the Leavenworth Soldiers' Home.

On No. 136: Strikes out the provision for two additional members of the commission to codify the criminal and penal laws of the United States, and authorizes said commission to codify all laws of the United States of a permanent and general nature.

On No. 137: Restores to the bill the provision proposed by the House authorizing payment of district attorneys for services rendered by direction of the Attorney-General in cases before the Supreme Court.

On Nos. 138 and 139: Appropriates $7,500 for clerks to Senators who are not chairmen of committees, and $21,000 for furniture for new committee rooms for the Senate.

On No. 140: Strikes out the appropriation of $20,000 proposed by the Senate for a replica of the statue of Washington.

On No. 141: Strikes out the appropriation of $4,000 proposed by the Senate for a statue of Longfellow.

On No. 142: Appropriates $7,500, as proposed by the Senate, for a replica of a statue of Rochambeau.

On Nos. 143, 144, and 145: Appropriates $15,000, as proposed by the Senate, instead of $7,000, as proposed by the House, for illustrations for the report of the Geological Survey.

On Nos. 146 and 147: Strikes out the provisions proposed by the Senate relating to the catalogue of Government publications.

On No. 148: Authorizes, as proposed by the Senate, the publication of the proceedings in connection with the reception of the Webster statue.

On No. 153: Inserts the provision proposed by the Senate to settle certain claims relating to the Hot Springs Mountain Reservation in Arkansas.

The committee of conference have been unable to agree upon the following amendments:

No. 5, Newport, R. I., public building, $20,000;
No. 6, Newark, N. J., public building, $85,000;
No. 8, purchase of old Corcoran Art Gallery, $332,500.
No. 17, Fort Winfield Scott fog signal, California, $7,000.
No. 20, relief light-vessel for Twelfth and Thirteenth districts, Pacific coast, $90,000;
No. 26, increasing salaries of superintendents of life-savings stations;
No. 28, revenue cutter, St. Marys River, Michigan, to cost $75,000;
No. 30, revenue cutter for Hawaii, to cost $200,000;
Nos. 35 and 36, 15 additional aids, at $720 each, for the Coast Survey;
No. 41, fish hatchery in Utah, $25,000;
No. 42, fish hatchery in Idaho, $25,000;
No. 49, reducing salary of Commissioner of Immigration $1,000.

No. 62, permission to graze live stock on forest reservations.
Nos. 70 and 71, reducing salary of Director of the Geological Survey from $6,000 to $5,000.
Nos. 81, 82, and 84, increasing the appropriation for gauging streams from $100,000 to $200,000, and limiting investigation of underground currents and artesian wells to arid and semiarid regions.
No. 88, to acquire additional land for the insane hospital.
No. 89, education in Alaska, $30,000.
No. 91, Schuylkill Arsenal, Philadelphia, fireproof building, $75,000.
No. 93, site for memorial building for the National Society of Daughters of the American Revolution in Rawlins Park.
No. 94, reducing appropriation for military posts from $1,000,000 to $900,000.
No. 95, Fort D. A. Russell, Wyo., $50,000.
No. 96, Fort Meade, S. Dak., $50,000.
No. 97, Fort MacKenzie, Wyo., $50,000.
No. 98, Fort Lincoln, N. Dak., $75,000.
No. 99, enlargement of Governors Island, $260,000.
No. 101, Buffalo Harbor, N. Y., increase from $200,000 to $400,000.
No. 102, superintendent of Antietam battlefield, increase from $1,200 to $1,500.
No. 105, Memorial Bridge, Potomac River, $100,000.
No. 108, payment to the county of Custer, Mont., for construction of a bridge, $4,350.
Nos. 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, and 131, relating to soldiers' homes.
No. 132, conference for protection of industrial property, $10,000.
No. 133, payment to Mexico, $412,572.70.
No. 134, buildings for laboratories, Department of Agriculture, $200,000.
No. 135, traveling expenses, Territory of Hawaii, $1,000.
No. 149, authorizing another edition of Messages and Papers of the Presidents.
No. 150, customs appraisers.
No. 151, Pan-American Exposition, Buffalo; Louisiana Purchase Exposition; Charleston, S. C., Exposition.
No. 152, extending the time for the selection of arid lands by the States.

J. G. CANNON,
W. H. MOODY,
Managers on the part of the House.

Mr. CANNON. Mr. Speaker, I move the adoption of the conference report.

Mr. KITCHIN. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. KITCHIN. Is it in order to demand a separate vote upon any items upon which the conferees have agreed?

The SPEAKER. The report must be adopted or fall as a whole.

Mr. UNDERWOOD. I would like to ask the gentleman from Illinois a question.

Mr. CANNON. What is it?

Mr. UNDERWOOD. I want to ask the gentleman if there will be an opportunity for debate upon these items that are not agreed to?

Mr. CANNON. If there is something that really calls for debate I would be glad to yield, as briefly as possible, to the gentleman, but I first want to adopt the conference report.

Mr. UNDERWOOD. If the gentleman does not allow debate before the report is adopted, I see no object in the debate.

Mr. CANNON. I think nobody can have any objection to the adoption of the conference report. The items are closed by the conference report and then there are probably one-third of the items not agreed to.

Mr. UNDERWOOD. I would like to ask the gentleman—I was called out during the reading of the statement, and did not get clearly all the items—if the conferees agreed on the various items of legislation, such as the St. Louis fair bill, the monument bill, and the bridge bill, that have been rejected by this House but have been put on by the Senate?

Mr. CANNON. Oh, no; the Senate receded in some instances and the House recedes in other instances by the conference report; but there is one-half or one-third of the amendments, including the fair bill, that are not agreed to. If the gentleman has any specific item in his mind I will be glad to answer.

Mr. UNDERWOOD. I understand the items such as the St. Louis fair bill, the bridge bill, are not agreed to.

Mr. CANNON. No agreement as to the exposition, bridge, or the fair bill.

Mr. MCRAE rose.

Mr. CANNON. I will yield to my colleague.

Mr. MCRAE. I want to say, Mr. Speaker, that I hope the report will be adopted.

Mr. NEWLANDS. May I ask the gentleman from Illinois whether an opportunity will be presented to consider the items upon which there is still a disagreement after this report is approved?

Mr. CANNON. That matter is under the direction of the House.

Mr. NEWLANDS. I would like five minutes' time on a certain item here.

Mr. CANNON. I will see in my time what can be done about it. I want to see how much time is to be had.

Mr. HOPKINS. I was called out and did not hear all the report read. I would like to know what action was taken on amendment 150 of the Senate, increasing the salary of certain appraisers in Boston and Philadelphia.

Mr. CANNON. It was disagreed to.

Mr. LACEY. I want to ask the gentleman about amendment 109, authorizing a small appropriation for the War Department to take care of the indigent sick and destitute in Alaska.

Mr. CANNON. The Senate receded from that and there was an agreement.

Mr. LACEY. Does not the gentleman think that item ought to remain in, in view of the fact that the fees for licenses that go into the Treasury are much more than enough to make provision for these sick people and there is no local government to provide for it?

Mr. CANNON. The judgment of the House conferees in making this agreement was that the indigent sick are reported to be up somewhere toward the Frozen Ocean, about Cape Nome, and over that section of the country. Many weeks would pass by before they could be relieved; and before the relief would come the fishing season would begin, and we did not believe it policy to begin to debauch and demoralize these people.

The SPEAKER. The question is on adopting the conference report.

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

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

The SPEAKER. Is there a separate vote demanded on any of the remaining amendments?

Mr. ROBINSON of Indiana. I desire to interrogate the chairman, Mr. Speaker.

Mr. ALEXANDER. I want a separate vote upon amendment No. 151.

Mr. CANNON. I have not yielded the floor, Mr. Speaker. I desire to move that the House further insist on its disagreement to the Senate amendments and consent to another conference.

The SPEAKER. The gentleman from Illinois moves that the House further insist on its disagreement to the other amendments of the Senate and agree to a conference.

Mr. ALEXANDER rose.

The SPEAKER. For what purpose does the gentleman rise?

Mr. ALEXANDER. I move that the House recede and concur——

The SPEAKER. The gentleman has already indicated the amendment upon which he wants a separate vote.

Mr. NEWLANDS. Mr. Speaker, I ask the House to recede from its disagreement—I have not the number of the amendment——

The SPEAKER. The Chair, then, will recognize the gentleman from Virginia.

Mr. RIXEY. Mr. Speaker, I desire a separate vote on amendment 105.

Mr. ROBINSON of Indiana. I would like to ask, Mr. Speaker, whether the conferees have agreed upon amendment 88, with reference to the purchase and exchange of land for the insane asylum?

Mr. CANNON. There is no agreement for two reasons. First, I desired the House to take action upon it if it wanted to do so; and second, there comes a proposition from the Secretary of the Interior and the superintendent of St. Elizabeth's Asylum in which they ask a modification of these amendments that will permit a further exchange of land so as to enable the asylum to obtain the whole 140 acres, in round numbers, for other land that the Goverment owns.

Mr. ROBINSON of Indiana. Is it the intention of the gentleman from Illinois to ask the House to pass upon the question at this time?

Mr. CANNON. I did not so intend, but I want to say that if it is the sense of the House to consider the matter now, I have no objection. I want to say, and I would have said it before if I had had the opportunity, that there is a proposition before the conference committee, or rather a request, to modify the Senate provision so as to authorize the further exchange of land, the object being to obtain for the Government and use of the asylum 140 acres south of the road.

Mr. ROBINSON of Indiana. Will the gentleman yield to me at the proper time to make a motion to concur in the Senate amendment?

Mr. CANNON. That is the gentleman's right.

The SPEAKER. What is the number of the amendment on which the gentleman from Indiana desires a separate vote?

Mr. ROBINSON of Indiana. Eighty-eight.

Mr. NEWLANDS. I ask a separate vote on amendments numbered 81 and 82.

Mr. LLOYD. I ask the gentlemen of the committee whether there was an agreement as to amendment numbered 89?

Mr. CANNON. There was a disagreement upon that amendment.

Mr. LLOYD. I simply wished to call attention to the fact that a bill was passed yesterday providing for education in Alaska for the coming year.

Mr. MCCLEARY. I desire a separate vote on amendment numbered 141.

Mr. CANNON. That amendment is included in the conference report. The Senate receded.

Mr. LACEY. What was done with amendment numbered 152? There has been some work in progress there.

Mr. CANNON. There was no agreement touching that.

Mr. LACEY. Is there any objection to agreeing to the Senate amendment?

Mr. CANNON. I can not answer the gentleman.

Mr. GROSVENOR. I give notice that I desire a separate vote on amendment numbered 8, providing for the purchase of the Corcoran Art Gallery. I do not know that I shall insist upon a separate vote; but I do not wish to be barred from having such a vote if I should desire it.

Mr. HOPKINS. I ask for a separate vote on amendment numbered 150.

Mr. UNDERWOOD. Before the question is put, I wish to ask the gentleman from Illinois whether he will yield a few minutes for debate?

Mr. CANNON. I want to yield only for real debate, and as little of it as possible, because this bill is to go back to conference and there must be another report, possibly two. Various other bills will come tramping in on the heels of this, and to-morrow at 12 o'clock this Congress dies. So that I hope there will be no debate except that which is to the point, and as brief as possible.

Mr. SHAFROTH. I would like to inquire in regard to the amendment concerning the Mesaverda Reservation.

Mr. CANNON. I am going to delight my friend's heart by telling him he is more fortunate than he supposed. On that amendment the House has receded, and the amendment is concurred in.

Mr. SHAFROTH. I am glad to hear it.

The SPEAKER. The vote will now be taken on the motion of the gentleman from Illinois——

Mr. UNDERWOOD. Does the gentleman from Illinois decline to yield me any time?

Mr. CANNON. I decline to yield any now. We first want to get these amendments adopted on which separate votes are not asked.

Mr. HULL. I wish to reserve for a separate vote the amendment numbered 99.

The SPEAKER. The motion of the gentleman from Illinois will be put upon all amendments except those which have been reserved, and which the Chair will now enumerate: Amendments numbered 8, 151, 105, 88, 81, 82, 150, and 99.

Mr. UNDERWOOD. Does the gentleman from Illinois decline to yield to me?

Mr. CANNON. I decline to yield to anyone now. I want first to dispose of these amendments on which a separate vote has not been asked.

Mr. UNDERWOOD. I do not desire to debate any particular one of the amendments. I wish to address my remarks to all of them—to the bill in general. I believe this is the proper time.

Mr. CANNON. I decline to yield to the gentleman for that purpose at this time.

The SPEAKER. The question is on the motion of the gentleman from Illinois, that the House further insist on its disagreement to all the amendments of the Senate except those just enumerated by the Chair, and agree to the conference asked by the Senate.

The motion was agreed to.

The SPEAKER. The question will first be taken on amendment numbered 8, on which a separate vote was reserved by the gentleman from Ohio [Mr. GROSVENOR].

Mr. GROSVENOR. I withdraw that demand.

Mr. SHERMAN. I rise to a parliamentary inquiry—whether it is not in order to consider first amendment 151, the amendment upon which a separate vote was first asked.

The SPEAKER. The vote will be taken upon these amendments in the order in which they appear in the bill. The demand for a separate vote having been withdrawn in regard to amendment numbered 8, the question is, Will the House further insist on its disagreement to that amendment and agree to the conference?

The motion was agreed to.

Mr. SHERMAN. I wish to ask a parliamentary inquiry. Do I understand the Chair to hold that it is not in order to consider first the amendment upon which a separate vote was first asked?

The SPEAKER. The Chair has answered that question. The amendments will be voted upon in the order in which they appear in the bill.

Mr. SHERMAN. That is not the question which I asked. My question was whether it was not the proper procedure to vote first upon the amendment on which a separate vote was first asked.

The SPEAKER. That is not a right that can properly be insisted upon. The Chair announced that the amendments would be voted upon in the order in which they appear in the bill. The next amendment is amendment numbered 81.

Mr. CANNON. I ask the Clerk to read the amendment.

The Clerk read as follows:

After the word "wells," in line 5, page 70, insert "in arid and semiarid sections."

The SPEAKER. On this amendment a separate vote was reserved by the gentleman from Nevada [Mr. NEWLANDS]. What motion does he desire to submit?

Mr. NEWLANDS. I wish to move that the House recede from its disagreement to amendments numbered 81 and 82, and concur in those amendments. I would like the chairman of the committee to grant me a few moments for the discussion of this question.

The SPEAKER. If there is no objection, the question will be put as to amendments 81 and 82 at the same time. The Clerk will report 82.

The Clerk read as follows:

On page 70, line 7, strike out "one" and insert "two;" so that it will read "$200,000."

Mr. CANNON. Now, Mr. Speaker, I am under obligations to yield just a moment. How much time does the gentleman want?

Mr. UNDERWOOD. I would say to the chairman of the committee it is proposed to yield the gentleman from Nevada some time, and I will wait until he is through.

Mr. CANNON. I do not desire to yield beyond question, or an exceedingly short statement touching this matter. It has been discussed time and again; the House is familiar with it, and I want to vote as promptly as possible.

Mr. NEWLANDS. Will the gentleman permit me a few minutes for the purpose of discussing this question?

Mr. CANNON. I do not want to go into any formal discussion of the question again.

Mr. NEWLANDS. I only need five minutes.

Mr. CANNON. Twice—I think three times—has this and kindred questions been discussed.

Mr. NEWLANDS. I beg the gentleman's pardon. This question has not been discussed. I ask for only five minutes.

Mr. CANNON. My friend, I hope, can get along with two minutes.

Mr. NEWLANDS. I will compromise on four. [Laughter.]

Mr. CANNON. I yield to my friend two minutes, if it is useful to him.

Mr. NEWLANDS. I want four.

Mr. CANNON. There are matters on this bill that are going to take time. This is old straw—the House is very familiar with it. I must beg of my friend to be as brief as possible. I yield him three minutes.

Mr. NEWLANDS. Mr. Speaker, the time given by the gentleman is hardly sufficient to intelligently cover this question. This amendment relates to gauging streams, and investigations by the Geological Survey of the best method of dealing with the water resources of the arid and semiarid regions.

The House appropriated $100,000 for the purpose, and the Senate has increased it to $200,000, that amount lacking $50,000 of the amount recommended by the Geological Survey. Now, I wish to say there are four methods that have been presented to this House of dealing with this great question.

Some gentlemen in this House are in favor of simply taking one project as an experiment and ascertaining the result before proceeding further, and some, including the chairman of the Appropriations Committee [Mr. CANNON], are in favor of ceding the public lands of the West to the arid and semiarid States, so as to enable them to go on with the work of reclamation.

Others are in favor of direct appropriations from the Treasury, in a bill analogous to the river and harbor bill, for the storage and conservation of the waters of the arid and semiarid regions. Others, including myself, believe the Government should administer these as a great trust, in order that the receipts for the public lands shall go into a public fund to be called the reclamation fund; that fund to be used for the reclamation of the arid lands in those 16 States and Territories, the lands to be held for actual settlers in small tracts. It is an automatic plan for reclamation.

Now, objection is always made on this floor that no information is presented to the House as to the ultimate cost of this work. It is utterly impossible to give any estimate. This work will not be finished in fifty or a hundred years; and what would be thought of asking the first man who introduced a river and harbor bill to forecast the future and tell how much river and harbor improvements would cost the Government? This would only start the conservation of the waters. All we can say is that it is possible to reclaim from seventy-five to a hundred million acres of land, worth, when reclaimed, four or five billions of dollars.

Now, we ask whether it is not wise to put the Government in position where it can answer the question of the House intelligently upon this matter when it comes up for determination in the next session of Congress. Three committees have already acted upon the question, the Public Lands Committee of the Senate, the Public Lands Committee of the House, and the Irrigation Committee of the House, all favoring a scheme of reclamation and compensation for each project, so as to make the scheme self-supporting, and I ask, inasmuch as every effort to secure consideration of irrigation bills has failed and the whole question goes over to the next session, that at all events this small appropriation of $200,000 should be made in order that the Geological Survey may make the necessary investigation and report to Congress.

The SPEAKER. The time of the gentleman has expired.

Mr. NEWLANDS. I wish the gentleman would yield to me further.

Mr. CANNON. I can not yield upon this for further debate. I will ask for a vote on one statement of thirty seconds. In 1891 we appropriated $12,000 for this purpose. It has grown until the current year it stands at $100,000. The amount as the House passed it after full discussion was $100,000. I ask the House to vote down the motion to concur; and now I call for a vote.

The SPEAKER. The question is on the motion to concur in the motion of the gentleman from Nevada, to recede from this disagreement and concur in the Senate amendment.

The question was taken; and the motion to concur was rejected.

The SPEAKER. The next amendment is 88, and the Clerk will report the same.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. CUNNINGHAM, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14018) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1902, and for other purposes, and had further insisted upon its amendments to the bill numbered 5, 6, 8, 17, 20, 26, 28, 30, 35, 36, 41, 42, 49, 62, 70, 71, 81, 82, 84, 88, 89, 91, 93, 94, 95, 96, 97, 98, 99, 101, 102, 105, 108, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 149, 150, 151, and 152, disagreed to by the House of Representatives, had asked a further conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. ALLISON, Mr. HALE, and Mr. COCKRELL as the conferees on the part of the Senate.

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

H. R. 14163. An act to authorize the Portland, Nehalem and Tillamook Railway Company to construct a bridge across Nehalem Bay and River, in the State of Oregon; and

H. R. 11900. An act granting a right of way to the Jamestown and Northern Railway through the Devils Lake Indian Reservation, in the State of North Dakota.

The message also announced that the Senate had passed bill of the following title; in which the concurrence of the House of Representatives was requested:

S. 5084. An act granting a pension to Charles J. Clark.

SUNDRY CIVIL APPROPRIATION BILL.

The Clerk read as follows:

On page 74, line 3, after the word "available," insert:

"*Provided*, That the Secretary of the Interior is hereby authorized and directed to exchange a tract of land containing 60 acres, more or less, east of Nichols avenue and south of Congress Heights, for 60 acres, more or less, adjoining the grounds of the Government Hospital for the Insane on the south, to be selected by said Secretary, the exchange to be made acre for acre: *And provided further*, That a roadway 90 feet wide be reserved out of and on the south side of the land so acquired as a public highway from Nichols avenue to the river."

Mr. ROBINSON of Indiana. Mr. Speaker, I desire to have order.

Mr. CANNON. Will my friend from Indiana allow me a moment? I yield to the gentleman from Alabama.

The SPEAKER. How much time?

Mr. UNDERWOOD. I want about three or four minutes.

Mr. CANNON. I yield three minutes.

Mr. UNDERWOOD. Mr. Speaker, I do not take this occasion to occupy the time of the House when a great measure of this kind is up to do so fruitlessly; but there are some propositions in this conference report on this sundry civil bill that I have voted for on the floor of this House when they came here as independent measures, and I now propose to vote against every one of them. I think it is reasonable to allow a gentleman to explain why he has changed his vote. It is not that I am opposed to the measures now. Investigation shows that the Senate of the United States has put almost every measure that has been defeated in the House in the last month upon this sundry civil bill, attempting to make it a "pork" bill, instead of a sundry civil bill, and ram it down the throats of the members of this House. Many of the items I do not believe in. Some few I do believe in. I say when the Senate of the United States sends it to this House in this condition, practically robbing the Treasury by force of its power to compel an extra session, or force us to pass this bill, that the House of Representatives, the men who represent the people of this country, should protest by voting down and refusing to concur in every one of these amendments, whether we believe in them as independent propositions or not. [Loud applause.]

Mr. CANNON. What is the motion of the gentleman from Indiana?

Mr. ROBINSON of Indiana. I move that the House recede and concur in the Senate amendment No. 88.

The SPEAKER. The gentleman from Indiana moves to recede and concur.

Mr. CANNON. Just a word.

Mr. ROBINSON of Indiana. Of course the gentleman will make a brief statement of the situation.

Mr. CANNON. It is only a word I want to say about it. [Cries of "Vote!"] Let the amendment be again reported.

The SPEAKER. Without objection, the amendment will be again reported.

The amendment was again reported.

Mr. CANNON. Now, Mr. Speaker, I would be glad to have the motion of the gentleman voted down or that he would assent that it should be for the following reasons: I am quite in harmony with the amendment, but the superintendent of St. Elizabeth's and the Secretary of the Interior have called my attention to the desirability of getting the balance of the tract by exchange of land that we have. I am inclined to believe that if the committee were to go back, leaving it open, that the House and Senate conferees can agree upon a provision amending this clause which will enable the Government to make a further exchange to the advantage of the asylum.

Mr. WILLIAMS of Mississippi. Without the payment of any money?

Mr. CANNON. Without the payment of any money.

Mr. ROBINSON of Indiana. The Senate amendment proposes that we shall exchange the 59-acre tract on which the almshouse was to be built, according to a proposition ingrafted on the District of Columbia appropriation bill, for a like number of acres of the 145-acre tract that the House refused to purchase when this bill was up and the asylum project was being considered. Is it proposed that 80 acres of the 145 acres should be exchanged for the farm site across Nichols avenue?

Mr. CANNON. If my friend will listen to the reading of the proposition, either that or to exchange land across the way opposite Alexandria, known as Godding Croft. I will send it to the Clerk's desk.

The SPEAKER. The Clerk will report.

The Clerk read as follows:

And the Secretary of the Interior is further authorized, if in his judgment advisable, to exchange such portion as he may deem equitable of the agricultural land now owned by the Government, or of the farm opposite Alexandria and known as Godding Croft, for 80 acres, more or less, lying immediately adjoining this said 59½ acres and south of the present building site of the hospital. In case such exchange is made, the Secretary is also authorized, in his discretion, to grant a roadway along the south side of said tract, from Nichols avenue to the river, 90 feet in width.

Mr. ROBINSON of Indiana. I am willing, Mr. Speaker, to say that, in view of the fact that another tract that can be drawn on for exchange, and that the Secretary will probably draw on that rather than on the agricultural land, I will make the proper motion to take the sense of the House on that.

Mr. CANNON. Then my friend moves that the House concur with the following amendment?

Mr. ROBINSON of Indiana. Yes.

Mr. MOODY of Massachusetts. I would like to call attention of the gentleman from Illinois and the gentleman from Indiana to the fact that this amendment requires further perfection.

Mr. ROBINSON of Indiana. That can be arranged in conference.

The SPEAKER. The question is on the motion of the gentleman from Indiana to recede from the disagreement of the House and concur with the amendment which has been reported.

Mr. GROUT. I would like to ask, Mr. Speaker, if the gentleman from Illinois would prefer to have the House act on this and indorse the proposed change, as a help in the conference, or would he prefer to have it left open?

Mr. CANNON. It is quite immaterial. If the motion is voted down, it would send it back to conference; but I would quite as soon have the House concur in the Senate amendment. It gives jurisdiction of the whole matter.

Mr. ROBINSON of Indiana. And gives the roadway along the line of the land.

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

The SPEAKER. The next question is on the amendment numbered 99. The Clerk will report.

The Clerk read as follows:

Toward the enlargement of Governors Island, $200,000; and for the erection of storehouses and other necessary buildings, in accordance with the plan reported by a board composed of Maj. Gen. John R. Brooke, Col. George L. Gillespie, and Col. Amos S. Kimball, dated July 21, 1902, $60,000; in all, $260,000.

Mr. HULL. Mr. Speaker, in order not to embarrass the conferees on the part of the House, I withdraw my request for a separate vote.

The SPEAKER. Without objection, the House will further insist on its disagreement to that amendment.

There was no objection.

The SPEAKER. The next amendment upon which a separate vote is asked is No. 105, which the Clerk will report.

The Clerk read as follows:

Memorial bridge across Potomac River: To enable the Secretary of War to commence the construction of a memorial bridge from the most convenient point of the Naval Observatory grounds, or from some point adjacent

thereto, across the Potomac River to the most convenient point of the Arlington estate property, or property adjacent thereto, $100,000; said bridge to be constructed on a plan to be approved by the Secretary of War, and not to cost more than $5,000,000. And the Secretary of War is authorized to expend so much of the amount hereby appropriated as may be necessary for the purpose of securing and determining on a proper plan, opening the competition to all who may desire to submit plans.

Mr. BABCOCK. Mr. Speaker, I ask for time on this proposition.

The SPEAKER. There is no motion yet pending.

Mr. RIXEY. Mr. Speaker, I move that the House recede from its disagreement and concur in the Senate amendment.

The SPEAKER. The gentleman moves that the House recede and concur.

Mr. CANNON. Does the gentleman from Virginia want a minute?

Mr. RIXEY. Does the gentleman from Illinois only propose to yield a minute to this side?

Mr. CANNON. I want a vote at the earliest possible minute, and the gentleman from Wisconsin wants a minute.

Mr. BABCOCK. I want three minutes. [Laughter.]

Mr. RIXEY. If the gentleman from Illinois wants to say anything, very well; if not, we will take a vote.

Mr. CANNON. Well, I yield two minutes to the gentleman from Wisconsin.

Mr. BABCOCK. Mr. Speaker, at the last session of Congress I stood with the chairman of the Appropriations Committee and opposed this amendment. But I want to say, Mr. Speaker, that conditions have radically changed. Within a week the Senate District Committee has caused an investigation to be made of the Aqueduct Bridge, caused by the application to construct a street railway line over it, and I hold in my hand the report of the Secretary of War, who says it will be necessary to construct a new bridge, at an estimated cost of from eight hundred to nine hundred and sixty thousand dollars; that the piers are in such a condition that they will not carry any heavier traffic than is now being carried over it.

Mr. PAYNE. Does the gentleman suppose that appropriating $100,000 to begin a memorial bridge will remove the necessity for repairing the Aqueduct Bridge?

Mr. BABCOCK. Yes; it will remove the necessity for repairing the Aqueduct Bridge, because in its present condition the engineer reports that it will carry the present traffic, but not the traffic that must go over there if these railways are constructed. I believe, Mr. Speaker, rather than appropriate a million dollars to rebuild this Aqueduct Bridge it would be better to start the memorial bridge now.

Mr. RIXEY. I would like to ask the gentleman from Illinois, if there is to be a discussion on this proposition, if he will not yield to us such time as he proposes to consume?

Mr. CANNON. I want a vote inside of five minutes. At this stage of the session, in my judgment, it is necessary to do so, and if my friend wants time I will yield to him. [Cries of "Vote! Vote! Vote!"]

Mr. RIXEY. Is the gentleman willing to take a vote now?

Mr. CANNON. After I have used as much time as the gentleman from Wisconsin has—two minutes.

Mr. RIXEY. Well, I will let the gentleman take his two minutes, and then we will take a vote.

Mr. CANNON. Mr. Speaker, gentlemen should understand what this motion is. It is to agree to the immediate construction of a memorial bridge, the minimum cost of which is $5,000,000, and, in my judgment, it will cost nearer $10,000,000 before it is done.

Now, Mr. Speaker, there is no use for this bridge at this time. The Aqueduct Bridge is in daily use, and on the deficiency bill we have already agreed to appropriate money to repair it. And on the railroad terminal bills we provided for the construction of a wagon bridge across the Potomac, not a great way from this memorial bridge, for $560,000. That is a real bridge, and answers every purpose, minus the ornaments, minus the style. Let us be just before we are generous. I now ask a vote, and hope that the gentleman's motion to concur will be voted down.

The question was taken; and on a division (demanded by Mr. RIXEY and Mr. HAY) there were—65 yeas and 116 nays.

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

The question on ordering the yeas and nays was taken, and the yeas and nays were refused.

The SPEAKER. The next amendment to be separately voted on is amendment No. 150.

The amendment was read, as follows:

After line 20, page 135, insert the following:

"That sections Nos. 2529 and 2544 of the Revised Statutes of the United States are hereby so amended that there shall be one appraiser of merchandise at each of said ports instead of two, as now provided by law.

"The salary of said appraisers shall be $4,000 each per annum, instead of $3,000 each, as now established by law."

Mr. HOPKINS. In respect to the amendment just read I offer the resolution which I send to the desk.

The Clerk read as follows:

Resolved, That the managers of the conference on the part of the House on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill H. R. 14018 are hereby instructed not to agree to the amendment of the Senate numbered 150.

Mr. CANNON. I hope the gentleman will first let us further insist on our disagreement, and then I think his resolution will be in order.

The SPEAKER. The motion of the gentleman from Illinois [Mr. CANNON] will be considered as applying to this amendment, and the House will further insist on its disagreement to the amendment. Is there objection? The Chair hears none. The question is now on the resolution of the gentleman from Illinois [Mr. HOPKINS].

Mr. CANNON. I yield two minutes to my colleague [Mr. HOPKINS].

Mr. HOPKINS. Mr. Speaker, in the two minutes allowed me I desire to say that the sole and only object of the amendment is to increase the salaries of the appraisers at Boston and Philadelphia from $3,000 to $4,000 each. This question was presented in the form of a bill, which passed the Senate and was sent to the Ways and Means Committee of the House. It was fully considered by that committee, and the committee determined against increasing these salaries, and voted against reporting the bill favorably.

Mr. MCCALL. Will the gentleman state precisely what the vote in the committee was? It was a tie, was it not?

Mr. HOPKINS. I state exactly what the vote was—that the Ways and Means Committee voted against the proposition. Now, if we are going into an increase of salaries, there is an appraiser at Chicago, another at San Francisco, another at New Orleans, another at New York, and appraisers at other places, who deserve just as much to have their salaries increased as do these appraisers at Boston and Philadelphia.

I submit that the remarks of my friend from Alabama [Mr. UNDERWOOD] are very apropos here. If the Senate can override the affirmative action of the House and force us to increase salaries in this way, we might just as well abdicate all independence on the part of this House and submit quietly to the action of the Senate. I trust that the resolution will be adopted.

Mr. CANNON. I yield a few moments to the gentleman from Massachusetts [Mr. MOODY].

Mr. MOODY of Massachusetts. Mr. Speaker, just a word. This amendment does not relate in any way to any matter personal to myself, as the gentleman from Illinois well knows. The conferees on the part of the House have decided to disagree to the Senate amendment. It seems to me that it would be entirely proper and safe to leave the interests of the House in their hands. I shall not oppose the resolution of the gentleman from Illinois [Mr. HOPKINS], although I wish he had not presented it.

Mr. STEELE. The gentleman had better withdraw it.

Mr. HOPKINS. I ask a vote on the resolution.

The question being taken, the resolution was agreed to.

The SPEAKER. The next amendment on which a separate vote has been demanded is the amendment numbered 151. The Chair will state that this is one amendment, of 30 pages, embracing the St. Louis, the Charleston, and the Buffalo expositions.

Mr. SHERMAN. I ask unanimous consent to dispense with the reading of the amendment. Everybody here understands what it is.

Mr. TAWNEY. I suggest that the reading be confined to the proposition in relation to the Pan-American Exposition. That has not been read in the hearing of the House; the other two propositions have been.

Mr. CANNON. Everybody knows what it is.

Mr. ALEXANDER. I beg the gentleman's pardon; all gentlemen here do not understand what it is. It has never been read in the House.

The SPEAKER. The request is that the reading of so much of this amendment as relates to the St. Louis fair and the Charleston fair be omitted, and that the amendment relating to the Buffalo fair be read. Without objection, that course will be pursued.

There was no objection.

The Clerk read as follows:

151. PAN-AMERICAN EXPOSITION, BUFFALO, N. Y.

For the benefit and to the use of the Pan-American Exposition to be held at Buffalo, in the State of New York, from May 1, 1901, to November 1, 1901, $500,000, to be immediately available, said sum to be paid to and be disbursed by the Pan-American Exposition Company under rules and regulations and under conditions to be prescribed by the Secretary of the Treasury: *Provided, however*, That in the distribution of any moneys that may remain in the treasury of the said Pan-American Exposition Company after the payment of its debts the aforesaid sum so appropriated shall be repaid in full into the Treasury of the United States before any dividend, return, or distribution shall be made to the holders of the capital stock of said corporation: *And provided also*, That the United States shall not in any circumstances be liable for any debt or obligation of the said corporation or for any payment in addition to the foregoing sum. That as a condition precedent to the payment of this appropriation the Pan-American Exposition Company shall contract to close the gates to visitors on Sundays during the whole duration of the fair.

Mr. ALEXANDER. I wish to ask the gentleman from Illinois [Mr. CANNON] how much time we may have.

Mr. SPEAKER. There has been as yet no motion offered in respect to the amendment.

Mr. ALEXANDER. I move that the House recede from its disagreement to amendment numbered 151, and concur in the amendment.

Mr. CANNON. How much time does the gentleman want?

Mr. ALEXANDER. There are three distinct propositions here. I suggest fifteen minutes on each proposition.

Mr. CANNON. Unless the House runs away from me, I will not assent to forty-five minutes' debate at this stage of the session.

Mr. LIVINGSTON. I suggest ten minutes on each proposition.

Mr. CANNON. Does my friend from New York [Mr. ALEXANDER] desire to occupy the floor?

Mr. ALEXANDER. I want to yield to my colleague [Mr. SHERMAN].

Mr. POWERS. Here are three distinct propositions, with three different appropriations of money. Is not this question divisible, so that we may vote first on the Pan-American Exposition, then on the exposition at Buffalo, then on the St. Louis Exposition?

The SPEAKER. The Chair regrets to say that he does not know of any way in which that can be done. This is one amendment of the Senate.

Mr. POWERS. It is plainly a divisible proposition. Would it be in order, Mr. Speaker, to move for a separate vote on each distinct proposition?

The SPEAKER. The Chair thinks the motion would be out of order.

Mr. SHERMAN. I would like a little time. I shall not be long. I think five minutes will be all that I shall require.

Mr. CANNON. I yield the gentleman five minutes.

Mr. SHERMAN. Mr. Speaker, I shall confine my observations to the proposition making an appropriation for the Pan-American Exposition at Buffalo. This is not a proposition that Congress donate half a million dollars. We are not here asking for charity at the hands of the American Congress.

Mr. Speaker, we are here asking Congress for a loan to assist us in carrying on an exposition which is purely, clearly, and distinctly a Pan-American Exposition. It was started by the action of the American Congress in extending an invitation to the Republics of the Western Hemisphere to join with us in holding an exposition in 1902. After that action by Congress, the people of Buffalo began preparations for the exposition. They financed it at three and a half millions of dollars and procured funds to that amount.

If the exposition had not exceeded the original idea of the people of Buffalo, the three and a half million dollars which they had raised would have been ample to carry the enterprise to a conclusion. But, Mr. Speaker, responses have been made from all the Republics of South America save three, and the numerous responses from various States of the Union have necessitated enlargement of the original plans, so that it is now not possible to carry out this exposition for the amount originally contemplated.

We are therefore here asking that Congress loan, not donate, to the exposition half a million dollars and make that loan a preferred claim, to be preferred only by the two and a half million dollars of bonds that have been issued. This is not a new proposition. Congress made a loan to the Philadelphia Exposition in 1876, and received payment of every cent, as also did the private contributors. Congress has loaned its aid to other expositions—Nashville, New Orleans, and Chicago.

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

Mr. SHERMAN. Certainly.

Mr. HOPKINS. I want to ask the gentleman if it is not a fact that when the committee from Buffalo came before the Ways and Means Committee, to get the aid of the Government, it was stated that they would not come back and ask for any extra money, and if this proposition is not in violation of the promise made the Ways and Means Committee of the House when this first authorization was made?

Mr. SHERMAN. I was not a member of the Ways and Means Committee then, and am not now; but I do not understand the gentleman has correctly stated the proposition. I think no such promise was made in the first place, and in the second place the Pan-American Exposition Company is not here asking a gratuity of Congress. It is simply asking a loan.

And, Mr. Speaker, while at Chicago 27,000,000 people were in attendance, 27,000,000 paid admission, Buffalo has a population within the same radius of 25 per cent more than had Chicago, yet if at Buffalo the attendance is only 10,000,000 people, their gross receipts will be more than sufficient to meet all the expenses of the fair, to pay the bonds issued in its aid, and return to the Government of the United States every dollar provided to be loaned to this exposition under this bill.

It will be, Mr. Speaker, a great exposition, and it will be such an exhibition as will be a credit to this Government, one which in the end will entail the expenditure of not one single dollar from the Treasury of the country.

Mr. RIDGELY. Will the gentleman yield to me for a question?

Mr. SHERMAN. Yes.

Mr. RIDGELY. Does the gentleman say that he believes this money will be returned to the Treasury?

Mr. SHERMAN. I certainly do believe that this money will be returned to the Treasury of the United States.

Mr. RIDGELY. All of it?

Mr. SHERMAN. Yes; all of it. On every possible doctrine of chances the receipts from concessions and gate entrances will meet every outlay entailed. The proposition has merit, great merit. It is not new. It has ample precedent. The appropriation ought to be, and I trust will be, made.

I yield the gentleman from New York the balance of my time.

Mr. ALEXANDER. How much time have I?

The SPEAKER. The gentleman has half a minute remaining.

Mr. ALEXANDER. How much time will the gentleman yield? There are half a dozen gentlemen who desire to speak for the half-million loan.

Mr. CANNON. Oh, well, I can not yield great time. I yield to my friend how much?

Mr. ALEXANDER. I would prefer not to have it now, but I would like to have at least five minutes.

Mr. CANNON. I think my friend had better take it now, because inside of twenty minutes I want to vote.

Mr. ALEXANDER. I would prefer to hear from those representing the other proposition. I yield to the gentleman from Minnesota [Mr. TAWNEY].

Mr. CANNON. I do not think my friend has any time to yield.

Mr. ALEXANDER. Well, I will say——

The SPEAKER. The time of the gentleman from New York has expired.

Mr. CANNON. I will first yield to my colleague, the gentleman from Georgia, three minutes.

Mr. LIVINGSTON. I undertake to say, Mr. Speaker, that from those of us who have been here in the years that have passed, voting large appropriations for Philadelphia, Chicago, for Omaha, for New Orleans, and for Atlanta, Ga., it comes with bad grace now, or from any man in this House who participated in these appropriations, to stand here to-day and oppose the Charleston appropriation. This appropriation for Charleston is simply for a Government exhibit—nothing more nor less. She is in the extreme southeastern portion of this country, and this is the first thing of the kind she has ever asked at the hands of Congress. Now, then, we have given five millions, practically, to St. Louis, and we gave in the Fifty-fifth Congress $500,000 to Buffalo, and in this bill we propose to give $500,000 more. Why not, then, if you are going to put a stop to this matter, put a stop to all of them? Why make an exception of Charleston? Now, St. Louis is given $5,000,000 and Buffalo $1,000,000, while Charleston is only asking a Government exhibit—nothing more and nothing else.

Mr. CANNON. Does the gentleman from Minnesota desire any time?

Mr. TAWNEY. I would like to ask the gentleman one question before this vote is taken: Whether, in his judgment, in the event the Senate insists upon its amendment, there will be another opportunity given to the House to consider this proposition?

Mr. CANNON. Well, I will say to my friend that the Senate of the United States has now pending in the Senate a bill appropriating $5,000,000 for the St. Louis Exposition. They amended it for Charleston, and sent it with their compliments to the House. The House refused to concur in the Senate amendment; and it is within the power of the Senate now, at any time, to move that the Senate recede from its amendment, and if they would do so it would pass the St. Louis Exposition.

Mr. TAWNEY. I will state to the gentleman that it is entirely within the power of the Senate to recede, but it is not in keeping with the compact; and for that reason they will never vote to recede.

Mr. ELLIOTT. Yield to me a minute or two.

Mr. MOODY of Massachusetts. A parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MOODY of Massachusetts. In the event the motion now pending, namely, the motion to recede and concur—if the whole amendment is voted down, will it not be possible by motions to recede and concur with amendments to raise the question upon each separate exposition?

The SPEAKER. The Chair is of the opinion that that could be done after it is voted down. To whatever extent those motions would range the Chair can not determine now.

Mr. MOODY of Massachusetts. That would depend upon the gentleman making the motion. There is no necessity for combination when we can vote upon these independently.

Mr. CANNON. I yield to the gentleman from South Carolina three minutes.

[Mr. ELLIOTT addressed the House. See Appendix.]

Mr. CANNON. I yield three minutes to the gentleman from New York.

Mr. PAYNE. Mr. Speaker, the House is not bound hand and foot. We are not the abject slaves of gentlemen at the other end of the Capitol. We are not bound by this simple motion to concur. It is true it takes precedence; but if it is voted down, then it is in order for any gentleman to move to concur with an amendment striking out one or two of these propositions, and leave the others in which to concur; and we can send it back to the gentlemen at the other end of the Capitol, who are trying now to hold the House up by their determination that the House shall take not only one, but all three of these propositions or that this bill shall fail. [Loud applause.] For one, I say let it fail before we go into this business, to which I am opposed—forever opposed. [Applause.]

I am opposed utterly to the appropriation of $250,000, a sum equal to all that has been raised for the fair in Charleston, which will amount to no more than a State, county, or city fair. Why, we spend more money in the State of New York for a State fair than these gentlemen have raised there, and we never thought of coming to Congress and asking $250,000 for a State fair. We never will consent to it by my vote, and I would rather this bill fail and that we have an extra session of Congress, too, than to be held up in this manner. [Applause.] We sent the bill over to the Senate to redeem our promise of appropriating $5,000,000 for St. Louis.

Mr. LATIMER. What about Buffalo?

Mr. PAYNE. I will answer the gentleman in a moment. They sent back the bill and stuck the Charleston appropriation onto it. We sent it to conference and the committee is told there is a compact formed by which the two must stand or fall together. Let the people understand, then, that if we try to redeem our promise by giving $5,000,000 for this great exposition at St. Louis, the Senate holds us up with a proposition for a county fair in South Carolina. What is the argument for it? It is said that we must appropriate the $250,000 as a contribution toward the era of good feeling. If good feeling in the South is to be purchased by appropriations I say we do not want it. [Applause.] There is no good feeling in the South to be purchased; if it does not come spontaneously, from patriotic impulses, we want none of it. [Applause.]

Mr. CANNON. I now yield to the gentleman from New York two minutes, and then I want to close the debate.

Mr. SULZER. Mr. Speaker, I can not concur in what the gentleman from New York [Mr. PAYNE] has said. I dissent from his conclusions. There is nothing narrow, illiberal, or sectional about me. [Laughter and applause.] If we appropriate money for the St. Louis Exposition and for the Buffalo Pan-American Exposition, we ought to be big enough and brave enough and broad enough to appropriate $250,000 for the Charleston Exposition. I am in favor of the exposition at Buffalo, I am in favor of the exposition at St. Louis, and, sir, I am in favor of the exposition at Charleston. They are all in the interest of the people, and will help to educate us and disseminate useful and valuable information.

Mr. Speaker, the gentleman from New York, I doubt not, is in favor of the Buffalo Exposition; he wants public money for a city in his own State, and yet he is opposed to appropriating money just as necessary in the interest of education and the dissemination of information for the Charleston Exposition. He should be consistent. His position is untenable. I hope the House will vote for all of these expositions or defeat them all. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. CANNON. I now yield two minutes on the other side to the gentleman from Tennessee [Mr. CARMACK].

Mr. CARMACK. Mr. Speaker, I do not want that time. I will complete what I have to say in about a minute. I simply want to say that I shall vote against this entire proposition. I think we have gone as far as we ought to go in this matter of expositions, and I want to simply add, by way of emphasis to what was said by the gentleman from New York [Mr. PAYNE], that I am tired of hearing men call for appropriations in order to bring about an era of good feeling. [Applause.]

I say the people of the South do not need to be paid with money for their loyalty to the Government of the United States. [Applause.] I am tired of hearing such appeals made here, and I hope that we never shall hear it again made by any Southern man. It is a disgrace and a dishonor to the South that such an appeal should be made here upon the floor of this Congress. [Applause.] No man has a right to demand a pledge of loyalty from the South, and no man has a right, speaking in the name of the South, to demand an appropriation as a price of loyalty. If the South were not sincerely loyal to the Union there is not money enough in the world to make her so. [Applause.] The South is for the old flag, with or without an appropriation. [Applause.]

Mr. CANNON. I now yield one minute to the gentleman from South Carolina [Mr. LATIMER].

Mr. LATIMER. Mr. Speaker, in reply to the remarks just made by the gentleman from Tennessee [Mr. CARMACK], I want to say that what I said the other day in regard to the injustice done the South and to Charleston by those on this floor who vote against the appropriation for the Charleston Exposition was intended in no sense to put my section of this country in the attitude of begging. We are an independent people, and I stand here as their Representative in part to demand justice, and I repudiate the statement made by the gentleman from Tennessee, and especially the leader on that side of the House [Mr. PAYNE] in his attempt to arouse the feelings of this House against this appropriation for Charleston, as unjust to the people of that section of this country, and makes himself appear ridiculous when we find him voting $1,000,000 for Buffalo, in his State. I say to those now who propose to discriminate against Charleston and the South, and cut off this appropriation of $250,000, that they should either vote for it or vote against the whole thing. Treat every section—every city in this Union alike. [Applause.] It is unjust to the South to hold up Charleston and attempt to divide this amendment so as to get a separate vote and keep out the appropriation of $250,000 for the South and the city of Charleston, and to hold in the bill $5,000,000 for St. Louis and half a million for Buffalo. There can be no explanation by those who strive to defeat the Charleston amendment and vote for the St. Louis and Buffalo appropriations except upon the ground of prejudice.

I appeal to the House to do justice in this vote; and as you can not vote for it all, vote against the whole. [Applause.]

Mr. CANNON. Mr. Speaker, I do not desire to take much time in closing the debate upon this motion. I must ask the indulgence of the House, for the reason that I have contracted a cold and a sore throat and talk with difficulty. I will not take long, but I believe it is my duty to say a few words. What is this bill? The sundry civil bill, carrying $60,000,000 that goes all along the line in the Government service. It goes to the Senate, and the Senate takes this bill and writes out an amendment of 20 pages and puts upon it—what? A matter of appropriation and not legislation? No. If these matters had been offered in the House, every one of them would have gone off on a point of order; and I say it respectfully, that under the Senate rules, if they had been enforced, every one of them would have gone off on a point of order.

Now, then, do they bring three amendments—one for St. Louis, and one for Buffalo, and one for South Carolina? No. They put it all in one amendment of 20 pages and put it upon this bill and send it to us. Was it necessary? No. Under the lead of the gentleman from Minnesota [Mr. TAWNEY] the other day this House passed a bill keeping the pledge made by law for St. Louis. It went to the Senate four days ago. The Senate amended it and added South Carolina. It came back to the House. The House voted down the amendment by a two-thirds vote—two to one—and what was the result? It went back to the Senate, and there it is to-day. It is in the power of the majority of the Senate any minute to call up that St. Louis bill and, by moving to recede from the Senate amendment, adopt it and pass the St. Louis bill. Did they do it? No. There it lies, but they proceeded to put the St. Louis bill here that the House has refused, when untrammeled, to have amended.

Then they bring two propositions that never passed Congress, one for Buffalo and one for Charleston, S. C. Three separate amendments? No; one amendment that you can not divide, so that when the preferential motion comes, it must come to recede and concur with the Senate. What for? For the purpose of placing it or claiming to place it in the hands of one Senator so that he can under the Senate rules hold it up.

Mr. KLUTTZ. Mr. Speaker, a point of order. It is not in order for a member of the House to reflect on the conduct of a Senator.

Mr. CANNON. I am not speaking of any Senator; I am speaking of the parliamentary situation of this bill and the action of the Senate.

The SPEAKER. The Chair is of the opinion that the gentleman ought not to allude to the proceedings and votes of the other body.

Mr. KLUTTZ. Does the Chair sustain the point of order?

The SPEAKER. The Chair sustains the point of order.

Mr. CANNON. I will try and keep within the rules. I thought I was. But, gentlemen, here it is. [Laughter.] And it stands in conference, and it is proper and parliamentary for me to say that the Senate conferees refuse up to this time to recede. Therefore comes this disagreement. With pale faces and trembling voices by some and with hot flushes of indignation by others, the question is put, What effect will it have if this bill fails? But the question comes by fives and tens whether the House is to be held

up by these amendments. [Applause.] My reply has been to them individually for the last three hours as it has to this House. These amendments are not under the rules of the Senate. It is here as a leech, presuming that this House will take it and concur in it before it will jeopardize the passage of the $60,000,000 bill with many hundred items. Now, then, there are other legislative bodies than the House. One of them has no previous question. [Laughter.]

And the result is, in that legislative body any member of it, as long as he has lungs and strength can, if he is inclined, check the proceedings. And only by reason of such a proceeding as that can I account for these pages of amendments. This is a coordinate branch of Congress. I want to say of this amendment that it is not fair; it is unfair; it is unpatriotic; it is not legislatively honorable. [Applause.] And for one I look the situation fairly in the face. There are worse things than the failure of this bill. There are worse things than a special session of Congress. And I will not purchase exemption from a special session of Congress by such parliamentary proceedings. [Applause.]

Mr. FLEMING rose.

Mr. CANNON. I will yield to the gentleman in a moment. Let me complete what I am saying.

In my judgment, when the House of Representatives asserts its rights, and insists on correct parliamentary practices, I believe that the Senate of the United States will perform its function and we can go on and complete this bill. I am now ready, so far as I am concerned, for a vote.

Mr. FLEMING. The gentleman will allow me to say that I approve entirely of his position. I have always voted that way. But were not the resolutions known as the "Spooner resolutions" on the Philippines question put as a "rider" on the Army appropriation bill in the Senate, in the same way as these amendments; and did we hear from the gentleman on that question? [Applause on the Democratic side.] Was that "honorable" legislative action?

Mr. CANNON. If that was wrong, "two wrongs do not make a right."

Mr. FLEMING. Did not the gentleman vote for that other wrong? I voted against both.

Mr. CANNON. I did not have charge of the Army bill.

Mr. FLEMING. You voted for it.

Mr. CANNON. My committee did not have charge of it. I believed in those provisions. My friend from Georgia can not say that he believes in these.

Mr. FLEMING. I voted against both of them.

Mr. CANNON. Now I ask for a vote.

The SPEAKER. The question is on the motion of the gentleman from New York [Mr. SHERMAN], that the House recede in its disagreement to the Senate amendment and concur.

The question being taken, there were on a division (called by Mr. SHERMAN)—ayes 76, noes 139.

So the motion of Mr. SHERMAN to recede and concur was rejected.

Mr. SHERMAN. Mr. Speaker, I desire to move that the House recede from its disagreement and concur in the Senate amendment with an amendment striking out all of the Senate amendment after line 10, page 174; and on that motion I demand the previous question.

The SPEAKER. The Chair will state that he regards the motion of the gentleman from New York [Mr. SHERMAN] as in order; but he declines to entertain from the gentleman from New York a demand for the previous question, as the gentleman from Illinois [Mr. CANNON], who has charge of this bill, can not be taken from the floor in that way.

Mr. SHERMAN. Very well, Mr. Speaker.

The SPEAKER. The Clerk will report the proposed amendment of the gentleman from New York.

The Clerk read as follows:

Strike out that portion of the amendment of the Senate beginning on line 10, page 174, down to and including line 17, page 182.

Mr. CANNON. This amendment strikes out, as I understand, the provision for the exposition at Charleston, S. C.

The SPEAKER. The motion is in order.

Mr. CANNON. I hope the motion will not be agreed to.

The SPEAKER. The Clerk will report the portion of the Senate amendment proposed to be eliminated.

Mr. CANNON. It is quite lengthy.

Mr. LIVINGSTON. I ask that the reading be omitted. Everybody understands what it is.

The SPEAKER. The gentleman from New York [Mr. SHERMAN] may state the effect of the amendment.

Mr. SHERMAN. The motion as I offer it eliminates from the amendment of the Senate the South Carolina Exposition and leaves the other two.

Mr. WILLIAMS of Mississippi. Does it eliminate the Buffalo Exposition?

Mr. SHERMAN. It leaves in Buffalo and St. Louis.

Mr. BAILEY of Texas. I rise to a parliamentary inquiry. Is it in order to move to amend the motion of the gentleman from New York [Mr. SHERMAN]?

The SPEAKER. The Chair thinks it is.

Mr. BAILEY of Texas. I move to amend that motion by striking out all that part of the Senate amendment beginning on line 6, page 160, down to the part proposed to be stricken out by the gentleman from New York. The effect of my motion is to make Buffalo share the fate of Charleston.

The SPEAKER. The Chair desires to say to the gentleman from Texas that, as just stated in reply to his parliamentary inquiry, the motion of the gentleman from New York is subject to amendment. Still, the amendment must be germane to that motion; and as the amendment of the gentleman from Texas affects an entirely separate matter, it would seem to the Chair that it must be in the form of a separate motion and can not be offered as an amendment to the motion of the gentleman from New York. The proposition of the gentleman from Texas will be in order after the disposition of the motion now before the House.

Mr. BAILEY of Texas. I have no disposition to consume the time of the House in argument on the point of order. I merely suggest that it would be a singular circumstance if two parts of one amendment were not germane to each other. This whole proposition from the Senate embraces three expositions; and if it be permissible to strike out one, it would seem that a proposition to strike out another could scarcely be ruled out on the ground that it is not germane.

The SPEAKER. The Chair dislikes to entertain a discussion of this kind after making a decision; but the gentleman from Texas will readily realize that a motion to strike out one part of a bill would not properly be subject to amendment by a motion to strike out an entirely different part, which was not germane.

Mr. BAILEY of Texas. But, Mr. Speaker——

The SPEAKER. The question is on the motion of the gentleman from New York [Mr. SHERMAN].

Mr. WILLIAMS of Mississippi. I rise to a parliamentary inquiry.

Mr. BAILEY of Texas. Will the gentleman from Mississippi yield just a moment? I was not through.

Mr. WILLIAMS of Mississippi. I yield to the gentleman.

Mr. BAILEY of Texas. Mr. Speaker, I shall not appeal from the decision of the Chair; and I will say the question is not entirely plain in my own mind. I simply desire to suggest, by way of reply to the Chair, that we have before us not two different parts of the same bill, but a single part of the bill. As I am anxious, however, to save the time of the House in view of the early adjournment, I waive any appeal on the matter.

Mr. WILLIAMS of Mississippi. Mr. Speaker, a parliamentary inquiry. Would it be in order for me to move as an amendment, or as a substitute for the motion made by the gentleman from New York [Mr. SHERMAN], to strike out that part of Senate amendment 151? If so, I desire to make that motion.

The SPEAKER. The Chair thinks that would be equivalent to a nonconcurrence. The question is on the amendment of the gentleman from New York.

The question was taken, and the motion was lost.

Mr. CANNON. Are there other amendments?

The SPEAKER. There are two other amendments.

Mr. CANNON. I move that the House further insist upon its disagreement and assent to a conference.

The motion was agreed to.

The SPEAKER announced as conferees on the part of the House Mr. CANNON, Mr. MOODY of Massachusetts, and Mr. MCRAE.

GENERAL DEFICIENCY APPROPRIATION BILL.

Mr. CANNON. Mr. Speaker, I desire to call up the conference report on the general deficiency bill.

The SPEAKER. Does the gentleman desire to have the report and the statement read?

Mr. CANNON. I ask that the statement be read.

The SPEAKER. The gentleman asks unanimous consent that the statement only may be read, and that the report be not read.

Mr. RICHARDSON of Tennessee. What bill is this on?

The SPEAKER. The general deficiency bill. Without objection, that course will be pursued.

The report of the committee of conference was read.

[For conference report see Senate proceedings.]

The statement of the House conferees was read, as follows:

The managers on the part of the House, at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14236) making appropriations to supply deficiencies, submit the following written statement in explanation of the accompanying conference report:

The Senate, by its amendments, added to the bill $1,639,780.53, said sum being made up chiefly of additional estimates for deficiencies ascertained since the passage of the bill by the House and for judgments of courts and accounts audited by the accounting officers of the Treasury.

The bill as finally agreed upon in conference appropriates $14,147,074.94, being $23,143.38 less than as it passed the Senate.

J. G. CANNON,
S. S. BARNEY,
L. F. LIVINGSTON,
Managers on the part of the House.

Mr. CANNON. I move the adoption of the conference report.
The motion was put, and the conference report was agreed to.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had insisted upon its amendments to 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, 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. NELSON, Mr. MCMILLAN, and Mr. BERRY as the conferees on the part of the Senate.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 5573) to amend section 203 of Title III of the act entitled "An act making further provisions for a civil government for Alaska, and for other purposes."

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14236) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1901, and for prior years, and for other purposes.

ENROLLED BILLS SIGNED.

Mr. BAKER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 12291. An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1902, and for other purposes;

H. R. 13776. An act authorizing and directing the Secretary of the Treasury to deliver to the mayor and city council of Baltimore, Md., Ionic columns;

H. R. 1452. An act to remove the charge of desertion and grant an honorable discharge to John C. Weckler;

H. R. 14260. An act to amend an act entitled "An act to constitute a new division of the eastern judicial district of Texas, and to provide for the holding of terms of court at Sherman, Tex., and for the appointment of a clerk of said court, and for other purposes," approved February 19, 1901;

H. R. 14309. An act for the reward of enlisted men of the Navy or Marine Corps;

H. R. 12901. An act to supplement existing laws relating to the disposition of lands, etc.;

H. R. 11900. An act granting a right of way to the Jamestown and Northern Railway through the Devils Lake Indian Reservation, in the State of North Dakota; and

H. R. 14163. An act to authorize the Portland, Nehalem and Tillamook Railway Company to construct a bridge across Nehalem Bay and River, in the State of Oregon.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 2866. An act to extend the provisions of section 8 of the act entitled "An act to repeal timber-culture laws, and for other purposes," approved March 3, 1891, concerning prosecutions for cutting timber on public lands, to California, Oregon, and Washington;

S. 5484. An act to provide for subports of entry and delivery in the Territory of Hawaii;

S. 4956. An act to grant the Knoxville Power Company the right to dam the Tennessee River at or near Knoxville, Tenn.;

S. 4509. An act extending to the city of Everett, Wash., a subport of entry, the privileges of the act approved June 10, 1880, governing the immediate transportation of dutiable merchandise; and

S. 4687. An act for the relief of Richard H. Townley, a lieutenant (junior grade) on the retired list of the United States Navy.

WITHDRAWAL OF PAPERS.

By unanimous consent, Mr. MAHON obtained leave to withdraw from the files of the House the papers in the case of Henry Wolfe, there being no adverse report.

Mr. DALZELL. Mr. Speaker, I move that the House take a recess until 8 o'clock.

The motion was agreed to.

And accordingly (at 5 o'clock and 47 minutes p. m.) the House was declared in recess.

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

COMMISSION TO VISIT ISLAND POSSESSIONS.

The SPEAKER. The unfinished business is the special order reported from the Committee on Rules by the gentleman from Pennsylvania. The gentleman is recognized.

Mr. DALZELL. Mr. Speaker, I yield five minutes to the gentleman from Texas [Mr. BAILEY].

Mr. BAILEY of Texas. Mr. Speaker, I have heard many men complain, and I have more than once complained myself, that all the information which we possess respecting the possessions which we have wrested from the Kingdom of Spain comes to us from Administration channels. It has been charged by some, and it is suspected by many, that this information has been prepared with a view of strengthening and supporting the Administration's policy. This may or it may not be true.

If it is not true, I should like to know it; if it is true, I should like for the country at large to know it. The only way to remove or confirm these suspicions is for this House, through one of its own committees, to supply itself with the information. It might happen that this information, coming at an opportune time, may save us from entering upon a policy of mistaken and fatal consequences, or it may happen that if our friends across the aisle are to continue administering this Government that both they and we will need the information as a basis upon which to frame our law.

It does not signify that those of us who favor the appointment of this committee and the obtaining of this information are prepared now or hereafter to sustain any portion of the present policy pursued toward those people. Speaking for myself, I would rejoice to-night at an opportunity to end the unfortunate connection. I would vote to-morrow, and I can not conceive of circumstances which could arise that would prevent me voting at any time, to relieve my country from the indefensible position of asserting the fundamental truth that all men are entitled to govern themselves, and yet deny the application of that sacred truth to a struggling and helpless people.

Mr. Speaker, if we must legislate for the unfortunate races who have been brought under our subjection, not, as you claim, by the providence of God, but, as we believe, by the improvidence of those in power, let us inform ourselves. The best we can do will never enable us to legislate wisely for that unhappy people. But it would be another crime committed, both against them and against ourselves, if we enter upon any system of legislation until we have possessed ourselves of all the information obtainable. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. DALZELL. The gentleman from Ohio has a conference report and I yield.

RIVER AND HARBOR APPROPRIATION BILL.

Mr. BURTON. Mr. Speaker, I desire to present a conference report.

The SPEAKER. The gentleman from Ohio calls up a conference report. Does the gentleman desire the report and the statement both read?

Mr. BURTON. I would say, Mr. Speaker, that I asked unanimous consent that the reading of the report be dispensed with, as it is quite lengthy. I have not been able to prepare and obtain the signature of our conferees to any statement, but I can make a brief statement which will make the subject clear to the House.

Mr. HEPBURN. I desire to interpose the point of order that we must have a written statement.

Mr. RICHARDSON of Tennessee. I desire to ask the gentleman from Ohio if the conferees have agreed?

Mr. BURTON. We have agreed upon all but four items.

Mr. HEPBURN. I make the point of order that the rules require that reports shall be accompanied by a written statement.

The SPEAKER. Will the gentlemen indicate what rule requires it to be signed by all the conferees? The Clerk will read Rule XXIX.

Mr. BURTON. One other point. I now have information which makes it necessary to withdraw the report. I was under the misapprehension that the report had been messaged from the Senate. I understand that such is not the case. The messenger was in my committee room some time ago, and I thought the message had been presented here.

The SPEAKER. It can not be acted upon under that statement of facts. The Chair, however, will have this rule read to the House, if there is no objection.

The Clerk read as follows:

The presentation of reports of committees of conference shall always be in order, except when the Journal is being read, while the roll is being called, or the House is dividing on any proposition; and there shall accompany every such report a detailed statement sufficiently explicit to inform the House what effect such amendments or propositions will have upon the measures to which they relate.

The SPEAKER. The House will observe that the rule does not say that the statement shall be signed. The statement that there was a statement would seem to be sufficient. The Chair is advised, and, in his own recollection, presented reports himself in which the statement was not signed, although it is usually the case that the statement is signed. But as the papers are not before the House, the matter can not be considered at this time.

COMMISSION TO VISIT ISLAND POSSESSIONS.

Mr. DALZELL. I now yield five minutes to the gentlemen from Mississippi [Mr. WILLIAMS].

Mr. WILLIAMS of Mississippi. Mr. Speaker, I have been very much moved to find so many Democrats in favor of the legislation now pending before the House. I have been especially disappointed at the close of eight years' service with the gentleman from Texas [Mr. BAILEY] to come to the very first point of divergence.

There will be to me in the future no more gratifying recollection than that of the fact of having served with him eight years and of never having differed with him, as far as I remember, upon a single political question. I have been accustomed myself to varying from cardinal doctrines now and then, but I am satisfied in my own mind that when the time comes for him to vary the very earth is shaking beneath my feet. [Laughter.]

Mr. Speaker, as a Democrat I am opposed to commissions and to junketing committees. I know from my experience in this House, as every member of this body does, that whether you call this a commission or a committee, when it goes to collecting information for political purposes and in connection with a political question that it becomes two things; first, a junketing committee, and in the second place a committee which will come back to this House after a while with two results, and two results only—a majority report, unfair, partisan, and untrue; a minority report, unfair, partisan, and untrue.

Gentlemen have told us of the West Point hazing commission, but that was not about a political question; and when the House wants to get information about matters in which politics are not concerned a committee of the House does always obtain it, and obtain it fairly. I will cite gentlemen to another committee, however—the committee for the investigation of the Cœur d'Alene affair; that was a political question.

I want to warn Democrats that what was done there can be done here. The power of the majority in exercising the right to protect men who are examined from answering questions can be exerted in such a way as to make up a record to suit himself.

And this will be all the easier in the Philippine Islands, because whenever a question is asked that will look to the Republican majority of that committee as if the answer might possibly damage them, they will object to its being answered and will rule it out upon the ground of some fancied public or military policy in the island. The vote of the majority of the committee will be: "That question will not do to answer, because it might disclose information that would interfere with the military arrangements and plans in the island that would be valuable to the enemy."

They have gone so far as to say that Democratic arguments against Philippine retention were "treasonable" because "valuable to the enemy."

You will find, my friends, that if you go into this you will come back with a great long book of investigation, answers, queries, and inquiries, but you will find that it is a Republican book, made up to suit the Republican majority.

What will that committee be? Why, my friends, the Insular Committee is in one respect like the Scriptural definition of man—it is "fearfully and wonderfully made." [Laughter.] There were selected for that Insular Committee all of the chairmen of all the important committees in this House. Who are they? You will go there first with the gentleman from Illinois, the Hon. JOSEPH CANNON, and what is he? Adroit, expert, the man of all men to prepare a party brief.

You say that the present information is not "satisfactory." Satisfactory to whom? Why, it ought to be satisfactory to that side of the Chamber, because it has come to them from Republican sources, colored by Republican intent and by Republican words. Satisfactory to this side? It is satisfactory to me, my fellow-Democrats, for all purposes of legislation in this House.

Although the Philippine situation has been reported as seen through Republican spectacles and as censored in the island, yet so much as has come to us is satisfactory to me. It is sufficient, in my opinion, to damn the entire Philippine scheme, to damn the entire history of the transactions through which it has gone in order to arrive at its results.

The SPEAKER. The time of the gentleman has expired.

Mr. DALZELL. I yield to the gentleman three minutes more.

Mr. WILLIAMS of Mississippi. I know, my friends, how tender are the personal relations of the men in this House. I have no better friends and there are no men who deserve the friendship of any man or body of men more than the men on the Democratic side of this Committee on Insular Affairs.

Each and every one of them is my personal and warm friend and I am the friend of his. But the idea that they are to be parties to go on this junketing tour does not change my mind in the slightest degree as to the position which I shall take upon this question. My friends, I do not see for the life of me how any good can come from this matter.

Mr. BAILEY of Texas. Will the gentleman allow me? I am sure that the gentleman from Mississippi does not know exactly how that sounds or how it will appear in print. That is a suggestion that gentlemen on this side are influenced by their position on the committee.

Mr. WILLIAMS of Mississippi. No, it is not; I did not have that idea in my mind. I had this idea in my mind: That if there was one thing that could make me vote for this, it was the fact that these gentlemen—personal friends of mine—would be on the committee, but that fact itself would not make me vote for it.

Mr. BAILEY of Texas. It is a friendly suggestion to the gentleman, and if he chooses to say that he did not intend it that way, that is sufficient.

Mr. WILLIAMS of Mississippi. I did not have the idea of criticising a man in the Chamber because he was a member of the Committee on Insular Affairs. I merely had the idea of criticising my knowlege of ordinary human thought and human action. I know that the fact that a friend is to go upon the committee or something of that sort does have its influence upon all—upon me, and upon other people; and it was with a view of pushing that out of our minds that I mentioned this.

Mr. Speaker, who are the other Republicans on this committee? The Hon. ROBERT HITT, of Illinois, tactful, diplomatic, and able—expert in dividing a hair "betwixt the nor' and nor'west side." The Hon. SERENO PAYNE, the Hon. WILLIAM P. HEPBURN, who wields a sledge hammer with a perseverance equaled by no other man on this floor. [Laughter.] When that committee goes to represent the Republican party to the Philippines, Democrats need not expect any peculiar unpartisan majority report from that quarter. [Laughter.]

One more thing. When that commission arrives there, what will be its environment? The committee when it gets there—both Democrats and Republicans—will be associated with army and naval officers, and all that they will come into contact with will be either the Army or the Navy on one side, or else something un-American in the island on the other. For Filipino sources of information, they will be thrown always with officers of the Army and Navy whose highest ambition is to continue war in order to make room for promotion. The committee can not associate with the natives, first and chiefly because the committee can not speak their language.

I tell you, as far even as Democrats are concerned, they will find it a hard thing to be impartial, cool and collected, just and right in that sort of environment. They are the pleasantest fellows in the world—these Army and Navy officers—and it is mighty hard not to see through their spectacles when you have nobody else to run with except men who are warring against the United States or men who are playing amigos and ready to carry arms. Almost anybody would take his color from that environment. [Applause.]

RIVER AND HARBOR BILL.

Mr. BURTON. I submit the report of the committee of conference on the river and harbor bill. I ask unanimous consent that the statement of the House conferees be read instead of the report.

Mr. HEPBURN. Mr. Speaker, is it in order at this time to reserve points of order against this report?

The SPEAKER. It is.

Mr. HEPBURN. I desire to do so.

The SPEAKER. The gentleman from Iowa [Mr. HEPBURN] reserves all points of order on this report. The Chair hears no objection to the request of the gentleman from Ohio [Mr. BURTON], that the reading of the conference report be dispensed with.

[For conference report see Senate proceedings.]

The statement of the House conferees was read, as follows:

The conferees appointed by the House of Representatives upon *House bill* 13189, making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, report that after full conference with the Senate conferees on said bill they have reached a partial agreement, including all amendments of the Senate except four, to wit, Nos. 168, 219, 220, and 221. A list of amendments agreed to or disagreed to are more specifically set forth in the accompanying statement filed herewith.

The bill as it passed the House appropriated for the fiscal year ending June 30, 1902, $22,792,711.30. It authorized for later appropriations, after June 30, 1902, $37,142,704.02; total, $59,935,415.32. The total was diminished by the Senate. This reduction was accomplished by the striking out of two items, a uniform reduction of one-fourth in cash appropriations of over $50,000, and a uniform reduction of one-third in amounts authorized for continuing contracts after the next fiscal year. Some items were increased in the Senate before being reduced. The items in dispute, referred to as amendments Nos. 168, 219, 220, and 221, respectively, are the following:

No. 168: On page 75 of the bill as it passed the Senate an appropriation of $400,000 for the Brazos River Channel and Dock Company. This company, organized under an act passed in 1888, proceeded to build certain works for the improvement of the harbor at the mouth of the Brazos River under a license contained in the act authorizing them to take control of this harbor, located at the mouth of the Brazos River, and collect from boats entering the port tolls, the reasonableness of which was to be determined by the Secretary of War.

The company also acquired 26,000 acres of land surrounding the mouth of the river and in the points nearest the improvement effected. After prosecuting the construction of these works for some years the company decided to abandon them, and came to Congress asking that an investigation be made by a board of engineers as to their value. This investigation was concluded

and the report made by the board stating that the value of the works constructed by them, capitalized at 5 per cent, would be somewhat less than $400,000, and that the cost of them, if adopted and constructed anew by the Government, would be $600,000. The board, however, reported against paying any compensation to the company.

After this report was filed at the third session of the Fifty-fifth Congress the agents of this company appeared before committees of Congress, and it was agreed that in case the Government should pursue the improvement at the mouth of the river and take charge of the works constructed by the company, the company would by sufficient deed convey all their rights and interests in the works constructed to the United States.

In pursuance of this agreement, embodied as a provision in the river and harbor act of March 3, 1899, Congress has appropriated $85,000 for these improvements, has prosecuted the work, and the company executed a deed to the United States, approved by the Attorney-General. Your conferees under the circumstances detailed are unwilling to recommend the payment of the amount added by this amendment, to wit, $400,000.

The House conferees also are unable to agree with the conferees of the Senate on amendments Nos. 219, 220, and 221, providing, respectively, for reservoirs in Piney Creek and Gray Bull River, both in the State of Wyoming, and the Sioux River in South Dakota. The subject of building dams or reservoirs clearly intended for purposes of irrigation has been frequently discussed by the House, and we adhered to the opinion maintained by the House conferees on the act of March 3, 1899, that these do not properly belong in a river and harbor bill. Special mention is made of amendment 221, which is in the following language:

"For building dams and constructing reservoirs on the Sioux River in South Dakota, to control the flow of said stream and impound the flood waters to secure a permanent stage of water in the Missouri River, $52,500."

A report has been made upon this project by the engineer officers of the War Department, in which it is known as Document No. 93, Fifty-sixth Congress, second session. There is an adverse report upon this project. It clearly would confer no material benefit either upon irrigation or navigation.

The provision also assumes by dams and reservoirs in the Sioux River to impound the flood waters so as to secure a permanent stage of water in the Missouri River. The conferees do not think the promise made by this phraseology in the bill can be accomplished by the construction of this dam, and especially recommend that this amendment be rejected.

The amounts thus in dispute between the House and Senate conferees are as follows:

Brazos River, amendment 168, $400,000.
Reservoirs along Piney Creek, head waters of the Missouri, $215,000.
Gray Bull River, Wyoming, $75,000.
Sioux River, South Dakota, $52,500; in all, $732,500.

Numerous amendments made by the Senate are merely in the phraseology of the bill as it passed the House, often in the change of a single word, and do not materially affect the provisions of the bill as sent from the House to the Senate.

The above report is respectfully submitted.

T. E. BURTON,
WALTER REEVES,
T. C. CATCHINGS,
Managers on the part of the House.

The SPEAKER. The question is on agreeing to the report.

Mr. MCCLELLAN. I would like to ask the gentleman from Ohio what the conferees have done on amendment No. 23, in reference to Buttermilk Channel.

Mr. BURTON. The House appropriated $300,000 cash and $1,500,000 to be expended under contract. This was cut down by the Senate to $112,500 cash. The amount has been raised by the conference committee to $250,000.

Mr. FITZGERALD of New York. Does the provision as agreed on provide for a continuing improvement?

Mr. BURTON. No, sir; there is simply an appropriation of $250,000 cash. The appropriation is for a continuing improvement in the sense in which I think the gentleman uses the term.

Mr. FITZGERALD of New York. Is the present language the same as the language of the Senate amendment—"continuing improvement?"

Mr. BURTON. That language, as ordinarily used in the bill, means the authorization of a continuing contract, to be paid from appropriations subsequently made. The appropriation here is for a certain amount of cash immediately available for continuing the improvement in the sense in which, as I understand, the gentleman uses the language.

Mr. BROMWELL. I would like to inquire with regard to amendments numbered 185, 186, 187, and 188, in regard to the construction of the dam at Cullums Ripple. Has there been any change in the amount as appropriated by the House? What is the amount authorized now as a cash payment?

Mr. REEVES. Replying to the gentleman from Ohio, at the request of the chairman of the committee, I would simply say that the conference committee has restored the provision of the House bill.

Mr. BROMWELL. Then the appropriation is $100,000?

Mr. REEVES. Yes, sir.

Mr. BROMWELL. And the continuing contract, as I understand, is left as it is in the Senate bill. I wish to ask the chairman of the committee whether he thinks that the cutting down of the total amount fixed in the House bill, $950,000, to $633,334 will jeopardize in any way the continuation of this improvement?

Mr. BURTON. I would have preferred that the change should not have been made, but I think there is ample provision for the vigorous prosecution of the work.

Mr. BROMWELL. The Senate amendment, I observe, changes the word from "completing" to "prosecuting." Does this change of language jeopardize the completion of the dam by additional appropriations to be authorized hereafter?

Mr. BURTON. There will be no embarrassment in that respect.

Mr. JONES of Washington. I wish to inquire in regard to amendment 103, relative to the Puget Sound waterway.

Mr. BURTON. That was stricken out.

Mr. JONES of Washington. I wish to inquire further in regard to amendments 104 and 105, relating to Tacoma Harbor.

Mr. BURTON. We concurred with the Senate in respect to those amendments.

Mr. JONES of Washington. There was an entire concurrence?

Mr. BURTON. Yes, sir.

Mr. JONES of Washington. How about amendment 107, for the improvement of Grays Harbor and Chehalis River, Washington?

Mr. BURTON. We concurred in the appropriation of $50,000, which, I believe, is $17,000 more than the gentleman asked for in the House. It was claimed that that amount was needed.

Mr. JONES of Washington. What has been done in regard to the amendment No. 234, making an appropriation of $10,000 for the improvement of the Columbia River between the mouth of the Willamette River and Vancouver?

Mr. BURTON. That has been put in for the purpose of getting rid of the bar a few miles below Vancouver.

Mr. JONES of Washington. What did the conference committee do in regard to amendments Nos. 238 and 239, relative to the improvement of the Nooksack River?

Mr. BURTON. On that amendment we concurred with the Senate.

Mr. JONES of Washington. May I ask what was done in regard to amendment 241, for improving the Lewis River, Washington?

Mr. BURTON. That is concurred in.

Mr. DALZELL. I would like to ask the gentleman what has become of the provision for the improvement of the Monongahela River?

Mr. BURTON. The House provision has been restored, the Senate having receded, as they did also in regard to the provision for a dam in the Allegheny.

Mr. BELLAMY. What has been done with amendments numbered 138, 139, and 140?

Mr. BURTON. I do not recognize the amendments by their numbers.

Mr. BELLAMY. I refer to the Senate amendments appropriating $250,000 for the improvement of the Cape Fear River, North Carolina.

Mr. BURTON. The House concurred in the Senate provision, with an amendment. The amount agreed upon diminishes the Senate appropriation from $250,000 to $150,000. There was another Senate amendment of minor importance providing for 8 feet of water. The specification for 8 feet was stricken out and the words "suitable depth," or equivalent words, were inserted.

Mr. BELLAMY. What was done with amendment 139, striking out $140,000 and inserting $112,000 for the Cape Fear River.

Mr. BURTON. We concurred in the Senate amendment.

Mr. BELLAMY. Was amendment numbered 140 also concurred in?

Mr. BURTON. I believe that was an amendment in the same direction in regard to a place near the mouth of the river?

Mr. BELLAMY. Yes, sir.

Mr. BURTON. That is concurred in.

Mr. BREAZEALE. What was the action of the conference committee upon the amendment in regard to the Red River?

Mr. BURTON. In that case the amount was raised from $75,000 to $100,000.

Mr. OTEY. What has become of amendment 132, for the improvement of the New River?

Mr. BURTON. The committee of conference very reluctantly left that out. [Laughter.]

Mr. BUTLER. What was done with amendments Nos. 120 and 121, in regard to the improvement of the Delaware River?

Mr. BURTON. They were concurred in. It was thought that the amount remaining unexpended would be sufficient for the prosecution of the work for three or four years.

Mr. SMALL. May I ask what has been done in regard to the Senate amendment No. 141, providing for the appointment of a board of engineers to investigate the subject of an inland waterway from Norfolk Harbor to Beaufort Inlet?

Mr. BURTON. That provision, as I recollect, has been struck out. The committee of conference thought it too expensive a proposition to be taken up at this time.

Mr. SMALL. What was the action of the conference committee in regard to amendment No. 42, appropriating $3,000 for the improvement of Beaufort Harbor?

Mr. BURTON. That has been included in the bill. We concurred in the Senate amendment.

Mr. SMALL. Amendments 284, 285, and 286 provided for surveys of the Perquimans River, Shallowbag Bay, and Carrot Island Slough.

Mr. BURTON. I think they have all been included.

Mr. SNODGRASS. May I inquire what has been done with amendment 175, relating to the Cumberland River, Tennessee, below Nashville?

Mr. BURTON. The Senate provision for the river above Nashville was nonccncurred in; but as to the portion below Nashville, it was concurred in.

Mr. SNODGRASS. Does the gentleman remember that the committee of the House gave what it was thought would be sufficient to complete Lock No. 1, above Nashville—$105,000?

Mr. BURTON. It is thought a sufficient amount is appropriated for that purpose.

Mr. SNODGRASS. I want to call the attention of the gentleman to the fact that the local engineer recommends that an increase of 15 per cent be made in order to be able to complete that lock.

Mr. BURTON. I can not yield to any argument at this time, within fourteen hours of adjournment. It will be utterly without avail to endeavor to get that changed.

Mr. SNODGRASS. And he recommended, owing to the variation in price, that perhaps 15 per cent should be added to the original estimate made in 1892. What I want to call the gentleman's attention to is, does he expect to complete that lock for $105,000, and does that include the 15 per cent added in his recommendation?

Mr. BURTON. I would state that it includes the latest recommendation we have from the Board of Engineers.

Mr. JONES of Washington. I desire to ask the gentleman about amendment No. 106, where the change was made from fifteen to forty thousand dollars.

Mr. BURTON. The Senate provision is concurred in, changing it from fifteen to forty thousand dollars.

Mr. PAYNE. I would like to inquire what became of amendment No. 269, as to the Chesapeake and Delaware Canal and Choptank route?

Mr. BURTON. It was omitted. It was nonconcurred in by the committee of conference. We thought that a proposition too large to undertake at this time.

Mr. DENNY. May I ask the gentleman what was done with Senate amendment 38, Curtis Bay?

Mr. BURTON. The Senate amendment was concurred in. If there are no other questions, I move that the report be adopted.

Mr. HAMILTON. I would like to ask the gentleman what was done with amendment No. 84, Saugatuck Harbor?

Mr. BURTON. That provision was struck out after a full and free conference. I reserve the balance of my time.

Mr. HEPBURN. Mr. Speaker——

Mr. BURTON. I yield to the gentleman from Illinois [Mr. REEVES].

The SPEAKER. The gentleman from Iowa addressed the Chair. The Chair asks the gentleman if he yields for a question?

Mr. BURTON. Certainly.

Mr. HEPBURN. I did not ask to yield to a question. I rose for the purpose of asking for a separate vote on these amendments.

The SPEAKER. That can not be done under the report. It must be done on the other items, but not on the items contained in the report.

Mr. BURTON. I reserve the balance of my time.

Mr. REEVES. I merely wanted to make an inquiry of the gentleman from Iowa; and I did not hear the Speaker's ruling.

The SPEAKER. The gentleman from Iowa has not submitted anything at present.

Mr. REEVES. I want a separate vote on one of these items.

The SPEAKER. That is not in order at present. The question is on the motion of the gentleman from Ohio, to agree to the report.

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

Mr. HEPBURN. I ask for a division, Mr. Speaker.

The House divided.

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

The SPEAKER. The gentleman from Kentucky demands the yeas and nays. [After counting.] Ten gentlemen have arisen—not a sufficient number. The yeas and nays are refused; and the motion is carried.

Mr. HEPBURN. I raise the point that no quorum is present.

The SPEAKER. The gentleman from Iowa makes the point that no quorum is present. The Chair will count. (After counting.) Two hundred and fifteen present; a quorum is present; the ayes are 126; the noes 25; the ayes have it; and the motion is carried. Is a separate vote demanded on any of the remaining amendments?

Mr. REEVES. I demand a separate vote upon that item for the appropriation for the mouth of Brazos River.

The SPEAKER. That is amendment 168.

Mr. HEPBURN. I demand a separate vote on the other three.

Mr. OTEY. I demand a vote on amendment 132.

The SPEAKER. The gentleman from Iowa demands a separate vote upon the remaining amendments.

Mr. BURTON. I want to raise the point of order on the request of the gentleman from Virginia.

The SPEAKER. That was not recognized, as a separate vote was demanded on the four remaining amendments.

Mr. BURTON. I would like to ask the gentleman from Illinois how much time he would desire relating to the mouth of Brazos River?

Mr. REEVES. Not to exceed five minutes.

The SPEAKER. The Clerk will report amendment 168.

The Clerk read as follows:

The sum of $400,000 is hereby appropriated to the Brazos River Channel and Dock Company in payment to said company for the jetties built by said company at the mouth of the Brazos River, Texas, and heretofore transferred to the Government by said company: *Provided*, That of said amount the sum of $20,000 shall be retained by the Secretary of the Treasury and not paid to said company until the said company shall have conveyed to the United States, by proper and sufficient warranty deed, to be approved by the Attorney-General of the United States, the absolute title to a strip of land 1 mile in length and 300 feet in width upon the water front on the east side of Brazos River within 6 miles of the shore end of the east jetty, said strip of land to be selected by the Secretary of War and the limits thereof fixed by him.

Mr. BURTON. I desire to yield five minutes to the gentleman from Illinois, reserving the balance of my time. There is no motion made to recede and concur in this case.

Mr. REEVES. I will make it. Mr. Speaker, on this item just read I move that the House recede and concur. That is the point on which I shall address the House.

The SPEAKER. The gentleman from Illinois moves that the House recede and concur upon the amendment just read, and the gentleman from Ohio yields five minutes to the gentleman from Illinois.

Mr. REEVES. Mr. Speaker, I would like if the members will listen to me for a moment in order to state the facts in this case for your judgment, as you will be called upon to pass upon it almost at once. Very briefly, the facts are these: Some years ago certain gentlemen obtained a license or permit to improve the harbor, or to make a harbor at the mouth of the Brazos River in Texas.

They expended a sum ranging from $1,200,000 to $1,500,000 upon this project, at the end of which time they failed absolutely, and were obliged to surrender the license which they had to the General Government. At the time of the surrender of this license Mr. Mills was a Senator from Texas, and some correspondence was had with him, and in so far as he could, he stated that there was no doubt in his mind that the Government, or Congress, would pay these men the value of this property.

There was no bargain for its payment. These gentlemen surrendered what they had done and their license back to the Government, after which the Government, through its engineers, made an estimate of what would be the value of this improvement to the General Government, and they reported that the work that had been done was worth to the Government $600,000, whereupon these men came to Congress and have asked payment.

I want to say to the House that, in my judgment, there is absolutely no legal right of any character or kind, but, on the contrary, there is an equitable right. That fact is established by the fact that the General Government has seen fit to go on and improve this harbor, and has utilized and used this work, which the engineers say is of value to the Government in the improvement, of $600,000.

Upon that state of affairs the Senate has made an amendment to pay these men $400,000. It is to that amendment that the conferees have disagreed, and this is the item before you. I want to say to the House that neither directly nor indirectly have I the slightest interest in it.

It is a mere matter of good conscience whether we shall pay to these men, who have spent all that they have, or at least some of them have, in this improvement; and the Government having taken it, it is a question whether or not we will concur in the Senate amendment and pay these men $400,000.

I think it is a matter for each gentleman to decide for himself. The objection to it is that these men own a large area of land near by, and that the improvement the Government will make will add value to it. I think that is true.

Mr. CRUMPACKER. Is this to be in full payment for the entire demand?

Mr. REEVES. I intend to offer a proposition to make it in full payment of all demands, to make its acceptance full payment of claims of all kinds and character.

Mr. PAYNE. Has the gentleman offered any such amendment?

Mr. REEVES. I have not made it, but I propose to offer it in conference.

Mr. PAYNE. But the gentleman's proposition is to concur in the Senate amendment, and that will take it out of conference.

Mr. REEVES. That is true. Mr. Speaker, I desire to modify my motion to this effect: That in the acceptance of the payment of this money, if it shall be paid, that it be in full payment of

every kind and character of claim, in full of all demands, and I move that the House recede and concur with that amendment.

Mr. BURTON. If the gentleman has concluded, I will yield to the gentleman from Texas [Mr. BALL].

Mr. BALL. Mr. Speaker, in opposing this amendment which has been tacked onto the Texas appropriation I desire to say to this House that it ought to be voted down with practical unanimity. In 1887 there was no deep-water port on the Texas coast. A lot of very estimable gentlemen decided that it would be a profitable investment to get deep water at the mouth of the Brazos River, not believing that deep water could be had at Galveston, Tex. They secured, in 1888, a charter from the State of Texas authorizing them to develop a port at the mouth of the Brazos. At the same time a land company, owned by the same parties, was formed, which bought up 26,000 acres of land adjacent thereto, including water front for 10 miles, as a real-estate speculation.

Then deep water was secured by the Government at Galveston, and these gentlemen realized that no more money could be spent in developing the mouth of the Brazos, because under their charter they were allowed to charge tolls and tax the commerce of the country, which could not be done with a free port at Galveston, only 40 miles away.

It was found then that their investment, or their hope for large profits, had been a disappointment. I regret that these gentlemen should have made so unfortunate an investment, but the Congress ought not to pay their losses in the face of the report of our engineering board, consisting of one member of the Geodetic Survey, one member of the Army engineers, and a civil engineer, who reported that "no payment should be made to the company by whom the works had been constructed, any more than to the many municipal corporations by whom large sums have been expended in harbor construction without repayment." The speculation having proven disastrous, they then came to Congress and proposed that if the Government would take up the work they would convey the jetties and surrender their right to charge tolls, no doubt relying upon the hope of realizing from their real estate and at the same time avoiding the spending of more money in construction of jetties and maintenance of their works.

Mr. HAWLEY. I beg to differ with my colleague——

The SPEAKER. Does the gentleman yield?

Mr. BALL. No; I have only five minutes. The gentleman knows that so far as the Commerce Committee and the Committee on Rivers and Harbors are concerned the understanding was that they were to surrender their rights and to reserve their land. The board of engineers appointed by the Government reported that the Government ought not to undertake the work unless upon condition that they surrender their jetties, together with a mile of the river front. In my judgment this work would never have been entered upon if there had been any expectation that these gentlemen would claim reimbursement. But whether Congress ever reimburses them or not, one fact remains that ought to bar them from receiving any appropriation here, and that is the Committee on Commerce of the Senate and the River and Harbor Committee have both refused to make any appropriation to continue the work, and there is very little commerce at the mouth of the Brazos today. So that if any equity should ever arise by which these gentlemen are entitled to equitable reimbursement, they ought at least to wait until the Government's plan has developed and until it is shown that their works are of some value to the commerce of the country.

It is an absurdity, Mr. Speaker, to appropriate $400,000 here to reimburse a syndicate without appropriating a dollar to continue the work of the Government for the purposes of commerce. If you do this, the Aransas Pass Harbor Company is in the same boat, and they will demand relief. Galveston has spent a hundred thousand dollars on Government work, and they will ask relief. I have uniformly refused to support any attempt to recoup those who have made unprofitable investments, at the expense of the Government. There is at least $75,000,000 which has been spent by counties, municipalities, and States in these projects. And they will all be here clamoring for relief if you open the door.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. CUNNINGHAM, one of its clerks, announced that the Senate had passed without amendment bills of the following titles:

H. R. 10698. An act to amend an act amending an act entitled "An act to authorize the receipt of United States gold coin in exchange for gold bars;" and

H. R. 2619. An act for the relief of Agnes and Maria De Leon.

The message also announced that the Senate had agreed to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the Senate to bills of the following titles:

H. R. 13189. An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, had further insisted upon its amendments to the bill, disagreed to by the House of Representatives, had asked a further conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. NELSON, Mr. MCMILLAN, and Mr. BERRY as the conferees on the part of the Senate; and

H. R. 13729. An act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1902.

The message also announced that the Senate had passed with amendments bills of the following titles:

H. R. 9835. An act to establish a code of laws for the District of Columbia;

H. R. 10302. An act to amend an act to promote the safety of employees, etc., by requiring common carriers engaged in interstate commerce to equip their cars with automatic couplers and continuous brakes, etc., approved March 2, 1893; and

H. R. 13436. An act to authorize the Charleroi and Monessen Bridge Company to construct and maintain a bridge across the Monongahela River.

RIVER AND HARBOR APPROPRIATION BILL.

Mr. BROMWELL. Mr. Speaker, I now yield to the gentleman from Texas [Mr. HAWLEY].

Mr. HAWLEY. I want to ask my colleague if he will not recall the statement he made that not a dollar had been appropriated for improvements at the mouth of the Brazos? Is not there an appropriation in this very bill for that purpose?

Mr. BALL. There is $30,000, but nothing to complete the jetties; it is merely for the purpose of dredging.

Mr. HAWLEY. Probably the engineers thought that was the best means of obtaining deep water; it was left to their judgment. Now, Mr. Speaker, in the very short time I have I wish to say that this is not only an equity in my judgment, but an absolute right. When this work was undertaken there was not a harbor west of the Mississippi River, and commerce was pressing in the South on the Gulf of Mexico, where the syndicate, as it is called, put their money and their reputation into this work.

It seems to me the attitude of the Government should be to restore at least in part money which was expended there in the interest of commerce. It was for the purpose of accommodating the territory lying west and north of Texas that the improvement of this harbor was undertaken. In accepting the deed for this property the Government certainly did not undertake to say to its citizens that it intended to take the property without some compensation. Is it possible that the Government would expect to receive property from citizens without compensation any more than it would expect citizens to receive property from the Government on the same terms?

The whole question is, Shall the Government accept without any compensation this work that cost $1,000,000? That was the amount spent there in the interest of developing the harbor for the benefit of commerce. Should a claim of this kind be denied, when citizens come here asking that relief to which every citizen is entitled when he comes to his Government for justice? I leave the matter to the judgment of the House.

Mr. BROMWELL. Let me ask the gentleman a question before he takes his seat. As I understand, this was an enterprise undertaken by private parties, with the privilege of collecting tolls for the navigation of that river, the profits from which were to go into their own treasury.

Mr. HAWLEY. But the Government reserved the right at any time it pleased to take over that property on its own account.

Mr. BROMWELL. But it did not do so.

Mr. HAWLEY. It did take over the property.

Mr. BROMWELL. The parties surrendered their rights.

Mr. HAWLEY. They ceded the property back to the Government.

Mr. BROMWELL. Then let them stand the loss.

Mr. BURTON. Does the gentleman from Iowa intend to oppose the Senate amendment?

Mr. HEPBURN. I am opposed to concurring in the amendment.

Mr. BURTON. I will yield to the gentleman. Will five minutes be sufficient?

Mr. HEPBURN. I think so.

Mr. BURTON. I yield to the gentleman five minutes.

[Mr. HEPBURN addressed the House. See Appendix.]

Mr. BURTON. Mr. Speaker, I should hardly say a word upon this amendment if there did not seem to be a certain degree of vitality in the support which it receives in this House. As it appears to me, it has not a particle of solid foundation. What is it? In 1888 Congress passed an act by which the privilege was given to the Brazos River Channel and Dock Company to improve the mouth of the Brazos. They went ahead and expended a considerable sum of money. They purchased 26,000 acres of land.

Two or three years ago it appeared to them that they would

not succeed in their enterprise. They then came to Congress and asked us to appropriate for the improvement of the mouth of that river. Bear in mind the improvement made since by the Government is not necessarily an extension or amplification of what they did at all.

They admitted that they had not succeeded. They were told, "The Government will undertake that work for the improvement at the mouth of that river where you have failed; but you must make a deed to the Government surrendering all right, title, interests, and franchises at that place."

It was provided even further at one time, as the bill passed the House, that they must deed to the Government of the United States a strip of land. That provision was stricken out in conference, because it was thought to be a little severe. We appropriated $85,000 for improvements at the mouth of the Brazos. Our action gave them a quid pro quo. The present application of that company for compensation is just the same as if a member of this House, having deeded to me a piece of property for a consideration, should come around two years afterwards and ask further pay for it.

And is there any different rule between the individual or a corporation on the one hand and the United States on the other from that which should prevail between two individuals? There is one little side light, besides, I want to throw on this claim. I never heard that it was to be introduced or to be included in this bill until last Thursday.

Suppose I were a judge on the bench and a claim of $400,000 were presented to me on Friday morning and I were told, "You must decide by midnight Sunday night upon that claim, and you must decide in favor of it." I would be very likely to conclude that it was not a claim of any great merit. If there is merit in it, they can wait; and I hope the House will vote this amendment down by an overwhelming majority. I ask for a vote on the motion.

The SPEAKER. The amendment will be reported to the House—the portion offered by the gentleman from Illinois.

The Clerk read as follows:

Mr. REEVES moved that the House recede from its disagreement to the Senate amendment No. 168 and concur therein with the following amendment:

"Insert after the word 'him,' in line 10, on page 33, the following: 'That this appropriation and its acceptance shall be in full of all claims against the United States in all matters pertaining thereto.'"

The SPEAKER. The question is on agreeing to the motion.

The question was taken; and the amendment was lost.

Mr. BURTON. Mr. Speaker, I call up the next amendment. I understand several gentlemen desire to be heard on these two arid-land amendments in Wyoming. [Cries of "Vote!"]

The SPEAKER. There is a motion to be submitted to the House that the House further insist on its disagreement on the other Senate amendment.

The question was taken, and the motion was agreed to.

The SPEAKER. The next amendment is amendment 219, which the Clerk will report.

The Clerk read as follows:

On page 75, after line 19, insert:

"Reservoirs at the head waters of the Missouri River: For construction along Piney Creek, Wyoming, of three reservoirs for the purpose of holding back the flood waters of said stream, with the view of minimizing the formation of bars and shoals and other flood-formed obstructions to navigation and to aid in the maintenance of an increased depth and uniform flow of water for navigation during the dry season, 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 $165,000, exclusive of the amount herein appropriated."

Mr. BURTON. Mr. Speaker, I move to nonconcur, unless the gentleman wishes to move to concur.

The SPEAKER. The gentleman from Ohio moves that the House further insist on its disagreement to the amendment of the Senate.

Mr. MONDELL. Mr. Speaker, I move to amend that motion by moving that the House recede and concur in the Senate amendment.

The SPEAKER. That is the preferential motion—the motion to concur.

Mr. BURTON. I yielded merely for that purpose, that the gentleman might make the motion. I understood the gentleman wanted to make the motion to concur. The House has on very recent occasions had a discussion on the matter of the arid lands, and we have voted on it several times; and I do hope that as we are within twenty-four hours of the end of the session, no longer discussion will occur on this question. [Cries of "Vote!"]

The SPEAKER. How much time does the gentleman yield?

Mr. BURTON. I yield five minutes to the gentleman from Wyoming.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. CUNNINGHAM, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13705) making appropriations for the naval service for the fiscal year ending June 30, 1902, and for other purposes, and had receded from its amendment No. 89.

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

H. R. 14269. An act confirming a lease between J. W. Peglow and the Seneca Nation of New York Indians;

H. R. 14228. An act to authorize the city of Nashville, Tenn., to construct a free public bridge across the Cumberland River within the corporate limits of said city;

H. R. 14138. An act to authorize the Pigeon River Improvement, Slide and Boom Company, of Minnesota, to enter upon the Grand Portage Indian Reservation and improve the Pigeon River in said State at what is known as the Cascades of said river;

H. R. 14093. An act to authorize the Paris, Choctaw and Little Rock Railway Company to construct and maintain a bridge across Red River in the State of Texas;

H. R. 13530. An act to provide an American register for the foreign-built ship *Balclutha;*

H. R. 13396. An act to amend section 5546 of the Revised Statutes;

H. R. 11350. An act to establish the national bureau of standards;

H. R. 7603. An act to correct the military record of James A. Somerville;

H. R. 3003. An act to authorize the Secretary of the Navy to loan naval equipment to certain military schools; and

H. R. 523. An act for the relief of Arba N. Waterman.

RIVER AND HARBOR APPROPRIATION BILL.

Mr. MONDELL. Mr. Speaker, I appreciate that the gentlemen interested in this bill are exceedingly anxious to have a vote upon it, and I shall detain the House but a moment in discussing the amendment. At the time the river and harbor bill was before the House I offered an amendment similar to that now before us.

This amendment provides for the construction of three storage reservoirs on one of the head waters of the Missouri River. This is a worthy project. It is a project that has been reported on favorably by an Army engineer. It is a project which will aid navigation more, in proportion to its size, than $9,000,000 or $10,000,000 appropriations carried in this bill for the improvement of the Mississippi River. [Cries of "Vote!"]

While so aiding navigation, it will at the same time make possible, without any additional expenditure on the part of the Government, the development of a very considerable region now barren, uninhabited, and unproductive. The gentlemen in charge of this bill have found fault that we have insisted on placing this amendment on the bill.

As one of those who favor this class of legislation, I regret. Mr. Speaker, that we could not place this item on a bill more defendable than the bill upon which this item is placed; but I will say that of all the items in the bill this is an item which can best be defended not only from the standpoint of aiding irrigation, but because in addition to that it will aid in the development of a vast amount of Government land and aid in the settlement of a great region. [Applause.]

Mr. HEPBURN. I ask the gentleman to yield to me for thirty seconds. I want to make a correction.

Mr. SHAFROTH. I wish the gentleman would yield to me.

Mr. HEPBURN. I simply want to say that the description that I read was of a different river than the one I named, but it served my purpose to illustrate the subject. [Laughter.]

Mr. BURTON. I ask for a vote.

The SPEAKER. The question is on the motion of the gentleman from Wyoming, to recede and concur.

The question was taken; and the motion was lost.

The SPEAKER. The question now is on the motion of the gentleman from Ohio, that the House further insist upon its disagreement to the amendment of the Senate.

The question was taken; and the motion was carried.

The SPEAKER. The next amendment is amendment 220.

Mr. BURTON. There is one other amendment—221, as I recollect it.

Mr. NEWLANDS. Certainly we can have a motion for concurrence in amendment 220.

The SPEAKER. If there be no objection, a vote will be taken on amendments 220 and 221. What is the motion of the gentleman?

Mr. BURTON. To further insist on the disagreement.

The SPEAKER. The gentleman from Ohio moves to further insist on the disagreement to amendments 220 and 221.

Mr. NEWLANDS. Mr. Speaker, I move that the House recede from its disagreement to these amendments, and concur.

The question was taken; and the motion was lost.

The SPEAKER. The question now recurs on the motion of the gentleman from Ohio.

The question was taken; and the motion was carried.

Mr. BURTON. Mr. Speaker, I move that the House comply with the request of the Senate for a conference.

The SPEAKER. The question is on the motion that the House agree to the conference asked for by the Senate.

The question was taken, and the motion was agreed to.

The SPEAKER. The Chair appoints the following managers on the part of the House: Mr. BURTON, Mr. REEVES, and Mr. CATCHINGS.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. CUNNINGHAM, one of its clerks, announced that the Senate had passed without amendment bills of the following titles:

H. R. 12331. An act to amend an act entitled "An act conferring on the supreme court of the District of Columbia jurisdiction to take proof of the execution of wills affecting real estate, and for other purposes," approved June 8, 1898;

H. R. 13068. An act to waive and release all claims of the United States by way of escheat to the real estate in the District of Columbia of which Patrick Kavanagh or his sons, Charles W. Kavanagh and William Kavanagh, died seized;

H. R. 13195. An act to amend section 5153 of the Revised Statutes of the United States;

H. R. 14028. An act for the relief of Aquilla J. Daugherty;

H. R. 2294. An act for the relief of J. V. Davis, of Alexandria, Va.;

H. R. 2472. An act to correct the military record of John H. Finfrock;

H. R. 2659. An act for the relief of Meriwether Snuff and Tobacco Company, at Clarksville, Tenn.;

H. R. 3696. An act for the relief of the administrator of Mary R. Frost, deceased;

H. R. 4204. An act to correct the military record of George A. Winslow;

H. R. 4853. An act for the relief of the heirs at law of Edward N. Oldmixon;

H. R. 8032. An act to reimburse J. A. B. Miles, E. D. Kelly, and Rawlings Webster;

H. R. 8270. An act for the relief of Herman von Marsdorf, late a lieutenant of Company D, First Maryland Cavalry;

H. R. 8946. An act to pay J. P. Ouzts $209.50 for services as deputy collector internal revenue for district of South Carolina;

H. R. 10001. An act for the relief of the heirs of Joseph T. Stout;

H. R. 10701. An act to amend section 6, chapter 119, United States Statutes at Large No. 24;

H. R. 11828. An act to remove charge of desertion from military record of Charles F. Kramer;

H. R. 364. An act granting an increase of pension to Lewis Black;

H. R. 427. An act for the relief of heirs of Mrs. Tellisse W. Wilson;

H. R. 568. An act for the relief of W. T. Fitzpatrick, Bedford City, Va.;

H. R. 573. An act for the relief of Arthur Connell;

H. R. 628. An act for the relief of Hamilton M. Sailors;

H. R. 1215. An act granting a pension to Charles M. Neet;

H. R. 1730. An act granting an increase of pension to Alfred H. Jones;

H. R. 1769. An act granting an increase of pension to Isaac H. Duvall;

H. R. 1959. An act for the relief of the heirs of George W. Saulpaw;

H. R. 7055. An act granting a pension to John G. Barr;

H. R. 3491. An act granting a pension to Melvina Greenwalt;

H. R. 3648. An act granting an increase of pension to Charles W. Little;

H. R. 4132. An act granting an increase of pension to Elijah Baxter;

H. R. 4193. An act granting a pension to Levi C. Mann;

H. R. 4588. An act granting an increase of pension to Peter M. Hill;

H. R. 5645. An act granting an increase of pension to William H. H. Bonslough;

H. R. 6409. An act granting a pension to Maria E. Hamill;

H. R. 6776. An act granting a pension to Annie Chamberlain;

H. R. 7072. An act granting a pension to Mary Barron;

H. R. 7321. An act granting a pension to Armilda J. Luttrell;

H. R. 7354. An act granting an increase of pension to Milbre V. Douglass;

H. R. 7544. An act granting an increase of pension to Florence L. Stuart;

H. R. 7688. An act granting a pension to Katy Kurth;

H. R. 7995. An act granting a pension to Jane Hunter;

H. R. 9539. An act granting an increase of pension to Ella V. Coston;

H. R. 9843. An act granting an increase of pension to John A. Hardy;

H. R. 10758. An act granting a pension to Sallie B. Wilson;

H. R. 11197. An act granting an increase of pension to Eugene Leahy;

H. R. 11303. An act granting a pension to Elizabeth M. Killen;

H. R. 11453. An act granting a pension to Charles E. Binns;

H. R. 11795. An act granting a pension to Columbus S. Whitaker;

H. R. 11998. An act granting an increase of pension to John W. Horner;

H. R. 12004. An act granting an increase of pension to George B. Smith;

H. R. 12204. An act granting an increase of pension to Mary A. Tunis;

H. R. 12232. An act granting a pension to Hannah Martha Dusenberry;

H. R. 12386. An act granting an increase of pension to William N. Hall;

H. R. 12392. An act granting a pension to Henry Smith;

H. R. 12507. An act granting an increase of pension to Ezekiel Dawson;

H. R. 12732. An act granting an increase of pension to Elizabeth Reynolds;

H. R. 12747. An act granting a pension to Arline E. McNutt;

H. R. 12801. An act granting a pension to Willis Brady;

H. R. 12816. An act granting an increase of pension to Samuel A. Needham;

H. R. 12939. An act granting an increase of pension to Thomas J. Kerstetter;

H. R. 13173. An act granting an increase of pension to Ellen Pratt;

H. R. 13186. An act granting an increase of pension to Francis M. Thompson;

H. R. 13520. An act granting an increase of pension to Cornelia Hays;

H. R. 13568. An act granting an increase of pension to James Hickey;

H. R. 13699. An act granting an increase of pension to Samuel C. F. Seabury;

H. R. 13725. An act granting a pension to Emily B. Knight;

H. R. 13794. An act granting a pension to Hix Patterson;

H. R. 13998. An act granting an increase of pension to Margaret L. B. Parsons; and

H. R. 6591. An act for the relief of Austin A. Yates.

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

H. R. 13609. An act to incorporate the Society of American Florists and Ornamental Horticulturists within the District of Columbia;

H. R. 13080. An act granting an increase of pension to John F. Carbee;

H. R. 7202. An act granting a pension to Wiley Causey;

H. R. 9503. An act granting an increase of pension to Samuel Baughman;

H. R. 10334. An act granting an increase of pension to Nellie T. P. Kochler;

H. R. 2617. An act for the relief of the legal representatives of Edwin De Leon;

H. R. 2163. An act granting an increase of pension to Mary L. Cramer;

H. R. 9886. An act to restore certain widows to the pension roll; and

H. R. 13329. An act granting a pension to Grotius N. Udell.

POST-OFFICE APPROPRIATION BILL.

Mr. LOUD. Mr. Speaker, I present the conference report on the Post-Office appropriation bill.

The SPEAKER. Does the gentleman desire the report and statement both read?

Mr. LOUD. I will ask that the statement be read only.

The SPEAKER. The gentleman from California asks that the statement only be read. Is there objection? [After a pause.] The Chair hears none.

The statement of the House conferees was read, as follows:

The managers on the part of the House of the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13729) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1902, submit the following written statement in explanation of the effect of the action agreed upon in the accompanying conference report on each of the Senate amendments, namely:

Your conferees have been unable to agree upon amendments numbered 2 and 3.

E. F. LOUD,
GEO. W. SMITH,
CLAUDE A. SWANSON,
Conferees on the part of the House.

The SPEAKER. What is the motion of the gentleman from California?

Mr. LOUD. I move that the House further insist upon its disagreement, and agree to the conference.

The SPEAKER. Is there any conference report to be agreed to first?

Mr. LOUD. There is a disagreement, Mr. Speaker.

The SPEAKER. The gentleman from California moves that the House further insist on its disagreement to the amendments of the Senate, and agree to the conference asked by that body.

The question was taken, and the motion was agreed to.

The SPEAKER. The Chair appoints the following managers on the part of the House: Mr. LOUD, Mr. SMITH of Illinois, and Mr. SWANSON.

Mr. LOUD. Mr. Speaker, I thought it was but fair to the House that the House should have some verbal statement of the condition existing between the Senate and the House on the Post-Office appropriation bill.

On Thursday last the conferees made their second report to the House, recommending an agreement in the shape of a modification of two amendments in the shape of legislation, which had been put upon the appropriation bill in the Senate. We modified the amendments in the conference as far as it was possible for any modification to be had.

The House by a very decided vote rejected the report of the conferees. On Friday morning the conferees again met. As is the custom in the House, we are notified from the Senate by messenger or telephone, and I was able to get one of the conferees to attend that meeting, not being able to find the third conferee.

We went to the Senate, assuming that we had received the instructions of the House, and the Senate conferees refused to meet the conferees of the House on the ground that there were but two of the House conferees present. We argued that question with the Senate conferees for some few moments; and I might mention, in passing, that there had been but two conferees present but a very little of the time on their side during the conference that had taken place.

The House conferees, after this refusal to meet was made, withdrew from the conference. Again, this afternoon, after two days had elapsed, the Senate again suggested a conference, and the conferees have been unable to agree. What may be the ultimate result I can not say. I believe the House conferees have been treated with such discourtesy, at least, as never before has been my lot to witness. This is legislation upon an appropriatian bill, and in accordance with the universal custom the Senate must recede. I thought that statement was due to the House.

Mr. RICHARDSON of Tennessee. Will the gentleman state how many amendments are in this agreement?

Mr. LOUD. Two—Nos. 2 and 3. One is the delivery in cities and towns and villages not now having delivery, under a box system, and the other is the postal telegraph.

Mr. HAY. Mr. Speaker, I demand the regular order.

DISTRICT OF COLUMBIA CODE.

The SPEAKER. The gentleman from Virginia demands the regular order. The Chair lays before the House the bill H. R. 9835 with Senate amendments, and the Clerk will report the title.

The Clerk read as follows:

A bill (H. R. 9835) entitled "An act to establish a code of laws for the District of Columbia."

The Clerk proceeded to read the Senate amendments.

During the reading the following occurred:

Mr. WHEELER. Mr. Speaker, is it in order to move to dispense with the further reading of the amendments?

The SPEAKER. It is, by unanimous consent.

Mr. WHEELER. I ask, then, Mr. Speaker, unanimous consent that the further reading of the Senate amendments be dispensed with.

Mr. UNDERWOOD. I do not like to object, Mr. Speaker, but——

Mr. WHEELER. Why, nobody can understand them. The gentleman can not understand the amendments himself, detached as they are.

Mr. UNDERWOOD. I came down to the front to try to understand them. I object, Mr. Speaker.

The Clerk proceeded and completed the reading of the Senate amendments.

Mr. BABCOCK. Mr. Speaker, I move to concur in the Senate amendments.

Mr. UNDERWOOD. Mr. Speaker, I desire to ask the gentleman from Wisconsin a question.

Mr. GRAHAM. Mr. Speaker, I ask for order. It is impossible to hear what is going on.

The SPEAKER. The Chair desires to state that it has been for some time manifest that the disturbance comes from the galleries, and unless order is observed, and conversation ceases, it will become the duty of the Chair, in order to promote the public business, to order the Sergeant-at-Arms to clear the galleries of the House. The gentleman will proceed.

Mr. UNDERWOOD. I would like to ask the gentleman from Wisconsin if he does not propose to give some explanation to the House as to the effect of the amendments carried in this bill. I notice that some of them change the criminal laws of the District, and I do not think the House ought to be called upon to vote on a proposition of this kind without knowing what it is voting upon.

Mr. BABCOCK. I want to say to the House, Mr. Speaker, that the most of the amendments, outside of one relating to the divorce laws, are immaterial. In many cases they are simply to correct the phraseology of the bill as it left the House. At this late hour it would be impossible for me to go into the details and explain fully to the House, and the House would not care to listen to it.

I want to say further that the amendments that are offered here have been approved by the bar of the District, and are entirely satisfactory.

I want to say further that it has been necessary to use haste, as it will take from now until 12 o'clock to-morrow to enroll this bill of 600 pages, and it has been impossible to take it up in detail and give it any more time. Another thing: For twenty years the people of the District of Columbia have been endeavoring to secure a framework for a code of law. Time and time again it has been before Congress, but disagreements arose here in the city of Washington, but not with Congress.

For the first time in twenty years the bar, including the supreme judges, the organization of the bar in Washington, together with one member of our committee [Mr. JENKINS], who spent three weeks working continuously on this code, have brought it to a condition where it is acceptable to the citizens and the people as a whole in the District, especially the supreme court of the District.

Mr. UNDERWOOD. I will say to the gentleman that the fact that the time is limited is no excuse for passing legislation of importance that we know nothing about. That is the reason I asked him for an explanation. I understand there is an amendment here providing for a new law in reference to making it a misdemeanor for a man to live at a boarding house and not pay his bills.

Mr. BABCOCK. I believe so. That is simply an amendment to the House provision on that subject.

Mr. UNDERWOOD. Is there a law in existence in the District of Columbia now upon that subject?

Mr. BABCOCK. I can not inform the gentleman what the law is here. I want to say to him that the member of the committee who has charge of this bill is sick to-night.

Mr. RAY of New York. If the gentleman will pardon me, I want to say that I hardly think he is correct in saying that this makes it a misdemeanor.

Mr. UNDERWOOD. That is what I am trying to find out.

Mr. RAY of New York. I do not want to interfere with what belongs to another committee, but I want to say to both gentlemen that I am deeply interested in the matter myself. I have given it a great deal of careful thought, and I have looked at the amendments from time to time, and it is a vast improvement over what the law has been in this District. It would be in the nature of a great calamity to the people to have this bill fail after all this work has been expended upon it.

I want to say to the gentleman that it is not a misdemeanor to live in a boarding house and fail to pay your bill, but it is a misdemeanor under the law of most of the States to run up a bill at a boarding house with the preconceived intent of defrauding the boarding-house keeper and then leave without paying. That is the law almost everywhere.

Mr. UNDERWOOD. That is exactly the point I want to find out. I want to ascertain how far this code makes it a crime for a man to live in a boarding house without paying his bill.

Mr. BABCOCK. As the gentleman from New York [Mr. RAY] has just stated, it is a misdemeanor for a person intentionally and purposely to undertake to defraud a boarding-house keeper.

A MEMBER. The law is the same in that respect in nearly all the States.

Mr. BAILEY of Texas. I wish to ask the gentleman from Wisconsin whether this purports to be a revision and codification of the laws of the District of Columbia?

Mr. BABCOCK. Yes, sir. It is a code of law which this District has never had before.

Mr. BAILEY of Texas. As I understand, it makes no change in the existing law, but simply collects and codifies the laws heretofore passed.

Mr. BABCOCK. I do not think that statement is quite correct. I believe this codification does make some changes. This code has been drafted and submitted by judges of the supreme court of the District of Columbia after years of preparation.

Mr. BAILEY of Texas. I was about to ask, Is this the work of a committee of Congress, or is it the work of a board appointed to codify and revise the laws?

Mr. BABCOCK. It is not the work of a special committee of

Congress. The original draft of the code was prepared by the supreme court of this District. One of the judges of that court was appointed for this work and was engaged upon it for several years. It was then submitted to the Bar Association of this District and approved by them. Then it was submitted to the House and Senate for their action.

Mr. BAILEY of Texas. And the supreme court of this District consists simply of trial judges, who sit in banc.

Mr. Speaker, I think it is an exceedingly dangerous proceeding for this House to adopt a code without knowing what is in it. But as this affects only the District of Columbia, and as the supreme court of the District has practically completed the work itself, I suppose we can afford to accept it. But I do not want to take any responsibility for a code adopted without my knowing what is between the lids.

Mr. BABCOCK. This is a House bill which was considered and passed at the last session of Congress. We have now before us a few Senate amendments which are being considered.

Mr. BAILEY of Texas. I generally take very little interest in the proceedings of Congress when it resolves itself into a common council, and therefore did not know of that proceeding. I do not object if this matter has been considered and passed by the House. [*Cries of* "Vote!" "Vote!"]

The SPEAKER. The question is on the motion of the gentleman from Wisconsin to concur in the amendments of the Senate.

The question being taken, the amendments were concurred in.

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

Mr. BABCOCK. I ask that a reprint of this bill be made.

The SPEAKER. Without objection, that order will be made.

There was no objection.

CHARLEROI AND MONESSEN BRIDGE COMPANY.

The SPEAKER laid before the House the amendments of the Senate to the bill (H. R. 13436) to authorize the Charleroi and Monessen Bridge Company to construct and maintain a bridge across the Monongahela River.

The amendments were read.

Mr. DALZELL. I move that the House concur in the amendments of the Senate.

The motion was agreed to.

LEAVE TO PRINT.

Mr. GROUT, by unanimous consent, obtained leave to print with his remarks in the RECORD on the St. Louis Exposition bill certain telegrams.

NAVAL APPROPRIATION BILL.

Mr. DAYTON. I call up the conference report on the naval appropriation bill, and I ask unanimous consent that the reading of the report be dispensed with and that only the statement of the managers on the part of the House be read.

There was no objection.

Mr. RICHARDSON of Tennessee. Is this a final report?

Mr. DAYTON. This is, as I understand the parliamentary situation, a final report. The conferees have agreed upon every item save one, upon which they report a disagreement. But since that time the Senate has receded from that amendment, so that it is no longer in controversy. This is, therefore, a final report.

The conference report was as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13705) making appropriations for the naval service for the fiscal year ending June 30, 1902, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 3, 9, 10, 81, and 82.

That the House recede from its disagreement to the amendments of the Senate numbered 8, 25, 39, 40, 42, 65, 79, 80, 84, 85, and 86, and agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$250,000;" and the Senate agree to the same.

Amendment numbered 24: That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$900,000;" and the Senate agree to the same.

Amendment numbered 26: That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment as follows: In line 5 of said amendment strike out the words "four hundred" and insert in lieu thereof the following: "three hundred and fifty;" and the Senate agree to the same.

Amendment numbered 60: That the House recede from its disagreement to the amendment of the Senate numbered 60, and agree to the same with an amendment as follows: In line 5 of said amendment, strike out the word "two" and insert in lieu thereof the word "one;" and the Senate agree to the same.

Amendment numbered 61: That the House recede from its disagreement to the amendment of the Senate numbered 61, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$6,775,010;" and the Senate agree to the same.

Amendment numbered 67: That the House recede from its disagreement to the amendment of the Senate numbered 67, and agree to the same with an amendment as follows: In line 3 of said amendment, after the word "President," insert the words "by and with the advice and consent of the Senate;" and in line 38 of said amendment, after the word "be," insert the words "until further legislation by Congress;" and the Senate agree to the same.

On the amendment numbered 89 the committee of conference have been unble to agree.

GEORGE EDMUND FOSS,
ALSTON G. DAYTON,
AMOS J. CUMMINGS,
Managers on the part of the House.

EUGENE HALE,
W. E. CHANDLER,
B. R. TILLMAN,
Managers on the part of the Senate.

The statement of the House conferees was read, as follows:

The managers on the part of the House of Representatives make the following statement of the resolution of the third conference with the managers on the part of the Senate on the disagreeing votes of the two Houses on the Senate amendments to H. R. 13705, making appropriations for the naval establishment:

The Senate receded from its amendment No. 3, increasing the pay of first and second clerks to commandants.

No. 9, providing for an inspector of accounts.

No. 10, providing for assistant chiefs of bureaus.

No. 81, authorizing the President to appoint to the Naval Academy not exceeding three of the acting cadets temporarily appointed during the war with Spain.

No. 82, providing that the President appoint to the Naval Academy 10 naval cadets in addition to the 10 now allowed to him.

The House receded from its disagreement to the following amendments of the Senate:

No. 8, making $50,000 of the emergency fund immediately available.

No. 25, enabling the Secretary of the Navy to acquire land for a naval station, harbor, and channel defense at Pearl Harbor, Hawaii.

No. 39, striking out the House provision for fire protection system at navy-yard, Portsmouth, N. H., and inserting "extension of office building for construction and repair, fireproof construction."

No. 40, providing office for steam engineering and $15,000 at navy-yard, Portsmouth, N. H.

No. 42, involving a clerical computation.

No. 65, increasing the appropriation for the Naval Observatory for grounds and roads from $5,000 to $10,000.

No. 79, commissioning certain cadets at sea and in the Academy as ensigns.

No. 80, giving the President power to appoint as ensigns, boatswains, gunners, or warrant machinists not exceeding six in any one calendar year upon competitive examination.

Nos. 84, 85, and 86, providing for the construction of marine barracks, commanding officers' and junior officers' quarters for the Marine Corps at Annapolis.

The House receded from its disagreement to the amendment of the Senate No. 7, providing for an emergency fund, and agreed to the same with an amendment as follows: In lieu of the sum proposed ($300,000) insert "$250,000;" and the Senate agreed to the same.

The House receded from its disagreement to the amendment of the Senate No. 24, providing depots for coal and agreed to the same with an amendment as follows: In lieu of the sum proposed ($700,000) insert "$600,000;" and the Senate agreed to the same.

The House receded from its disagreement to the amendment of the Senate No. 26, providing for the maintenance of colliers, and agreed to the same with an amendment as follows: In line 5 of said amendment strike out the words "four hundred thousand dollars" and insert in lieu thereof the following: "$350,000," decreasing the appropriation $50,000; and the Senate agreed to the same.

The House receded from its disagreement to the amendment of the Senate No. 60, providing for a dry dock at Charleston, S. C., and agreed to the same with an amendment as follows: In line 5 of said amendment strike out the word "two" and insert in lieu thereof the word "one," thereby reducing the appropriation for dry dock $100,000; and the Senate agreed to the same.

The House receded from its disagreement to the amendment of the Senate No. 61, involving a clerical computation, and agreed to the same with an amendment as follows: In lieu of the sum proposed insert "$6,775,010;" and the Senate agreed to the same.

The House receded from its disagreement to the amendment of the Senate No. 67, providing expenses for a board of visitors to the Naval Observatory, and agreed to the same with an amendment as follows: In line 3 of the said amendment, after the word "President," insert the words "by and with the advice and consent of the Senate;" and in line 38 of said amendment, after the word "be," insert the words "until further legislation by Congress;" and the Senate agreed to the same.

The committee of conference have been unable to agree on amendment numbered 89 providing for the construction of three submarine boats of the *Holland* type.

GEORGE EDMUND FOSS,
ALSTON G. DAYTON,
AMOS J. CUMMINGS,
Managers on the part of the House.

The question being taken, the conference report was agreed to.

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

OPENING OF INDIAN LANDS FOR SETTLEMENT.

Mr. HEATWOLE. I ask unanimous consent for the present consideration of the resolution which I send to the desk.

The Clerk read as follows:

Resolved, That 5,000 additional copies of House bill No. 12901 be printed when the same shall become a law; the copies to be placed in the document room of the House.

Mr. BAILEY of Texas. I would like to know what this bill is. The resolution simply gives the number, but does not indicate the subject.

Mr. HEATWOLE. It relates to the Kiowa and Comanche Reservation, to be opened for settlement.

Mr. BAILEY of Texas. When did the bill pass?

Mr. HEATWOLE. Yesterday. There is a great demand from a number of people for copies of this bill. The reprint is asked for by the Committee on Public Lands.

Mr. BAILEY of Texas. I would like to know a little more about this bill. Is it the bill providing for the allotment of the Kiowa and Comanche lands?

Mr. LACEY. It is the bill agreed to in conference last night in

regard to the final opening of the Kiowa, Comanche, and Apache Reservation.

Mr. BAILEY of Texas. If the bill has passed, I have no objection to printing extra copies.

Mr. LACEY. There should be some extra copies printed.

There being no objection, the House proceeded to the consideration of the resolution, and it was adopted.

SAFETY OF EMPLOYEES OF COMMON CARRIERS.

The SPEAKER laid before the House the bill (H. R. 10302) to amend an act to promote the safety of employees, etc., by requiring common carriers engaged in interstate commerce to equip their cars with automatic couplers and continuous brakes, etc., approved March 2, 1893, with Senate amendments.

The Senate amendments were read.

Mr. CORLISS. Mr. Speaker, I move to concur in the Senate amendments.

The motion was agreed to.

CHAPTER 559 OF THE REVISED STATUTES.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill S. 6048, now on the Speaker's table.

The SPEAKER. The gentleman from Wyoming asks unanimous consent for the present consideration of the Senate bill which the Clerk will report.

The Clerk read as follows:

A bill (S. 6048) to amend chapter 559 of the Revised Statutes of the United States, approved March 3, 1891.

Be it enacted, etc., That the provisions of chapter 559 of the Revised Statutes of the United States, approved March 3, 1891, limiting the use of timber taken from public lands to residents of the State in which such timber is found, for use within said State, shall not apply to the south slope of Pryor Mountains, in the State of Montana, lying south of the Crow Reservation, west of the Big Horn River, and east of Sage Creek; but within the above-described boundaries the provisions of said chapter shall apply equally to the residents of the States of Wyoming and Montana, and to the use of timber taken from the above-described tract in either of the above-named States.

The SPEAKER. Is there objection?

Mr. RICHARDSON of Tennessee. Mr. Speaker, I would like to have the gentleman state whether this bill has been reported by any Committee of the House. I understand it is a Senate bill.

Mr. MONDELL. This is a Senate bill. A similar bill has been unanimously reported by the Committee on Public Lands of the House. I will say to the gentleman that the act which is modified is an act which allows settlers upon public lands to take timber for firewood and for fencing, and it is provided that they shall only take timber from lands within the State in which they reside.

On the tract which will be affected by this bill there is no timber obtainable in Wyoming; and this is simply a provision that they can go into the State of Montana and have the same privilege that the citizens of Montana have. Similar bills have been passed with respect to other States.

Mr. RICHARDSON of Tennessee. Has this bill been considered by the Commissioner of Public Lands?

Mr. MONDELL. Yes, sir.

Mr. RICHARDSON of Tennessee. Has he recommended its passage?

Mr. MONDELL. I saw the Commissioner personally in regard to it. I do not think it a matter of enough importance to ask for a report from the Commissioner. It only affects 6 townships of land, and it allows the settlers in the prairie region of Wyoming to go over into Montana and to cut timber for firewood and fencing.

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

Mr. MONDELL. Certainly.

Mr. STEELE. We have throughout the country men employed for the preservation of our forests. Now, would not this have a tendency to encourage men to fire the forests so as to have an opportunity to go and get dead and down timber—so that they could go in and get it after it was dead and down?

Mr. MONDELL. This bill has nothing to do with dead and down timber.

Mr. STEELE. If they are going to fire our woods and cause the timber to be down and kill the timber, it would be dead timber then, and they could go in and get it.

Mr. MONDELL. I will say to the gentleman that this preserves the dead and down timber. Under this law they have the right to take any kind of timber.

Mr. STEELE. They can take any kind of timber?

Mr. MONDELL. Yes, sir.

Mr. SHAFROTH. If the gentleman will yield to me, I will state in regard to this bill, the Committee on Public Lands had a bill of a similar character, and if the gentleman says it is exactly the same I am confident that it is.

Mr. MONDELL. It is.

Mr. SHAFROTH. It relates to taking timber by settlers for domestic purposes, and inasmuch as there is no timber in the State of Wyoming on that side of the boundary, it permits the same provision to the citizens of the State of Wyoming that the citizens of Montana have, and it is a right which would exist if this same land were included in the State of Wyoming, without any legislation whatever. It is a very proper measure.

People living out in the plains, upon the arid lands, can not get timber without going a great distance, and inasmuch as this also made a limit of the taking of timber within the State, these people who live near the boundary are placed at a disadvantage unless some of the timber is within the State. I see no objection to it whatever.

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

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

HOUSE PENSION BILLS WITH SENATE AMENDMENTS.

The SPEAKER laid before the House the following House bills relating to pensions, with Senate amendments. The bills and Senate amendments were severally read, and, on motion of Mr. SULLOWAY, the Senate amendments were concurred in:

A bill (H. R. 7202) granting a pension to Wiley Causey;

A bill (H. R. 2163) granting an increase of pension of Mary L. Cramer;

A bill (H. R. 9503) granting an increase of pension to Samuel Baughman;

A bill (H. R. 13080) granting an increase of pension to John F. Carbee;

A bill (H. R. 10334) granting an increase of pension to Nellie T. P. Koehler; and

A bill (H. R. 13329) granting an increase of pension to Grotius N. Udell.

EDWIN DE LEON.

The SPEAKER also laid before the House the bill (H. R. 2617) for the relief of the legal representatives of Edwin De Leon, deceased, for $8,000 due him for judicial services; with Senate amendment to the title.

Mr. RICHARDSON of Tennessee. Mr. Speaker, it was impossible to hear. I would be glad to know something of that bill.

Mr. SULLOWAY. I do not think that is a pension bill, Mr. Speaker.

Mr. RICHARDSON of Tennessee. I would be very glad if it could be reported again. I did not hear it.

The bill was again reported with the amendment to the title.

Mr. RICHARDSON of Tennessee. That is simply an amendment to the title, I understand.

The SPEAKER. The attention of the gentleman from Pennsylvania is invited by the gentleman from Tennessee.

Mr. RICHARDSON of Tennessee. I ask if it is simply an amendment to the title; if that is all there is in the Senate amendment?

Mr. MAHON. That is all. I move that the House concur in the Senate amendment.

Mr. BAILEY of Texas. Mr. Speaker——

The SPEAKER. Does the gentleman from Pennsylvania yield to the gentleman from Texas?

Mr. MAHON. Certainly.

Mr. BAILEY of Texas. Will the gentleman from Pennsylvania be good enough to tell the House what these legal services were?

Mr. MAHON. I do not propose to go into that now. It passed the House and the Senate. This is an amendment to the title alone.

Mr. BAILEY of Texas. When did this bill pass the House?

Mr. MAHON. I can not tell the date.

The SPEAKER. February 23.

Mr. BAILEY of Texas. Mr. Speaker, I suppose the merits have been adjudicated, if it passed the House. I have no recollection of it myself.

The SPEAKER. The Chair will state to the gentleman there is nothing in issue except the amendment of the title.

Mr. BAILEY of Texas. I understand that.

The SPEAKER. The question is on the motion of the gentleman from Pennsylvania.

The question was taken, and the motion was agreed to.

SOCIETY OF AMERICAN FLORISTS.

The SPEAKER also laid before the House the bill (H. R. 13609) to incorporate the Society of American Florists and Ornamental Horticulturists in the District of Columbia with Senate amendments.

The Senate amendments were read at length.

Mr. COWHERD. Mr. Speaker, I move that the House concur in the Senate amendments.

The motion was agreed to.

RESTORATION OF CERTAIN WIDOWS TO THE PENSION ROLL.

The SPEAKER also laid before the House the bill (H. R. 9886) to restore certain widows to the pension roll with Senate amendments.

The Senate amendments were read.

Mr. MIERS of Indiana. Mr. Speaker, I move that the House disagree to the amendments of the Senate and ask for a conference.

The motion was agreed to.

The SPEAKER appointed as managers on the part of the House Mr. GIBSON, Mr. CALDERHEAD, and Mr. MIERS of Indiana.

RIVER AND HARBOR BILL.

Mr. BURTON. Mr. Speaker, I desire to present another conference report on the river and harbor bill.

The Clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate numbered 168, 219, 220, 221, and 222, to 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, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate numbered 222, and agree to the same.

As to amendments numbered 168, 219, 220, and 221 the conferees have been unable to agree.

T. E. BURTON,
WALTER REEVES,
T. C. CATCHINGS,
Managers on the part of the House.

KNUTE NELSON,
JAMES McMILLAN,
JAMES H. BERRY,
Managers on the part of the Senate.

The Clerk read the statement, as follows:

The conferees on the part of the House, after full and free conference, report that the Senate conferees insist on their disagreement to amendments numbered 168, 219, 220, and 221. The conferees on the part of the House recommend that the House still further insist upon its disagreement and ask for a further conference.

They also recommend that amendment numbered 222, heretofore by clerical error reported as disagreed to when in fact agreed to, be concurred in.

T. E. BURTON,
WALTER REEVES,
T. C. CATCHINGS,
Conferees on the part of the House of Representatives.

Mr. BURTON. Mr. Speaker, it will be noticed that this report contains the same disagreements as before, but by a clerical error amendment No. 222 was reported as disagreed to, when in fact it was agreed to, and the conferees recommend that that be agreed to. I make the motion, first, that the report upon amendment No. 222, heretofore in fact agreed to, be adopted.

The SPEAKER. Is that the recommendation of the report?

Mr. BURTON. It is.

The SPEAKER. Then, the adoption of the report will serve the same purpose.

Mr. NEWLANDS. I would like to ask what is the nature of the report?

Mr. BURTON, It is to correct the clerical error as to the Upper Missouri River.

Mr. SHERMAN. Mr. Speaker, I would like to ask the gentleman from Ohio if this has anything to do with Grass River?

Mr. BURTON. No.

The question was taken, and the report was agreed to.

Mr. BURTON. I now move, Mr. Speaker, that the House still further insist upon its disagreement to the amendments 168, 229, 220, and 221, and ask for a further conference, and upon that I hope the vote of the House may be prompt and emphatic.

The SPEAKER. Are those the only remaining amendments?

Mr. BURTON. They are, that are disagreed to.

Mr. NEWLANDS. Mr. Speaker——

The SPEAKER. Does the gentleman from Ohio yield to the gentleman from Nevada?

Mr. BURTON. No; I can not. We have discussed this matter fully.

Mr. NEWLANDS. I want to ask, Mr. Speaker, if it is not in order for me to move that the House recede from its disagreement and concur?

Mr. BURTON. I will yield for that purpose.

The SPEAKER. That is the privilege of the gentleman.

Mr. NEWLANDS. Then I move, Mr. Speaker, that the House recede and concur in amendments 219, 220, and 221.

The SPEAKER. As these amendments have been reported before, without objection they will not be again reported to the House. [After a pause.] The Chair hears no objection. The first amendment is 168, and on that amendment the gentleman from Ohio moves that the House further insist on its disagreement and ask for a conference.

The motion was agreed to.

The SPEAKER. Now, the gentleman from Nevada moves to recede and concur in amendments 219, 220, and 221. Without objection these will be taken in gross. [After a pause.] The Chair hears no objection.

Mr. NEWLANDS. I desire to address the House, Mr. Speaker, on this motion.

Mr. BURTON. I can not yield the floor for discussion.

Mr. NEWLANDS. Does not the gentleman permit any time for discussion? [Cries of "Vote!" "Vote!"]

Mr. Speaker, I ask whether the gentleman from Ohio controls the time?

The SPEAKER. The gentleman from Ohio is entitled to the floor, but the motion of the gentleman from Nevada is a preferential motion.

Mr. NEWLANDS. Upon my motion am I not entitled to the floor?

The SPEAKER. No; the gentleman from Nevada can not take the gentleman from Ohio, who is in charge of the bill, from the floor.

Mr. SHAFROTH. Will not the gentleman from Ohio allow us five or ten minutes' debate on this?

Mr. BURTON. No; I can not. I ask for the previous question.

The previous question was ordered.

The question was then taken on the motion of Mr. NEWLANDS, and the motion was lost.

The SPEAKER. The gentleman from Ohio asks that the House further insist on its disagreement to the Senate amendments, and asks for a further conference.

The motion was agreed to.

The SPEAKER appointed as managers on the part of the House Mr. BURTON, Mr. REEVES, and Mr. CATCHINGS.

HEIRS OF TAWAMNOHA, OR MARTHA CRAYON.

Mr. SPALDING. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 3670) authorizing and directing the Secretary of the Interior to issue a patent to the heir or heirs of one Tawamnoha, or Martha Crayon, conveying to them certain lands in the State of North Dakota, confirming certain conveyances thereof, and for other purposes.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed, upon due proof of the death of one Tawamnoha, or Martha Crayon, an Indian woman, late of the Devils Lake Sioux Indian Reservation, and due proof of heirship, to issue a patent to her heir or heirs conveying to them the following-described premises, situated in the county of Benson, State of North Dakota, to wit:

The lots numbered 2 and 3 of section 15, the lot numbered 1 of section 22, and the southwest quarter of the southwest quarter of section 14, in township 153 north, of range 67 west of the fifth principal meridian, in the State of North Dakota, containing 159.08 acres; the said premises being land allotted to her in severalty by trust allotment patent of date November 2, 1892; such patent so to be issued to convey to said heir or heirs the said premises in fee, discharged of any trust or incumbrance whatsoever.

SEC. 2. That a certain deed, of date October 23, 1898, executed, acknowledged, and delivered by Matochatka and Mahpiyatokahewin, the father and mother of said Tawamnoha, or Martha Crayon, and parties entitled to succeed to her estate by the laws of the State of North Dakota, she having died without issue, which said deed was duly filed for record in the office of the register of deeds in and for Benson County, State of North Dakota, and recorded in Book E of Deeds, on page 600, and which purported to convey the said premises to Thomas Crayon, the surviving husband of said Tawamnoha, or Martha Crayon, be, and the same is hereby, legalized and in all things confirmed and ratified.

The SPEAKER. Is there objection?

Mr. RICHARDSON of Tennessee. I should like to know what this matter is.

Mr. SPALDING. Mr. Speaker, this is a Senate bill. It has for its object the issuance of a patent to the husband of an Indian woman who died, leaving no children. The widower is a white man. The woman died in 1893, leaving a will under which the husband took all her property. That will has been probated.

The husband sold this piece of land, but the title is incumbered by the fact that the Government holds the land for a term of years in trust for the heirs of the deceased woman. A portion of the trust period has elapsed, but not all of it. This land lies on the border of the reservation and near the site of a small village.

It was desired to secure it for the purpose of building a courthouse and schoolhouse upon it, for the reason that the physical characteristics of the land in the other parts of the town are such that there is no other place suitable for erecting those building s This man desires to dispose of his interest. The evidence shows that $600 is a fair price.

Mr. RICHARDSON of Tennessee. Has there been any similar bill reported from any other committee of this House?

Mr. SPALDING. This bill is reported unanimously by the Committee on Indian Affairs.

Mr. RICHARDSON of Tennessee. I have no objection.

There being no objection, the House proceeded to the consideration of the bill; which was ordered to a third reading, read the third time, and passed.

ORDER OF BUSINESS.

Mr. RICHARDSON of Tennessee. Mr. Speaker, I rise to a parliamentary inquiry. I wish to know whether the regular order is not the resolution of the gentleman from Pennsylvania [Mr. DALZELL] for the appointment of a committee to visit during the recess Porto Rico, the Philippines, etc.

The SPEAKER. That is the regular order.

Mr. RICHARDSON of Tennessee. I call for the regular order.

Mr. PAYNE. I move that the House take a recess until 12 o'clock—midnight.

Mr. RICHARDSON of Tennessee. The effect of that will be to kill this resolution. I hope the motion will be voted down.

The question being taken on the motion for a recess, there were on a division (called for by Mr. SHATTUC and others)—ayes 106, noes 67.

Mr. RICHARDSON and others called for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 137, nays 86, answered "present" 6, not voting 124; as follows:

YEAS—137.

Acheson,	De Graffenreid,	Kerr, Ohio	Reeves,
Alexander,	Dick,	Kleberg,	Robinson, Ind.
Babcock,	Dovener,	Knox,	Rodenberg,
Bailey, Kans.	Driscoll,	Lacey,	Russell,
Baker,	Eddy,	Landis,	Sherman,
Barham,	Faris,	Lane,	Showalter,
Barney,	Fordney,	Lanham,	Slayden.
Bartholdt,	Foss,	Latimer,	Smith, Ill.
Bell,	Fowler,	Littlefield,	Smith, Iowa
Benton,	Gamble,	Long,	Smith, Samuel W.
Bishop,	Gardner, Mich.	Loudenslager,	Southard,
Boutell, Ill.	Gardner, N. J.	McCall,	Spalding,
Bowersock,	Gill,	McDowell,	Sperry,
Bromwell,	Gillett, Mass.	Mahon,	Steele,
Brosius,	Graff,	Mann,	Stevens, Minn.
Burke, Tex.	Greene, Mass.	Marsh,	Stewart, N. J.
Burkett,	Grosvenor,	Mercer,	Stewart, N. Y.
Burleigh,	Hall,	Mesick,	Stewart, Wis.
Burleson,	Hamilton,	Metcalf,	Sulloway,
Butler,	Haugen,	Meyer, La.	Tayler, Ohio
Calderhead,	Hay,	Miller,	Thomas, Iowa
Capron,	Heatwole,	Mondell,	Tompkins,
Cochrane, N. Y.	Hedge,	Moody, Oreg.	Van Voorhis,
Conner,	Henry, Conn.	Morgan,	Wanger,
Corliss,	Henry, Miss.	Morris,	Warner,
Cousins,	Hepburn,	Naphen,	Watson,
Cromer,	Hill,	Needham,	Weaver,
Crumpacker,	Hoffecker,	Olmsted,	Weeks,
Curtis,	Hopkins,	Otjen,	Weymouth,
Cushman,	Howell,	Overstreet,	Wright,
Dahle,	Hull,	Packer, Pa.	Young,
Dalzell,	Jack,	Parker, N. J.	Zenor.
Davenport, S. A.	Jones, Wash.	Payne,	
Davidson,	Joy,	Phillips,	
Davis,	Kahn,	Ray, N. Y.	

NAYS—86.

Adamson,	Davenport, S. W.	McCulloch,	Salmon,
Allen, Ky.	De Armond,	McDermott,	Shackleford,
Atwater,	Dougherty,	McLain,	Shafroth,
Bailey, Tex.	Driggs,	Maddox,	Sheppard,
Ball,	Elliott,	Meekison,	Snodgrass,
Bankhead,	Fitzgerald, Mass.	Moon,	Spight,
Barber,	Fitzgerald, N. Y.	Newlands,	Stallings,
Berry,	Fitzpatrick,	Norton, S. C.	Stark,
Brantley,	Fleming,	Polk,	Stephens, Tex.
Breazeale,	Foster,	Quarles,	Sulzer,
Brenner,	Gaines,	Ransdell,	Sutherland,
Brundidge,	Green, Pa.	Rhea, Ky.	Swanson,
Burnett,	Griggs,	Rhea, Va.	Tate,
Caldwell,	Jett,	Richardson, Ala.	Thayer,
Carmack,	Jones, Va.	Richardson, Tenn.	Thomas, N. C.
Clark,	Kitchin,	Ridgely,	Underwood,
Clayton, Ala.	Kluttz,	Riordan,	Vandiver,
Clayton, N. Y.	Lamb,	Rixey,	Williams, J. R.
Cowherd,	Lentz,	Robb,	Williams, W. E.
Crowley,	Lewis,	Ruppert,	Wilson, N. Y.
Cummings,	Lloyd,	Ryan, N. Y.	
Cusack,	McClellan,	Ryan, Pa.	

ANSWERED "PRESENT"—6.

Bellamy,	May,	Small,	Williams, Miss.
Lybrand,	Scudder,		

NOT VOTING—124.

Adams,	Dinsmore,	Levy,	Robertson, La.
Aldrich,	Emerson,	Linney,	Robinson, Nebr.
Allen, Me.	Esch,	Littauer,	Rucker,
Allen, Miss.	Finley,	Little,	Shattuc,
Bartlett,	Fletcher,	Livingston,	Shelden,
Bingham,	Fox,	Lorimer,	Sibley,
Boreing,	Freer,	Loud,	Sims,
Boutelle, Me.	Gaston,	Lovering,	Smith, Ky.
Bradley,	Gayle,	McAleer,	Smith, H. C.
Brewer,	Gibson,	McCleary,	Smith, Wm. Alden
Brick,	Gilbert,	McRae,	Sparkman,
Broussard,	Gillet, N. Y.	Miers, Ind.	Sprague,
Brown,	Glynn,	Minor,	Stokes,
Brownlow,	Gordon,	Moody, Mass.	Talbert,
Bull,	Graham,	Morrell,	Tawney,
Burke, S. Dak.	Griffith,	Mudd,	Taylor, Ala.
Burton,	Grout,	Muller,	Terry,
Campbell,	Grow,	Neville,	Thropp,
Cannon,	Hawley,	Noonan,	Tongue,
Catchings,	Hemenway,	Norton, Ohio	Turner,
Chanler,	Henry, Tex.	O'Grady,	Underhill,
Cochran, Mo.	Hitt,	Otey,	Vreeland,
Connell,	Howard,	Pearce, Mo.	Wachter,
Cooney,	Jenkins,	Pearson,	Wadsworth,
Cooper, Tex.	Johnston,	Pearre,	Waters,
Cooper, Wis.	Kerr, Md.	Pierce, Tenn.	Wheeler,
Cox,	Ketcham,	Powers,	White.
Crump,	King.	Prince,	Wilson, Idaho
Davey,	Lassiter,	Pugh,	Wilson, S. C.
Dayton,	Lawrence,	Reeder,	Woods,
Denny,	Lester,	Roberts,	Ziegler.

So the motion was agreed to.

The following pairs were announced:

For this day:

Mr. EMERSON with Mr. MAY.

Mr. MORRELL with Mr. SIMS.

On this vote:

Mr. BULL with Mr. JOHNSTON.

Mr. LYBRAND with Mr. NORTON of Ohio.

Until further notice:

Mr. DAYTON with Mr. MEYER of Louisiana.

Mr. SHELDEN with Mr. FINLEY.

Mr. PEARCE of Missouri with Mr. RUCKER.

Mr. CANNON with Mr. MCRAE.

Mr. BINGHAM with Mr. TALBERT.

Mr. MUDD with Mr. LITTLE.

Mr. HENRY C. SMITH with Mr. TAYLOR of Alabama.

Mr. LOVERING with Mr. PIERCE of Tennessee.

Mr. GROW with Mr. GASTON.

Mr. BARNEY with Mr. BRUNDIDGE.

Mr. BROWNLOW with Mr. BROUSSARD.

Mr. BOREING with Mr. GILBERT.

Mr. WACHTER with Mr. SMALL.

Mr. KETCHAM with Mr. MULLER.

Mr. ADAMS with Mr. SCUDDER.

Mr. SIBLEY with Mr. HALL.

Mr. WADSWORTH with Mr. WILLIAMS of Mississippi.

Mr. ROBERTS with Mr. BELLAMY.

Mr. WANGER with Mr. ADAMSON

Mr. BURTON with Mr. SPARKMAN.

Mr. JENKINS with Mr. LESTER.

Mr. RICHARDSON of Tennessee. Mr. Speaker, I desire to submit a parliamentary inquiry.

The SPEAKER pro tempore (Mr. BARTHOLDT). The gentleman will state it.

Mr. RICHARDSON of Tennessee. If this vote shall be in the affirmative and the House takes a recess, is not the result to defeat the resolution proposed by the gentleman from Pennsylvania [Mr. DALZELL], and is it not a vote of want of confidence in the administration, and ought not the administration now in control of affairs in the House to resign?

The SPEAKER pro tempore. That is not a parliamentary inquiry.

Mr. GAINES. Whether it is or not, you are evidently running from your own resolution.

The result of the vote was then announced as above recorded; and accordingly (at 10 o'clock and 55 minutes p. m.) the House was declared in recess until 12 o'clock midnight.

The recess having expired, the House resumed its session.

POST-OFFICE APPROPRIATION BILL.

Mr. LOUD. I call up the conference report on the Post-Office appropriation bill. I ask that the reading of the report be dispensed with, and that the statement of the House conferees be read.

There was no objection.

Mr. LOUD. But I think the report ought to be printed in the RECORD.

The SPEAKER. It will be so ordered.

The report was as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13729) "making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1902, and for other purposes," having met, after full and free conference have agreed to recommend, and do recommend, to their respective Houses as follows:

That the Senate recede from its amendment numbered 2; and agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: Strike out said amendment and insert the following in lieu thereof:

"The Postmaster-General is directed, if he has sufficient available information to enable him to do so, to report to Congress the probable cost of connecting a telegraph and telephone system with the postal service by some feasible plan."

And the Senate agree to the same.

E. F. LOUD,
GEO. W. SMITH,
CLAUDE A. SWANSON,
Managers on the part of the House.

E. O. WOLCOTT,
WM. E. CHANDLER,
MARION BUTLER,
Managers on the part of the Senate.

The statement of the House conferees was read, as follows:

The managers on the part of the House of the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13729) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1902, submit the following written statement in explanation of the effect of the action agreed upon in the accompanying conference report on each of the Senate amendments, namely:

The Senate receded on amendment numbered 2, which relates to free delivery of mail through repositories or compartment boxes in cities, towns, and villages not now entitled to free delivery under existing law.

The House receded on amendment numbered 3, with the following amendment: Strike out said amendment and insert the following in lieu thereof:

The Postmaster-General is directed, if he has sufficient available informa-

tion to enable him to do so, to report to Congress the probable cost of connecting a telegraph and telephone system with the postal service by some feasible plan.

The SPEAKER. The question is on agreeing to the report.

The report was agreed to.

PENSIONS.

Mr. GIBSON. I call up the conference report upon the bill (H. R. 9886) to restore certain widows to the pension roll. I ask unanimous consent that the reading of the report be dispensed with.

Mr. STEELE. I think we ought to have the report read. It is short.

The report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9886) to restore certain widows to the pension roll, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the Senate amendments, and concur in the same.

HENRY R. GIBSON,
W. A. CALDERHEAD,
ROBERT W. MIERS,
Managers on the part of the House.
J. H. GALLINGER,
GEO. L. SHOUP,
Managers on the part of the Senate.

The statement of the House conferees was read, as follows:

The effect of the agreement is to generalize the House bill so as to make it refer to all wars, the House bill confining its benefits exclusively to the widows of soldiers in the war of the rebellion. The agreement also protects the interests of helpless children, and provides that no fee shall be paid any person for services in prosecuting claims under the act.

HENRY R. GIBSON,
W. A. CALDERHEAD,
ROBERT W. MIERS,
Managers on the part of the House.

The report was agreed to.

On motion of Mr. GIBSON, a motion to reconsider the vote by which the report was agreed to was laid on the table.

HEARINGS ON THE OLEOMARGARINE BILL.

Mr. HEATWOLE. I desire to call up from the Speaker's table Senate concurrent resolution 115 for present consideration, with the amendments which I send to the Clerk's desk.

The SPEAKER. Is this privileged?

Mr. HEATWOLE. I think so.

The SPEAKER. The gentleman from Minnesota [Mr. HEATWOLE] calls up the resolution which will be read.

The Clerk read as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed 30,000 copies of the hearings, including the majority report and views of the minority thereon, before the Senate Committee on Agriculture and Forestry and the House Committee on Agriculture, together with the briefs submitted, relating to House bill No. 3717, 20,000 copies of which shall be for the use of the House of Representatives and 10,000 copies for the use of the Senate. The usual number shall not be printed.

The amendments were read, as follows:

In line 8 strike out "twenty" and insert "four."
In line 10 strike out "ten" and insert "two."

Mr. RICHARDSON of Tennessee. I do not think this is a privileged resolution.

Mr. HEATWOLE. This printing is for the House and Senate.

Mr. RICHARDSON of Tennessee. Not for the Departments, but altogether for the House?

Mr. HEATWOLE. For the House and Senate.

Mr. RICHARDSON of Tennessee. Will the gentleman state what this document is which the resolution proposes to have printed?

Mr. HEATWOLE. The hearings on the oleomargarine bill.

The SPEAKER. The opinion of the Chair is that the resolution is not privileged. It is not reported from the committee.

Mr. HEATWOLE. I consulted the members of the committee in regard to the resolution.

Mr. RICHARDSON of Tennessee. I have no doubt it is all right.

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

There was no objection.

The amendments proposed by Mr. HEATWOLE were agreed to, and the resolution as amended was adopted.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. CUNNINGHAM, one of its clerks, announced that the Senate had insisted upon its amendment to the bill (H. R. 9886) to restore certain widows to the pension roll, 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. GALLINGER, Mr. SHOUP, and Mr. KENNEY as the conferees on the part of the Senate.

ENROLLED BILLS SIGNED.

Mr. BAKER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 2619. An act for the relief of Agnes and Maria De Leon;

H. R. 10698. An act to amend an act amending the act entitled "An act to authorize the receipt of United States gold coin in exchange for gold bars;"

H. R. 13436. An act to authorize the Charleroi and Monessen Bridge Company to construct and maintain a bridge across the Monongahela River;

H. R. 6591. An act for the relief of Austin A. Yates;

H. R. 11350. An act to establish the National Bureau of Standards;

H. R. 14093. An act to authorize the Paris, Choctaw and Little Rock Railway Company to construct and maintain a bridge across Red River, in the State of Texas;

H. R. 14236. An act making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1901, and for prior years, and for other purposes;

H. R. 8270. An act for the relief of Herman von Marsdorf, late a lieutenant of Company D, First Maryland Cavalry;

H. R. 7072. An act granting a pension to Mary Barron;

H. R. 10701. An act to amend section 6, chapter 119, United States Statutes at Large, No. 24;

H. R. 11828. An act to remove charge of desertion from military record of Charles F. Kramer;

H. R. 8946. An act to pay to J. P. Ouzts $209.50 for services as deputy collector internal revenue for district of South Carolina;

H. R. 12204. An act granting an increase of pension to Mary A. Tunis;

H. R. 12004. An act granting an increase of pension to George B. Smith;

H. R. 13329. An act granting an increase of pension to Grotius N. Udell;

H. R. 3491. An act granting a pension to Melvina Greenawalt;

H. R. 9539. An act granting an increase of pension to Ella V. Coston;

H. R. 14138. An act to authorize the Pigeon River Improvement, Slide and Boom Company, of Minnesota, to enter upon the Grand Portage Indian Reservation and improve the Pigeon River in said State at what is known as the cascades of said river;

H. R. 5645. An act granting an increase of pension to William H. H. Bouslough;

H. R. 12392. An act granting a pension to Henry Smith;

H. R. 523. An act for the relief of Arba N. Waterman;

H. R. 1959. An act for the relief of the heirs of George W. Saulpaw;

H. R. 7202. An act granting an increase of pension to Elizabeth Causey;

H. R. 13195. An act to amend section 5153 of the Revised Statutes of the United States;

H. R. 12386. An act granting an increase of pension to William N. Hall;

H. R. 11795. An act granting a pension to Columbus S. Whitaker;

H. R. 7055. An act granting a pension to John G. Barr;

H. R. 427. An act for the relief of heirs of Mrs. Tellisse W. Wilson;

H. R. 13794. An act granting a pension to Hix Patterson;

H. R. 13068. An act to waive and release all claims of the United States by way of escheat to the real estate in the District of Columbia of which Patrick Kavanagh or his sons, Charles W. Kavanagh and William Kavanagh, died seized;

H. R. 9843. An act granting an increase of pension to John A. Hardy;

H. R. 568. An act for the relief of W. T. Fitzpatrick, Bedford City, Va.;

H. R. 7995. An act granting a pension to Jane Hunter;

H. R. 12331. An act to amend an act entitled "An act conferring on the supreme court of the District of Columbia jurisdiction to take proof of the execution of wills affecting real estate, and for other purposes;"

H. R. 11453. An act granting a pension to Charles E. Binns;

H. R. 10758. An act granting a pension to Sallie B. Wilson;

H. R. 11303. An act granting a pension to Elizabeth M. Killen;

H. R. 11998. An act granting an increase of pension to John H. Horner;

H. R. 13520. An act granting an increase of pension to Cornelia Hays;

H. R. 13530. An act to provide an American register for the foreign-built ship *Balclutha;*

H. R. 364. An act granting an increase of pension to Lewis Black;

H. R. 10001. An act for the relief of the heirs of Joseph T. Stout;

H. R. 8032. An act to reimburse J. A. B. Miles, E. D. Kelly, and Rawlings Webster;

H. R. 4853. An act for the relief of the heirs at law of Edward N. Oldmixon;
H. R. 11197. An act granting an increase of pension to Eugene Leahy;
H. R. 12801. An act granting a pension to Willis Brady;
H. R. 628. An act for the relief of Hamilton M. Sailors;
H. R. 12816. An act granting an increase of pension to Samuel A. Needham;
H. R. 1769. An act granting an increase of pension to Isaac H. Duval;
H. R. 12939. An act granting an increase of pension to Thomas J. Kerstetter;
H. R. 12507. An act granting an increase of pension to Ezekiel Dawson;
H. R. 7544. An act granting an increase of pension to Florence L. Stewart;
H. R. 7354. An act granting an increase of pension to Milbre V. Douglass;
H. R. 3696. An act for the relief of the administrator of Mary R. Frost, deceased;
H. R. 573. An act for the relief of Arthur Connell;
H. R. 7321. An act granting a pension to Armilda J. Luttrell;
H. R. 6409. An act granting a pension to Maria E. Hamill;
H. R. 13568. An act granting an increase of pension to James Hickey;
H. R. 13173. An act granting an increase of pension to Ellen Pratt;
H. R. 2472. An act to correct the military record of John H. Finfrock;
H. R. 2659. An act for the relief of Meriwether Snuff and Tobacco Company, at Clarksville, Tenn.;
H. R. 13725. An act granting a pension to Emily S. Knight;
H. R. 13699. An act granting an increase of pension to Samuel S. F. Seabury;
H. R. 2294. An act for the relief of J. Z. Davis, of Alexandria, Va.;
H. R. 14028. An act for the relief of Aquilla J. Daugherty;
H. R. 4588. An act granting an increase of pension to Peter M. Hill;
H. R. 1215. An act granting a pension to Charles M. Neet;
H. R. 4193. An act granting a pension to Levi C. Mann;
H. R. 12747. An act granting a pension to Arline E. McNutt;
H. R. 13998. An act granting an increase of pension to Margaret L. B. Parsons;
H. R. 6776. An act granting a pension to Annie Chamberlain;
H. R. 4132. An act granting an increase of pension to Elijah Baxter;
H. R. 12732. An act granting an increase of pension to Elizabeth Reynolds;
H. R. 7603. An act to correct the military record of James A. Somerville;
H. R. 10334. An act granting an increase of pension to Nellie F. P. Koehler;
H. R. 2163. An act granting an increase of pension to Mary L. Cramer;
H. R. 1730. An act granting an increase of pension to Alfred H. Jones;
H. R. 3648. An act granting an increase of pension to Charles W. Little;
H. R. 7688. An act granting a pension to Katy Kurth;
H. R. 13080. An act granting an increase of pension to John F. Carbee;
H. R. 14269. An act confirming a lease between J. W. Peglow and the Seneca Nation of New York Indians; and
H. R. 10302. An act requiring common carriers engaged in interstate commerce to make full reports of all accidents to the Interstate Commerce Commission.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 5573. An act to amend section 203 of Title III of the act entitled, "An act making further provisions for a civil government for Alaska, and for other purposes."

MESSAGE FROM THE PRESIDENT.

A message from the President of the United States, by Mr. PRUDEN, one of his secretaries, announced that the President of the United States had approved and signed bills of the following titles:

On March 2, 1901:

H. R. 4345. An act to create a new Federal judicial district in Pennsylvania, to be called the middle district;
H. R. 13907. An act to revive and amend an act entitled "An act to authorize the Georgia Pine Railway of Georgia to construct a bridge across the Flint River, a navigable stream, in Decatur County, Ga.;"
H. R. 14017. An act making appropriations for the support of the Army for the fiscal year ending June 30, 1902;
H. R. 13850. An act making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1902;
H. R. 13801. An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1902;
H. R. 12846. An act making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1902, and for other purposes;
H. R. 12394. An act to amend an act entitled "An act to provide ways and means to meet war expenditures, and for other purposes," approved June 13, 1898, and to reduce taxation thereunder;
H. R. 13803. An act to amend section 1900 of chapter 252, 29 Statutes at Large, approved May 28, 1896;
H. R. 13707. An act authorizing the Citizens' Bridge Company to construct a bridge across the Mississippi River;
H. R. 10899. An act to restore to the public domain a small tract of the White Mountain Apache Indian Reservation, in the Territory of Arizona;
H. R. 13865. An act relative to the suit instituted for the protection of the interests of the United States in the Potomac River Flats;
H. R. 12396. An act to amend an act entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," approved April 12, 1900, and to increase the salary of the commissioner of education provided for by said act;
H. R. 13992. An act authorizing the construction of a bridge across the Cumberland River at or near Carthage, Tenn.;
H. R. 7760. An act for the relief of James Kelly;
H. R. 5220. An act for the relief of Charles M. Kennerly;
H. R. 1889. An act for the relief of the trustees of Holston Seminary, at Newmarket, Tenn.;
H. R. 3819. An act for the relief of the widows and children of William Ryan and John S. Taylor, deceased;
H. R. 11161. An act to refund excessive postage paid on certain newspapers;
H. R. 14144. An act to authorize the construction of a bridge across Pearl River at Monticello, Miss.; and
H. R. 7571. An act to prevent the failure of military justice, and for other purposes.

The following joint resolutions, approved March 2, 1901:

H. J. Res. 249. Joint resolution providing for the publication of the report of the board of management of the United States Government exhibit at the Tennessee Centennial Exposition;
H. J. Res. 259. Joint resolution to regulate the distribution of public documents to the Library of Congress for its own use and for international exchange; and
H. J. Res. 306. Joint resolution concerning printing of additional copies of the Annual Report of the Geological Survey.

On March 3, 1901:

H. R. 12665. An act supplementary to an act entitled "An act to prohibit the coming of Chinese persons into the United States," approved May 5, 1892, and fixing the compensation of commissioners in such cases;
H. R. 13947. An act increasing the limit of cost of certain public buildings, and for other purposes;
H. R. 12291. An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1902, and for other purposes;
H. R. 12904. An act making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1902, and for other purposes;
H. R. 11881. An act to amend the acts for the protection of birds, game, and fish in the District of Columbia;
H. R. 8068. An act authorizing the board of supervisors of Pima County, Ariz., to issue fifty-year 4 per cent bonds of Pima County, Ariz., to redeem certain bonded indebtedness of said county;
H. R. 13776. An act authorizing and directing the Secretary of the Treasury to deliver to the mayor and city council of Baltimore, Md., Ionic columns;
H. R. 12901. An act to supplement existing laws relating to the disposition of lands, etc.;
H. R. 14309. An act for the reward of enlisted men of the Navy or Marine Corps;
H. R. 11598. An act for the relief of Frank B. Case; and
H. R. 14236. An act making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1901, and for prior years, and for other purposes.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. CUNNINGHAM, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9886) to restore certain widows to the pension roll.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of

the two Houses on the amendments of the Senate to the bill (H. R. 13929) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1902.

The message also announced that the Senate had passed with amendment bill of the following title; in which the concurrence of the House was requested:

H. R. 11830. An act for the relief of the devisees of Casper Barber and their assigns from the operation of the act restricting the ownership of real estate in the Territories and the District of Columbia to American citizens.

COMMISSION TO VISIT ISLAND POSSESSIONS.

Mr. RICHARDSON of Tennessee. I now desire to call up the report from the Committee on Rules.

The SPEAKER. The gentleman from Tennessee calls up the regular order.

Mr. PAYNE. I move that the House take a recess until half past 12.

Mr. RICHARDSON of Tennessee. I make the point that that motion is dilatory and in obstruction of public business.

Mr. PAYNE. I do so in the interest of public business, so that the House can transact public business. The sundry civil bill will be here by half past 12.

Mr. RICHARDSON of Tennessee. We will get through this other matter by that time.

Mr. PAYNE. This will be in the way of the sundry civil bill.

Mr. RICHARDSON of Tennessee. I make the point of order that it is dilatory.

The SPEAKER. It is a pretty strained ruling, but the Chair will sustain the point. [Laughter.] The gentleman from Pennsylvania will proceed.

Mr. DALZELL. I yield five minutes to the gentleman from Georgia.

Mr. MAHON. I move to lay the resolution on the table.

Mr. HEPBURN. A parliamentary inquiry, Mr. Speaker. What is the regular order?

The SPEAKER. The Speaker can not entertain the motion of the gentleman from Pennsylvania, because the gentleman has not the floor.

Mr. SULZER. The revenue-cutter bill is the regular order.

Mr. DALZELL. I have already yielded to the gentleman from Georgia [Mr. MADDOX].

Mr. MADDOX. Mr. Speaker, if I can have order for just a few minutes I would be very much obliged.

The SPEAKER. The House will be in order.

Mr. MADDOX. I want to say on yesterday a resolution was introduced into this House by the gentleman from Wisconsin to appoint a committee or a commission from the Committee on Insular Affairs of this House to visit Porto Rico and the Philippine Islands and to make a report back to the next Congress. That resolution was referred to the Committee on Rules of this House, composed of the gentleman from Pennsylvania [Mr. DALZELL], the gentleman from Ohio [Mr. GROSVENOR], the Speaker himself, the gentleman from Tennessee [Mr. RICHARDSON], and the gentleman from Texas [Mr. BAILEY]. I mention these gentlemen for this purpose: That a gentleman on that side of the House, the gentleman from Vermont, to-day arose in his place and denounced this measure—that is, this resolution—that was unanimously reported by these gentlemen of the House for the purpose of appointing this commission as a "pure and simple junket." That is the way he denounced it. Now, let me say this: Has it come to this—that these gentlemen, who are leaders of this House upon that side and upon this, and even the Speaker, have lent themselves for this purpose; that is, to establish a junket for the benefit of members? That is exactly what the gentleman from Vermont did, and it did not only reach over that side, but the gentleman from Mississippi, on this side, also designated it in other words——

Mr. STEELE. Why, what do you think about it?

Mr. MADDOX. If you will sit down, I will tell you about it. [Laughter and applause.] That is exactly what I am going to do. Now, I want to say this: I say that the assertions of both gentlemen are a reflection upon the Committee on Rules of this House, and not only upon the Committee on Rules, but a reflection on the Committee on Insular Affairs, when they make that assertion. What does it mean? A "junket pure and simple"—going over the country at the expense of the Government, taking a mere pleasure trip. I want to say, as one member of that committee, that if that is the purpose, even if I were appointed, I would not under any circumstances go upon any such trip. I would not think of it.

Mr. HAMILTON. Mr. Speaker——

The SPEAKER. Does the gentleman yield to the gentleman from Michigan?

Mr. MADDOX. I do not care to yield. I want to tell the gentleman from Indiana what I think about it, and then I will tell what I expect the gentleman, too, thinks about it. I think, Mr. Speaker, that we ought to have a committee appointed by this House to go to the Philippines and Porto Rico and be able to report the conditions there, and be represented by both sides of this House. But now what do we have? As General Grant said upon one occasion many years ago, "You can always depend upon the Democrats acting the fool at the proper time." [Laughter.] Now, we have got an opportunity to give our side a chance to have Representatives go down to these islands—to the Philippines and Porto Rico—we have gentlemen to rise on this side and say this is a mere junket, and they have gentlemen upon that side to say it is a mere junket. I desire to say it is already whispered upon that side of the House that this is a bad proposition. "Don't you let these Democrats go down there and find out the facts in this case. Let us give it to them censored, as it is now. Let us give them the information we want them to have and no more."

Mr. HAMILTON. Will the gentleman yield to me now?

The SPEAKER. The gentleman has already declined to yield.

Mr. MADDOX. I will yield if it is a question.

The SPEAKER. The time of the gentleman has expired.

Mr. MADDOX. I will ask five minutes more.

Mr. DALZELL. I have no more time to give. I have promised it all. [Cries of "Vote!"]

The SPEAKER. The gentleman from Georgia asks an extension of time for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. MADDOX. I want to say to the gentleman on this side of the House who said he was opposed because he thought the distinguished gentlemen on the other side would be abler—in other words, that the distinguished gentlemen on the other side of the House were so able, and so much more so than the minority members of the Committee on Insular Affairs, that we would practically have but one report—that I take it for granted that the mistake gentlemen made in reporting this was in not selecting those able men when they presented the report to us.

Mr. GAINES. I would like to ask the gentleman a question. Do you not think it is necessary to have this report inasmuch as it presents an opportunity of getting the truth of the matter as to these islands?

Mr. MADDOX. I understand the situation. I have not got time to yield.

The SPEAKER. Does the gentleman yield to the gentleman from Tennessee?

Mr. MADDOX. I do not. The truth of the matter is this: I can see it; I can understand it. So far as I am individually concerned, I want to say that I do not want to go to the Philippines; but I will say, furthermore, that my colleague from Virginia and myself have already determined to go to Porto Rico at our own expense and see for ourselves what is going on down there. [Loud applause.] I have no desire to and I have never entered into a junket, either at the expense of the United States or anybody else, and I never intend to. I may not be as able as the gentleman from Mississippi, but I claim to be as honest and patriotic as he. And if this House shall think it wise that we ought to have a report, and this side of the House ought to be represented in the legislation to take place upon these islands, I suggest that you appoint the able gentleman from Mississippi to represent the Democrats on this side, and I think the opposition that we had from one or two will be withdrawn. [Applause.] I thank you for your attention. [Cries of "Vote!"]

Mr. WILLIAMS of Mississippi. Will the gentleman permit an interruption of a few moments, or for about ten seconds?

Mr. HOPKINS. I ask unanimous consent that the gentleman from Mississippi be permitted to address the House for five minutes.

Mr. SHATTUC and others. I object.

Mr. WILLIAMS of Mississippi. I desire merely to reply in one minute.

The SPEAKER. No one rose in his place, and therefore——

Mr. CARMACK (rising). I object.

Mr. WILLIAMS of Mississippi. Do I understand, after a personal attack was made upon me, that the gentleman from Tennessee objects to my having one minute?

Mr. CARMACK. I object.

Mr. DALZELL. I yield one minute to the gentleman from Mississippi.

Mr. WILLIAMS of Mississippi. Mr. Speaker, nothing has distressed me more than what I have just heard. If there is a gentleman upon the floor of this House for whom I have personal affection, great respect, and a high regard, it is the gentleman from Georgia who has just taken his seat. I have known him for many years. I know him to be perfectly honest; I know him to be perfectly earnest in all he undertakes; I know him to be patriotic in all his intents. Therefore I can not attribute the uncalled for and unprovoked mention of my name in that connection by the gentleman from Georgia to anything except a suspicion on his part that when I spoke of the ability of the Republican members of this committee he thought that I was reflecting upon his own lack of ability.

Mr. MADDOX. That is exactly what I understand, and I think the House understood the same thing.

Mr. WILLIAMS of Mississippi. If the gentleman gathered that I thought he was not equal in mental ability or strategic ability to some other men whom I have mentioned, he gathered it from his own inner consciousness of the fact, and not from anything I said. [Applause.]

Mr. MADDOX. Now, Mr. Speaker, can I have just a word—just a minute?

The SPEAKER. The gentleman from Georgia asks unanimous consent that he may speak for one minute. Is there objection? [After a pause.] The Chair hears none.

Mr. MADDOX. Mr. Speaker, I call gentlemen's attention to the remarks which the gentleman from Mississippi made; you all heard them. You all heard what he said in regard to what this committee would do.

Mr. WILLIAMS of Mississippi. I understood the gentleman from Georiga said he would not go to the Philippines, and therefore he ought to understand I could not have been talking about him.

Mr. MADDOX. I am not attempting to defend myself, but I am attempting to defend my colleagues. There is no man that heard the gentleman's remarks on this floor that could have understood it in any other direction than a reflection upon the ability of these men upon that committee. That is my answer.

Mr. DALZELL. Mr. Speaker, I now yield three minutes to the gentleman from Georgia [Mr. FLEMING].

Mr. FLEMING. Mr. Speaker, I think this committee ought to be appointed. I think the investigation ought to be made. I believe the country wants to know the truth. I do not think we have yet got the truth. I think this commission would throw more light on this subject. I do think the resolution ought to be amended, however, and with the consent of the gentleman from Pennsylvania, I will offer the following amendment.

Mr. DALZELL. I can not consent to that.

Mr. FLEMING. Well, I will read it as a part of my remarks.

1. Amend by striking out the words "Porto Rico" and the words "and Cuba" in line 5 of the resolution, and also out of the title.

2. Amend by adding at the end of the resolution the following: "*Provided*, That no evidence or testimony shall be rejected by said commission, nor excluded from the printed proceedings when the reception and printing of said evidence or testimony shall be requested by any three members of said commission."

Now, Mr. Speaker, I seek to put that qualification upon this resolution in order that the truth may not be suppressed. I do not believe the committee will suppress it, but I have heard it intimated upon this side of the House that such action might be taken by the majority of four against the minority of three. I simply want to guarantee that whenever the minority of that committee desires certain testimony to be taken by that commission that the majority of four shall not be allowed to suppress it. I understand that such action was taken before one of the committees of this House. Witnesses were offered by the minority and the majority refused to allow them to testify. I do not know that that is true.

Mr. HULL. The gentleman refers to the Cœur d'Alene testimony. Was not the matter submitted to the House?

Mr. HAY. The gentleman from Iowa is mistaken upon that.

Mr. FLEMING. I am speaking of the abuse that was practiced in one instance, and I hope the House will accept this amendment and allow it to go on the resolution. With that amendment I am heartily in favor of this commission, and I hope every member on the Democratic side of this House will vote to let us get at a part of the truth, if we can not get at all of it.

The SPEAKER. The Chair will ask the gentleman from Pennsylvania whether he yielded to the gentleman from Georgia for the purpose of offering an amendment?

Mr. DALZELL. I did not; I can not yield for that purpose. I now yield three minutes to the gentleman from Virginia [Mr. HAY].

Mr. HAY. Mr. Speaker, I am opposed to the committee which is proposed for three reasons. First, as a Democrat, I am opposed to all commissions, and I regard this as nothing but a commission under the name of a committee. Second, I do not think it practicable for this committee to visit Porto Rico, Cuba, and the Philippines and to bring back to this House on the 1st day of next December, or when it meets in December, any evidence that will be of any use to anybody.

In the third place, I am opposed to it from a political standpoint, because I never yet have been able to see that the Democratic party has gained anything from a committee a majority of whom are Republicans. I am opposed to it for another reason—that no matter what the evidence may be that these gentlemen bring back here, it will not change the attitude of the gentlemen on either side of the Chamber. We will have one report which one side will rely upon, and another report which the other side will rely upon. If this was a commission, or if it was a committee, to investigate the scandals in the Philippine Islands, then I should vote for it. But when they talk about investigating the facts as to the civilization and conditions there, I do not believe there is anything feasible in it or that anything practicable can come out of it. [Applause.]

Mr. DALZELL. I now yield three minutes to the gentleman from Alabama [Mr. CLAYTON], and then I shall ask the previous question.

Mr. MORRIS. Is it in order, Mr. Speaker, to move a recess?

The SPEAKER. The gentleman from Pennsylvania [Mr. DALZELL] has the floor and he can not be taken from the floor.

Mr. CLAYTON of Alabama. Mr. Speaker, at the beginning of this Congress I had the honor to serve for some months on the Committee on Insular Affairs. This committee spent many days in the investigation of the condition of affairs in "our new acquisitions," to use a phrase that has been applied to them.

The answer always was, when the evidence adduced before that committee was quoted to sustain any proposition on any side of any contention, that the testimony was ex parte, that it was the testimony of witnesses sent out by the Administration from Washington to ascertain certain things and to report in accordance with previous instructions. I have never heard a Democrat give any credence to the testimony of any commissioner sent out by Mr. McKinley to Porto Rico or anywhere else unless it suited his side of the argument. And so likewise with our Republican brethren; unless the testimony of that witness suited their side of the contention it was discredited by them.

Now, Mr. Speaker, it seems to me that in the interest of the whole truth—for, as I take it, the Republican party is committed to the retention of the Philippine Islands—if you propose to retain these islands for an indefinite period, to have a Territorial form of government there in perpetuity, why not let this House, Democrats as well as Republicans—because we on this side do not concede to you a monopoly in patriotism and we do not want you to have a monopoly of information—let us send this committee there at a mere nominal sum.

The SPEAKER. The time of the gentleman from Alabama has expired.

Mr. CLAYTON of Alabama. Mr. Speaker, I would like three minutes more.

The SPEAKER. The gentleman from Alabama requests that his time be extended three minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. CLAYTON of Alabama. Mr. Speaker, in the legislation that will concern the members of the Fifty-seventh Congress, and perhaps many more Congresses, one of the main questions will be, What shall we do with the Philippine Islands and Porto Rico? Then the testimony of this committee will be taken in preference to the testimony of the ex parte commission sent out by the Administration. Why not let the members of the minority and the majority go to these islands and investigate for themselves and report?

Mr. Speaker, I do not care for the amendment offered by the gentleman from Georgia. I know these members of the Committee on Insular Affairs, and in point of honesty, patriotism, and ability they rank second to no committee in this House. As to the distinguished chairman of that committee, I have every confidence in his fairness, in his honesty, and pardon me for saying it, his fairness, his impartiality, so well known to every member of this House, is one of the deterring causes why some members on that side of the Chamber do not vote for this resolution. [Applause.]

It is known to you and every member in this Chamber that the distinguished chairman and other Republicans in this Congress to whom I might refer are in favor of a full and fair investigation. I believe that these members will bring back to us such information that we can legislate here intelligently, whatever may be the policy of the majority party. Therefore, Mr. Speaker, as one of the minority I hope this resolution will be adopted. I have no fear as to what this commission or committee will do. The Republican members of it are honest and fair. The Democratic members are experienced, able, honest, patriotic, and fair. I hope the resolution will be adopted. [Applause.]

[Here the hammer fell.]

Mr. DALZELL. Mr. Speaker, I am not willing that there shall be any misunderstanding with respect to this proposition and the relation of the Committee on Rules thereto. This is not the proposition of any member of the Committee on Rules. It is not the proposition of the Committee on Rules. It came to that committee in the ordinary course. A resolution offered by the chairman of the Committee on Insular Affairs was referred to the Committee on Rules; and the matter was seriously considered by all the members of that committee. That resolution provided that the entire Committee on Insular Affairs, consisting of 17 members, should go on this visit to these various islands. I say, without disclosing any secrets of the committee room, that almost every member of the committee had serious scruples as to the reporting of this rule.

It was urged upon us, however, that this House must eventually deal with all these great questions, and that all the information which had come to this House, or was likely to come to it, had

come and would come through Executive channels; and it was therefore proper that the House, through its own members, should possess itself of this information. The Committee on Rules, by its report of this resolution, is not committed in favor of the resolution or against it. I say it was represented to them that the House ought, by means of its own members, to possess itself of this information, and it was thought by the committee that this was a question which the House was entitled to pass upon. That is the question now to be submitted to the House; to be determined as each gentleman, voting according to his conscience, may see fit to decide. I ask for the previous question.

Mr. COOPER of Wisconsin. After what the gentleman has said about this resolution having come from me, will he yield to me a few minutes for a reply?

Mr. DALZELL. I say it came from the Committee on Insular Affairs.

Mr. COOPER of Wisconsin. I want one minute to reply to that statement.

Mr. DALZELL. Well, I yield the gentleman one minute.

Mr. COOPER of Wisconsin. Mr. Speaker, the learned gentleman from Pennsylvania, of the Committee on Rules, has stated that the resolution now before the House came to the Committee on Rules in regular order, and that they are not responsible for it. The resolution which I drew and presented omitted Cuba. I told members of the Committee on Rules that I omitted Cuba deliberately; that I thought it ought not to be in the resolution. The Committee on Rules inserted it, and when I heard that it had been inserted I was under the impression that it was for the purpose of solidifying the Republican vote against the resolution. [Applause on the Democratic side.]

I want the gentleman from Pennsylvania to know that I understand at least a little of the game of politics; that it is perfectly apparent to me that Cuba was put in the resolution for the purpose of defeating it. I am not complaining. I am simply letting people understand that I know what is going on; that is all. [Applause.]

Mr. DALZELL. Mr. Speaker, the gentleman's statement is wholly without justification. It is utterly preposterous. No such idea was in the mind of any member of the Committee on Rules.

Mr. COOPER of Wisconsin. Will the gentleman permit me to reply to that?

Mr. DALZELL. I ask for the previous question.

Mr. COOPER of Wisconsin. Will the gentleman permit me to reply to the statement he has just made?

Mr. DALZELL. No; I will not.

The SPEAKER. The gentleman from Pennsylvania demands the previous question.

The previous question was ordered.

The SPEAKER. The question is now on ordering the joint resolution to be engrossed and read a third time.

The question having been put,

The SPEAKER. The noes appear to have it.

Mr. CLAYTON of Alabama. Let us have the yeas and nays.

The yeas and nays were ordered.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. CANNON. I rise to submit a privileged report, the report of a conference committee.

The SPEAKER. The gentleman from Illinois calls up a privileged report.

Mr. RICHARDSON of Tennessee. I make the point of order that the report of the Committee on Rules has precedence.

Mr. CANNON. This is a matter of the highest privilege. I think it will not take more than five minutes.

Mr. RICHARDSON of Tennessee. The yeas and nays have been ordered.

The SPEAKER. The Chair reminds the gentleman from Tennessee that a conference report has often been called up when a special order was under consideration.

Mr. SHAFROTH. Can such a report be called up after the yeas and nays are ordered on another question?

The SPEAKER. It can. The Clerk had not been directed to call the roll.

Mr. CANNON. I ask that the report which I send to the desk be read.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 14018) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1902, and for other purposes, having met, after full and free conference have been unable to agree.

J. G. CANNON,
W. H. MOODY,
THOS. C. McRAE,
Managers on the part of the House.

W. B. ALLISON,
EUGENE HALE,
F. M. COCKRELL,
Managers on the part of the Senate.

Mr. CANNON. I move that the House further insist on its disagreement to the Senate amendments and ask a further conference.

The motion was agreed to.

The SPEAKER announced the appointment of Mr. CANNON, Mr. MOODY of Massachusetts, and Mr. MCRAE as conferees on the part of the House.

COMMISSION TO VISIT ISLAND POSSESSIONS.

The SPEAKER. The yeas and nays have been ordered.

The question was taken; and there were—yeas 83, nays 139, marked "present" 11, not voting 120; as follows:

YEAS—83.

Adamson,	Denny,	McLain,	Shackleford,
Atwater,	Dougherty,	McRae,	Shafroth,
Bailey, Tex.	Elliott,	Maddox,	Sheppard,
Ball,	Fitzgerald, N. Y.	Miers, Ind.	Smith, Ky.
Bankhead,	Fleming,	Minor,	Snodgrass,
Bell,	Foster,	Mondell,	Spight,
Boutell, Ill.	Gaines,	Newlands,	Stallings,
Broussard,	Glynn,	Otey,	Stark,
Brundidge,	Green, Pa.	Otjen,	Sutherland,
Burnett,	Henry, Tex.	Polk,	Swanson,
Carmack,	Jett,	Quarles,	Tawney,
Clark,	King,	Ransdell,	Thayer,
Clayton, Ala.	Kluttz,	Rhea, Ky.	Thomas, N. C.
Clayton, N. Y.	Lamb,	Richardson, Ala.	Turner,
Cochran, Mo.	Lentz,	Richardson, Tenn.	Underhill,
Cowherd,	Lloyd,	Riordan,	Underwood,
Crowley,	Lovering,	Rixey,	Vandiver,
Dalzell,	McAleer,	Robb,	Wanger,
Davenport, S. W.	McClellan,	Ruppert,	Williams, W. E.
Davey,	McCulloch,	Ryan, N. Y.	Zenor.
De Armond,	McDowell,	Salmon,	

NAYS—139.

Acheson,	Davenport, S. A.	Kahn,	Prince,
Alexander,	Davidson,	Kerr, Ohio	Ray, N. Y.
Allen, Me.	Davis,	Kitchin,	Reeves,
Babcock,	Dick,	Kleberg,	Ridgely,
Baker,	Dovener,	Lacey,	Robinson, Ind.
Barber,	Driscoll,	Landis,	Rodenberg,
Barham,	Emerson,	Lane,	Russell,
Barney,	Esch,	Lanham,	Shattuc,
Bartholdt,	Fletcher,	Latimer,	Showalter,
Berry,	Fordney,	Lawrence,	Slayden,
Bishop,	Fowler,	Levy,	Smith, Ill.
Bowersock,	Gamble,	Littauer,	Smith, Iowa
Brantley,	Gardner, Mich.	Long,	Smith, H. C.
Breazeale,	Gardner, N. J.	Lorimer,	Smith, Samuel W.
Brick,	Gibson,	Lybrand,	Southard,
Bromwell,	Gill,	Mahon,	Sperry,
Brosius,	Graff,	Mann,	Steele,
Bull,	Greene, Mass.	Marsh,	Stephens, Tex.
Burke, Tex.	Griffith,	Mercer,	Stevens, Minn.
Burkett,	Griggs,	Miller,	Stewart, N. J.
Burleigh,	Grosvenor,	Moody, Mass.	Stewart, N. Y.
Burleson,	Haugen,	Moody, Oreg.	Sulloway,
Burton,	Hawley,	Moon,	Sulzer,
Butler,	Hay,	Morgan,	Tayler, Ohio
Calderhead,	Hedge,	Morris,	Thomas, Iowa
Cannon,	Hemenway,	Naphen,	Tompkins,
Capron,	Henry, Conn.	Needham,	Van Voorhis,
Cochrane, N. Y.	Henry, Miss.	O'Grady,	Vreeland,
Conner,	Hepburn,	Olmsted,	Warner,
Corliss,	Hill,	Packer, Pa.	Waters,
Cousins,	Hopkins,	Parker, N. J.	Weaver,
Cromer,	Howell,	Payne,	Weymouth,
Crumpacker,	Hull,	Pearce, Mo.	Williams, Miss.
Curtis,	Jack,	Phillips,	Wright.
Cushman,	Jones, Wash.	Powers,	

ANSWERED "PRESENT"—11.

Bailey, Kans.	Cooper, Tex.	Meyer, La.	Stewart, Wis.
Bellamy,	Hall,	Norton, S. C.	Williams, J. R.
Benton,	Hamilton,	Scudder,	

NOT VOTING—120.

Adams,	Eddy,	Lewis,	Rucker,
Aldrich,	Faris,	Linney,	Ryan, Pa.
Allen, Ky.	Finley,	Little,	Shelden,
Allen, Miss.	Fitzgerald, Mass.	Littlefield,	Sherman,
Bartlett,	Fitzpatrick,	Livingston,	Sibley,
Bingham,	Foss,	Loud,	Sims,
Boreing,	Fox,	Loudenslager,	Small,
Boutelle, Me.	Freer,	McCall,	Smith, Wm. Alden
Bradley,	Gaston,	McCleary,	Spalding,
Brenner,	Gayle,	McDermott,	Sparkman,
Brewer,	Gilbert,	May,	Sprague,
Brown,	Gillett, Mass.	Meekison,	Stokes,
Brownlow,	Gillet, N. Y.	Mesick,	Talbert,
Burke, S. Dak.	Gordon,	Metcalf,	Tate,
Caldwell,	Graham,	Morrell,	Taylor, Ala.
Campbell,	Grout,	Mudd,	Terry,
Catchings,	Grow,	Muller,	Thropp,
Chanler,	Heatwole,	Neville,	Tongue,
Connell,	Hitt,	Noonan,	Wachter,
Cooney,	Hoffecker,	Norton, Ohio	Wadsworth,
Cooper, Wis.	Howard,	Overstreet,	Watson,
Cox,	Jenkins,	Pearson,	Weeks,
Crump,	Johnston,	Pearre,	Wheeler,
Cummings,	Jones, Va.	Pierce, Tenn.	White,
Cusack,	Joy,	Pugh,	Wilson, Idaho
Dahle,	Kerr, Md.	Reeder,	Wilson, N. Y.
Dayton,	Ketcham,	Rhea, Va.	Wilson, S. C.
De Graffenreid,	Knox,	Roberts,	Woods,
Dinsmore,	Lassiter,	Robertson, La.	Young,
Driggs,	Lester,	Robinson, Nebr.	Ziegler.

So the House refused to order the joint resolution to be engrossed and read a third time.

The following additional pairs were announced:
Until further notice:
Mr. CONNELL with Mr. CALDWELL.
Mr. YOUNG with Mr. BENTON.
Mr. BURKE of South Dakota with Mr. JOHNSTON.
Mr. MORRELL with Mr. GORDON.
Mr. HOWELL with Mr. RYAN of Pennsylvania.
Mr. BAILEY of Kansas with Mr. ALLEN of Kentucky.
Mr. LOUDENSLAGER with Mr. STALLINGS.
Mr. SHERMAN with Mr. DRIGGS.
Mr. FOSS with Mr. LEWIS.
Mr. WEEKS with Mr. RHEA of Virginia.
Mr. GILLETT of Massachusetts with Mr. THAYER.
Mr. JENKINS with Mr. LESTER.
Mr. HITT with Mr. DINSMORE.
Mr. DAHLE with Mr. TERRY.
On this vote:
Mr. PEARRE with Mr. JACK.
Mr. HEATWOLE with Mr. TATE.
Mr. MCCLEARY with Mr. COOPER of Texas.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I am paired with the gentleman from New York [Mr. WADSWORTH]; but understanding and believing that the gentleman from New York, if present, would cast the same vote I have cast, I shall allow my vote to stand upon this proposition.

The SPEAKER. The Chair would suggest that such explanations are out of order.

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

Mr. MADDOX. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. MADDOX. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. MADDOX. Mr. Speaker, a few moments ago I referred to the gentleman from Mississippi [Mr. WILLIAMS], who made some remarks on the committee and what I thought about it, but I find on examination of the RECORD that his attention was called to this fact by the gentleman from Texas [Mr. BAILEY], and the gentleman from Mississippi especially disclaimed, as the RECORD shows, anything of the sort, which I did not understand. I thought that he had reflected upon the committee to which I belonged, and I find, as I get it from the RECORD, that that is not true. Now, I feel it my duty, under the circumstances, to make it known to the House that I apologize to the gentleman for what I have said, because I was mistaken. [Applause.] This is the best I can do.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I want to say that this merely justifies me in what I said in claiming that of all the men in Washington who have been friends of mine, and who deserve to be friends of anybody as well as mine, my friend from Georgia would always remain in my memory as one of the chief. [Applause.]

Mr. PAYNE. Mr. Speaker, I understand that the two appropriation bills, the sundry civil bill and the river and harbor bill, are not yet agreed upon; that it will be impossible for the engrossing clerk to engross them if we take a recess until morning. I therefore move that the House take a recess until 2 o'clock.

The motion was agreed to, and accordingly (at 1 o'clock and 18 minutes) the House took a recess until 2 o'clock a. m.

The recess having expired, the House at 2 o'clock a. m. resumed its session.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. CUNNINGHAM, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14018) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1902, and for other purposes, and still further insists upon its amendments to the bill disagreed to by the House of Representatives, had agreed to the further conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. ALLISON, Mr. HALE, and Mr. COCKRELL as the conferees on the part of the Senate.

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

S. 5943. An act to establish Lowelltown, Me., a subport of entry.

ENROLLED BILLS SIGNED.

Mr. BAKER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 13609. An act to incorporate the Society of American Florists and Ornamental Horticulturists within the District of Columbia;

H. R. 9886. An act amending section 4708 of the Revised Statutes of the United States in relation to pensions to remarried widows;

H. R. 14228. An act to authorize the city of Nashville, Tenn., to construct a free public bridge across the Cumberland River within the corporate limits of said city;

H. R. 4204. An act to correct the military record of George A. Winslow;

H. R. 13396. An act to amend section 5546 of the Revised Statutes;

H. R. 9503. An act granting an increase of pension to Samuel Baughman;

H. R. 2617. An act for the relief of the legal representatives of Edwin De Leon, deceased, for $8,000 due him for judicial services;

H. R. 13186. An act granting an increase of pension to Francis M. Thompson;

H. R. 12232. An act granting a pension to Hanna Martha Dusenberry; and

H. R. 3003. An act to authorize the Secretary of the Navy to loan naval equipment to certain military schools.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 3670. An act authorizing and directing the Secretary of the Interior to issue a patent to the heir or heirs of one Tawamnoha, or Martha Crayon, conveying to them certain lands in the State of North Dakota, confirming certain conveyances thereof, and for other purposes; and

S. 6048. An act to amend chapter 559 of the Revised Statutes of the United States, approved March 3, 1891.

LOWELLTOWN, ME., A SUBPORT OF ENTRY.

Mr. BURLEIGH. Mr. Speaker, I ask unanimous consent for the present consideration of the bill H. R. 14018.

The SPEAKER. Does not the gentleman refer to the Senate bill 5943?

Mr. BURLEIGH. Yes; I ask that the House consider the Senate bill.

The SPEAKER. The gentleman from Maine asks unanimous consent for the present consideration of the bill which the Clerk will report.

The Clerk read as follows:

A bill (S. 5943) to establish Lowelltown, Me., a subport of entry.

Be it enacted, etc., That Lowelltown, Me., be, and is hereby, established a subport of entry in the customs district of Bangor, Me.

The SPEAKER. Is there objection?

Mr. RICHARDSON of Tennessee. Mr. Speaker——

Mr. GROSVENOR. Where does that bill come from?

Mr. PAYNE. I will say in regard to that bill that it came over here from the Senate Friday or yesterday, I do not know which, and I have made some examination into the circumstances of the bill. Lowelltown is now a subport of delivery, attached to the Bangor district. The Secretary of the Treasury says making it a subport of entry will not add anything to the expense, as they already have two officers there.

Mr. HULL. Will it not make necessary the expense of a surveyor?

Mr. PAYNE. It will not, I am told.

Mr. HAWLEY. Who are the two officers?

Mr. PAYNE. It is a subport. Let me make my statement. This place is on the Canadian Pacific Railroad, and is the nearest town to the border on that road; and what they desire to do is to make it a subport of entry and attach it to the Bangor district. These are the facts. The bill never has been before the Committee on Ways and Means. I understand there was a bill introduced in the House some time, but it has never been considered by the Committee on Ways and Means; and I do not know that our attention has ever been called to it until this bill came from the Senate.

Mr. HAWLEY. What are these officers at this place; what rank have they, and what salary?

Mr. PAYNE. A deputy clerk, I understand. I do not know what his salary is.

Mr. HULL. They have to have a surveyor before they establish a subport, do they not; and if you establish a subport of entry, does it not follow that you would have to appoint a surveyor?

Mr. PAYNE. I do not know that it does.

Mr. GROSVENOR. Oh, yes; it does.

Mr. HULL. I think that is the invariable rule.

The SPEAKER. Is there objection?

Mr. RICHARDSON of Tennessee. Do I understand the gentleman from New York, the chairman of the Committee on Ways and Means, to recommend the passage of this bill?

Mr. PAYNE. If I was in the committee and the bill was before it, with the information I have, I would vote for it.

Mr. RICHARDSON of Tennessee. It has not been considered by the Committee on Ways and Means.

Mr. PAYNE. It has not been considered by the committee;

and I think, after my examination of the statement of the Secretary of the Treasury and the report of the special agent sent there, at the request of the gentleman from Maine—and that examination has been within the last two days—and from the facts that I ascertained, I think the committee would have recommended the passage of the bill if it had had it before it.

Mr. RICHARDSON of Tennessee. Has the Secretary of the Treasury recommended it?

Mr. PAYNE. He has, and says there are two officers there now, and this will not add anything to the expense attaching it to the Bangor district and making it a subport of entry.

Mr. RICHARDSON of Tennessee. Then I understand the gentleman from New York, the chairman of the committee, to recommend it?

Mr. PAYNE. I do, so far as I am concerned.

Mr. RICHARDSON of Tennessee. This is irregular.

Mr. PAYNE. Certainly it is.

Mr. WHEELER. I desire to know if unanimous consent is given to the consideration of this measure now will there be any opportunity given for general debate upon it?

Mr. STEELE. I suggest that the gentleman make a speech.

The SPEAKER. That will be under the control of the House.

Mr. WHEELER. If the gentleman will grant some time, I have no objection to the consideration of the measure.

Mr. STEELE. How much time would the gentleman like?

Mr. WHEELER. Thirty minutes—fifteen to the gentleman from Ohio and fifteen to myself.

Mr. STEELE. We will yield you three minutes; and if we like it we will give you the other twenty-seven minutes. [Laughter.]

Mr. WHEELER. I desire fifteen minutes for myself and fifteen minutes for the gentleman from Ohio, and five minutes for me to reply. [Laughter.]

The SPEAKER. Is there objection to the request? The Chair hears none, and the question is on the third reading.

Mr. WHEELER. A parliamentary inquiry. I thought the Chair was putting my request for time. [Laughter.]

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

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

Mr. RICHARDSON of Tennessee. I desire to ask what the call for the regular order will bring up?

The SPEAKER. The Chair thinks it will bring up the revenue-cutter bill. [Laughter.]

Mr. DRIGGS. Mr. Speaker——

Mr. SHACKLEFORD. I demand the regular order.

Mr. PAYNE. Mr. Speaker, I move that the House take a recess for half an hour.

The motion was agreed to.

And accordingly (at 2 o'clock and 15 minutes a. m.) the House was declared in recess.

At the expiration of the recess, the House resumed its session.

Mr. PAYNE. Mr. Speaker, word comes from the conference committee on the sundry civil bill for the House to be here in session at 4 o'clock. I therefore move that the House take a recess until 4 o'clock.

Mr. MIERS of Indiana. Will the gentleman withhold that for a moment?

The SPEAKER. Will the gentleman withhold that until the gentleman from Indiana can make a request?

Mr. MIERS of Indiana. I would like to ask for a reprint of the bill H. R. 9886.

The SPEAKER. Is there objection?

Mr. STEELE. What is it?

Mr. MIERS of Indiana. It is the bill for the restoration of widows to the pension roll. I would like to have these bills placed to the credit of members in the folding room.

The SPEAKER. The gentleman modifies his request so that they may be placed to the credit of members in the folding room.

WORK OF FIFTY-SIXTH CONGRESS.

Mr. CORLISS. Mr. Speaker, I desire to ask unanimous consent, in view of the record of the Fifty-sixth Congress, to place in the RECORD a showing of the marvelous work accomplished by this Congress compared with the prior Congresses. It is prepared by the tally clerk of the House, F. H. Wakefield.

The SPEAKER. The gentleman from Michigan asks unanimous consent to print a statement of the work done by the present Congress.

Mr. CARMACK. What is this?

Mr. CORLISS. It shows the number of bills introduced, the number of bills reported to the House, the number of bills acted upon by the House, and the number of acts up to the present time that have passed both Houses, showing that it has been the busiest Congress in the history of our country.

Mr. KING. Why does not the gentleman include a tabulated statement of the appropriations of this Congress compared with other Congresses?

Mr. CORLISS. I would be glad to do so, showing the marvelous development of our country and the necessity for such appropriations.

The SPEAKER. Is there objection to the request of the gentleman? [After a pause.] The Chair hears none, and it is so ordered.

Mr. CORLISS. The statement is as follows:

Using the eight Congresses just preceding as a basis for comparison, it is shown that each Congress has had presented in the House of Representatives an average total of 11,813 bills of various sorts; that the average session lasted 331 days, and in that time about 3,164 reports have been made by its committees, and the passage of a general total of 1,376 bills, composed of 414 public acts and 887 private acts. Viewing this as the average of a Congress, the work of this, "the busy Congress," stands out all the more prominently, for with the House in session but 197 days, 135 less than the average, there have been a total of over 2,100 bills passed, of which about 380, in round numbers, have been public acts.

The session has been marked by an entire absence of those signs of friction and heat ofttimes engendered when earnest men discuss weighty problems in the terms of conviction, backed by party feeling and sway; and under the wonderfully genial influence of our present Speaker our friends on the other side have seldom struck the hot spark of anger from the flint of passion in debate, but all have been drawn together in common appreciation of and affection for the man who has so worthily, impartially, and faithfully presided over our deliberations. I hold it a matter of no inconsiderable moment that in the whole course of the Fifty-sixth Congress there have been but two appeals from the decision of the Chair, and each time some of the opposition have voted to sustain the Speaker and the House has sustained him.

The friction between the two Houses has been slight, as the following table shows. The House of Representatives has given to the Senate bills a more kindly treatment than to its own measures, and it goes out of existence leaving proportionately more of its own bills unacted upon than of Senate acts, while in the passage of measures it has given the other branch of the Congress the marked preference.

Compared with the Fifty-fifth Congress.

Calendar.	Fifty-fifth Congress.			Fifty-sixth Congress.		
	Reported.	Passed.	Undisposed of.	Reported.	Passed.	Undisposed of.
Union	367	174	193	373	180	193
House	358	255	103	365	271	94
Private	1,389	1,044	345	2,048	1,652	396
Total	2,114	1,473	641	2,786	2,103	683

Number of bills of both Houses, not including uncalendared bills.

Passed by the House:	
House bills and resolutions	1,365
Senate bills and resolutions	738
Total	2,103
Left unacted upon:	
House bills and resolutions	586
Senate bills and resolutions	90
Total	676

Comparative statement of the work of eight Congresses, Forty-ninth to Fifty-sixth, inclusive.

Congress.	Number of bills.	Number of reports.	Public acts.	Private acts.	Total acts.	Days in session.	Number of joint resolutions.
Forty-ninth	11,260	4,181	424	1,031	1,455	330	206
Fiftieth	12,664	4,038	570	1,257	1,827	412	269
Fifty-first	14,033	4,056	712	1,579	2,291	397	298
Fifty-second	10,623	2,613	398	324	722	340	214
Fifty-third	8,987	1,982	463	248	711	447	87
Fifty-fourth	10,378	3,080	384	564	948	280	261
Fifty-fifth	12,223	2,364	429	1,044	1,473	242	385
Fifty-sixth	14,336	3,003	*376	*1,264	*1,640	197	395

*Only public laws signed by President to March 1, and printed on that date.

Mr. STEELE. It would be cheaper to have the law printed.

Mr. MIERS of Indiana. I ask that it be the act.

The SPEAKER. The gentleman amends his request to have the act printed, the same number as for a reprint, and placed to the credit of members in the folding room. Is there objection. [After a pause.] The Chair hears none.

The gentleman from New York moves that the House take a recess until 4 o'clock this morning.

The motion was agreed to.

And accordingly (at 2 o'clock and 47 minutes a. m.) the House was declared in recess.

At 4 o'clock a. m. the House resumed its session.

RIVER AND HARBOR BILL.

Mr. BURTON. Mr. Speaker, I present another conference report upon the bill 13189, the river and harbor bill.

The Clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate numbered 168, 219, 220, and 221 to the bill (H. R. 13189) making appropriation for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, having met, after full and free conference on amendments numbered 168, 219, 220, and 211 have been unable to agree.

THEODORE E. BURTON,
WALTER REEVES,
T. C. CATCHINGS,
Managers on the part of the House.

KNUTE NELSON,
JAMES McMILLAN,
JAMES H. BERRY,
Managers on the part of the Senate.

The Clerk read the statement, as follows:

STATEMENT.

The conferees on the part of the House, after full and free conference, report that the Senate conferees insist on their disagreement to amendments numbered 168, 219, 220, and 221. The conferees on the part of the House recommend that the House still further insist upon its disagreement, and ask for further conference.

T. E. BURTON.
WALTER REEVES.
T. C. CATCHINGS.

Mr. BURTON. Mr. Speaker, that is a repetition of the conference report already made. I move that the House still further insist on its disagreement to amendments 168, 219, 220, 221; and on that I ask for the previous question.

Mr. SHAFROTH. Mr. Speaker, I ask that the House recede and concur in Senate amendment 219. And I should like to have two or three minutes on that.

Mr. BURTON. I will yield to the gentleman from Colorado three minutes.

Mr. SHAFROTH. Mr. Speaker, this is the provision that has been placed upon the bill by the Senate, and I want to explain to the House that it involves simply an appropriation of $50,000. The succeeding amendment involves $50,000, and the last one $52,000. I wish to say that I have no interest whatever in these appropriations. They are not in my State or within 200 miles of my State, and yet we in the West feel that inasmuch as the appropriation of millions of dollars are going to the States, and that this great question is receiving no consideration whatever, and that these taxes that are collected from the people to go to Ohio of $5,000,000 and to Michigan of $7,000,000 come also from the arid-land States—we think it is a paltry sum to ask that the House concur in the amendment involving only $177,000.

Mr. Speaker, there are three reservoir sites that have been selected by the Geological Survey. The estimates have been made, they have been found to be feasible propositions, and it seems to me that if this Congress wants to disregard the platforms of both political parties on this question it can do nothing more than to recede from the position we have taken.

The national platform contemplated a great scheme of the reclamation of arid lands, and you are not carrying it out when you attempt simply to vote for three little reservoir sites, two in Wyoming and one in South Dakota. I submit, Mr. Speaker, that this is a small thing to keep this House together upon. It is something that this House ought to concur in immediately, and ought to be glad to do it. The time is going to come, as sure as you live, in twenty years, when not only schemes of this kind, but millions of dollars are going to be appropriated for it.

A MEMBER. That is what we are afraid of.

Mr. SHAFROTH. But you are going to get it back. The Western States are not going to ask you to give money to them. They are going to ask that you permit the construction of these reservoirs, advance the capital, and tax the land and furnish the water for the inhabitants who reside there. The proposition for the reservoirs is not near as good as a perfected scheme would be, but it is the only way we can get it before the House, and the only way we can get any consideration whatever.

The proposition has been before Congress a number of years. I have been trying to get it considered. We first undertook to give the States 1,000,000 acres of land each, but we were denied a hearing.

The SPEAKER. The time of the gentleman from Colorado has expired.

Mr. BURTON. Mr. Speaker, just a word. This is a proposition to build reservoirs thousands of feet above the level of the sea, hundreds of miles away from any navigation at all, upon a river and harbor bill. It does not belong there. This may seem trivial—something over $200,000—but it is the entering wedge for untold millions, and there is no better time for this House to express its opinion upon the subject than this very night. We ought to vote this down, first, because we will not have this appropriation on a bill where it does not belong, and second, we will not enter upon this stupendous project without our eyes wide open and knowing exactly what we are doing. I ask the previous question.

The SPEAKER. The gentleman from Ohio asks for the previous question on the motion of the gentleman from Colorado.

The previous question was ordered.

The SPEAKER. The question is on the motion of the gentleman from Colorado, that the House recede and concur in all the amendments but the last.

Mr. SHAFROTH. The last three.

The SPEAKER. The gentleman names amendments 219, 230, and 231, and those will be voted on in gross. Without objection, the House will further insist on its disagreement to amendment No. 168 and ask for a conference. Is there objection? [After a pause.] The Chair hears none.

The question now is on the motion of the gentleman from Colorado, that the House recede and concur on the other three amendments.

The question was taken; and on a division (demanded by Mr. SHAFROTH) there were—ayes 14, noes 88.

So the motion was lost.

Mr. BURTON. I move now that the House further insist on its disagreement to the other three amendments and agree to the conference asked by the Senate.

Mr. CATCHINGS. I think the message was that the Senate agreed to the conference asked by the House.

The SPEAKER (after a pause). Without objection, the message to the Senate will be that the House agrees to the conference asked, or asks for a conference, as may be necessary. The record of the different conferences has been written over so much that it is difficult to decipher. In the form stated, if there be no objection, the motion of the gentleman from Ohio [Mr. BURTON] will be agreed to.

There was no objection.

The SPEAKER announced the appointment of Mr. BURTON, Mr. REEVES, and Mr. CATCHINGS as conferees on the part of the House.

Mr. DRIGGS. Mr. Speaker, I ask unanimous consent to address the House for three minutes.

There was no objection.

Mr. DRIGGS. Mr. Speaker, I merely wish to express my sincere thanks on behalf of the people of the borough of Brooklyn, city of New York, for what the River and Harbor Committee has done for us in this bill. I think it is only just and right to express on this floor the gratitude of the citizens of Brooklyn—business men and others—for the kind appreciation shown by the committee for our interests in this matter, which are also the interests of the country at large.

PRESERVATION OF THE FLAG OF THE HOUSE OF REPRESENTATIVES.

Mr. HENRY C. SMITH. Mr. Speaker, I desire to present a privileged report from the Committee on Accounts upon House resolution No. 383, providing for the preservation of the flag presented to the House of Representatives by the Women's Silk Culture Association of the United States.

The report was read, as follows:

Report to accompany House resolution No. 383, in lieu of House resolutions Nos. 321 and 339.

The Committee on Accounts, to whom was referred House resolution No. 383, providing for the preservation of the flag presented to the House of Representatives by the Women's Silk Culture Association of the United States, by placing the same in the museum of the Department of Agriculture, have had the same under consideration and recommend its adoption.

The preamble of the resolution recites the history of the presentation of the flag by the Women's Silk Culture Association of the United States to the House of Representatives and its acceptance by the House; also, the fact that the flag, after being displayed in the Hall of the House of Representatives for about fifteen years, has been displaced by one representing by its stars, in accordance with law, the present number of States in the Union; and the resolution directs the Clerk of the House to deliver the flag to the Secretary of Agriculture, to be displayed and preserved in the museum of the Department of Agriculture, the expense thereof to be paid out of the contingent fund of the House.

Two other propositions were referred to your committee, in resolutions No. 321 and No. 339, one providing for the donation of the flag to the Long Island Historical Society of the State of New York and the other providing for the return of the flag to the Women's Silk Culture Association of the United States, to be disposed of as said association might determine.

Your committee accorded hearings to the authors of these resolutions, but no good reason, in the opinion of your committee, was presented for the donation of the flag to the Long Island Historical Society, of the State of New York, or its return to the Women's Silk Culture Association, but there seemed to be every reason why the flag should remain in the possession of the United States; and the flag being of silk, an agricultural product, we believe that no better receptacle for it can be found, nor a place where it will be more carefully preserved or more appropriately displayed, than in the museum of the Department of Agriculture. We therefore recommend the adoption of resolution No. 383, providing that such disposition be made of the flag, and that resolutions Nos. 321 and 339 be laid on the table.

The resolution was read, as follows:

Whereas on January 23, 1885, a silk flag of the United States was presented to the House of Representatives in the following communication, to wit:

PHILADELPHIA, *January 23, 1885.*

To the honorable members of the House of Representatives at Washington:

The Women's Silk Culture Association of the United States, established in Philadelphia in 1880, have since that time demonstrated silk culture in the United States to a condition and progress never before attained, and upon the popularity of which numerous stock companies and individuals have established business centers.

"While not deprecating such conditions we do ask that the questions by whom and how was the industry introduced be honestly and properly accredited to its rightful authors, the Women's Silk Culture Association of the United States, who herewith desire to present to the House of Representatives of the United States at Washington a truly American national flag in the sense that the silk produced for this flag was raised in American homes by American women and children; reeled by the Women's Association at Philadelphia, and, through the liberality of Mrs. C. C. Thum, of the association, who generously offered to defray the expenses incurred in producing the flag, the association is enabled to offer it to the national Capitol as a memento of their success in starting silk culture as an industry for their American sisters. We ask for this flag a place in the halls of our National Government that it may bear witness to the faithfulness of our effort and to the quality of our American product, both agricultural and mechanical.

This is not the first frnits of American-grown products. The Garfield brocade, presented to the widow of our lamented President, was manipulated by our own association, and its wonderfully beautiful quality and design displayed to our statesmen at Washington.

A State and national flag have just been presented to the legislature at Harrisburg which were made of native silk grown in the summer of 1883, and passed through all the processes of manufacture in the city of Philadelphia. Besides these national gifts, the association has had American silk worked up into knitting silk, brocade, velvet, grosgrain silk, and chenille, and in every form the quantity and quality have proved a good and profitable result.

For statistics we refer you to our fourth annual report of 1883, and to the files of the Daily Silk Record, published by the association during the late exhibit; and, begging your acceptance and a place of honor for this flag, we also ask that due consideration shall be given this association when the National Government shall see fit to aid this industry.

American women are raising silkworm eggs far superior to foreign breeds. What the industry needs is experimental stations, where the process of culture and reeling shall be established, and where the experience and knowledge of foreign operations shall be united to American talent, industry, and intelligence.

Remember, we are the silk association of the United States; our correspondence, our instructions, and progress belong to nearly every State in the Union. The California association is modeled after our own, but more liberally dealt with by her State.

All the work of our association has been carried on by the most frugal and economical management, but much left undone that could have been done had we the means of accomplishing our aims. Therefore we crave the assurance of future good will and influence in the interests we have stimulated and planted.

Mrs. JOHN LUCAS, *President.*
Mrs. MATTHEW SIMPSON,
Mrs. CORNELIA C. THUM,
Mrs. WM. B. ELTONHEAD,
Miss PHOEBE HORNE,
Mrs. W. T. REYNOLDS,
Vice-Presidents.
Miss E. T. VAN RENSSELAER,
Recording Secretary.
Mrs. V. C. HAVEN,
Corresponding Secretary.
Mrs. H. P. TAYLOR, *Treasurer.*
Mrs. E. V. H. OSBOURN,
P. and S. Committee.
Mrs. G. W. HALL, *Reel Committee.*

And

Whereas the House of Representatives accepted said flag by the adoption of the following resolution, to wit:

"*Resolved*, That the House of Representatives accepts the flag prepared for its use, and presented by the Women's Silk Culture Association of the United States; that the excellence of the fiber and perfection of the colors it displays afford evidence of the remarkably rapid development of the culture and manufacture of silk by the American people, under the auspices of this association of women, and that the House will cause the flag to be displayed within the Hall of the House and preserved as a memorial of the tact and energy of the Women's Silk Culture Association of the United States;" and

Whereas said flag was displayed in the Hall of the House of Representatives from the date of its presentation and acceptance, January 23, 1885, until the beginning of the year 1901, when it was displaced by one representing by its stars, pursuant to the requirement of section 1792 of the Revised Statutes of the United States, the present number of States in the Union. During this period of time—the last fifteen years of the nineteenth century—the nation completed one hundred years of legislative history, the centennial anniversary of the inauguration of the first President of the United States, and of the establishment of the seat of government at Washington, in the District of Columbia, were commemorated in this Hall, the House of Representatives participated in the events preliminary to and in the enactment of legislation for the prosecution of the war with Spain; and many other historic and important acts originated, were perfected or consummated herein within the time aforesaid: Therefore, be it

Resolved by the House of Representatives, That, because of the association of the flag of the United States presented to the House by the Women's Silk Culture Association of the United States with the legislative history of the country during the last fifteen years of the nineteenth century, it is the sense of this House that said flag should remain in the possession of the United States and be "preserved as a memorial of the tact and energy of the Women's Silk Culture Association of the United States," its patriotic donors.

And be it further resolved, That the Clerk of the House of Representatives is hereby authorized and directed to deliver said flag to the Secretary of Agriculture, to be displayed and carefully preserved, in such manner as the Secretary of Agriculture may deem necessary, in the museum of the Department of Agriculture, together with a certified copy of these preambles and resolutions. And such expense as may be necessary to carry out the purpose of these resolutions shall be paid out of the contingent fund of the House, with the approval of the Committee on Accounts.

The SPEAKER. The question is on agreeing to the resolution just read.

Mr. FITZGERALD of New York. Mr. Speaker, as I introduced the original resolution in regard to this flag, I ask the gentleman from Michigan to yield to me for a few moments.

Mr. HENRY C. SMITH. How much time does the gentleman desire?

Mr. FITZGERALD of New York. Three or four minutes.

Mr. HENRY C. SMITH. I yield the gentleman three minutes.

Mr. FITZGERALD of New York. Mr. Speaker, I desire to speak briefly to the resolution. I am impelled to do so on account of some of the statements contained in the committee's report. I regret that it has been deemed necessary to say that there appears to be no good reason for the donation of this flag to the Long Island Historical Society, as provided in the resolution introduced by me, and for which the pending resolution is a substitute.

This resolution provides that the flag that since about 1885 hung until recently behind the Speaker's table be presented to the Department of Agriculture. The resolution introduced by myself provided that it should be given to the Long Island Historical Society.

This flag was presented to the House of Representatives about 1885 by the Women's Silk Culture Association of the United States. The flag was made of silk produced in this country from silkworms hatched here, and the flag was American in every feature. It was presented as an evidence of the advance that had been made in silk culture in this country. During the present session the attention of the Speaker was called to the fact that the flag did not conform to the requirements of the Revised Statutes.

By law early enacted in the history of the country it is provided that there shall be in the union of the flag as many stars as there are States in the Union. The Speaker immediately ordered a new flag to be secured and placed in position in the place of this flag, to which peculiar distinction attaches.

Mr. RYAN of New York. Mr. Speaker, will the gentleman state how many stars were in the union of the flag proposed to be presented to the Department of Agriculture?

Mr. FITZGERALD of New York. Mr. Speaker, I do not recall exactly. Since 1884, if I recollect aright, seven or eight States have been admitted to the Union. This would make about 37 or 38 stars in the union of this historic flag.

I was about to say, however, when interrupted by the gentleman from New York [Mr. RYAN] that the flag when removed from the place it had adorned for so many years was put into a storeroom of this House. It seemed to me that it should be placed where it would be properly preserved.

After waiting a reasonable time for some gentleman from Philadelphia to make some move in the matter, I introduced a resolution directing that the flag be given to the Long Island Historical Society. This is one of the oldest societies of its kind in the country. It is located in the old city of Brooklyn, now a borough of the city of New York. It has a magnificent collection of historical papers, documents, and books, as well as many valuable mementos. Its membership comprises the most distinguished men in Brooklyn. Liberally endowed for its necessities, it is housed in a splendid building.

At the hearing before the Committee on Accounts I urged that it would be proper to place this flag there. It would be gratefully received and carefully preserved and cherished as a valuable souvenir of this House. It would be a constant reminder to the students of Brooklyn of the great men who have served in this body and of the momentous questions considered and decided here, and as well a prized reminder of the advance made in certain industries in this country.

Mr. Speaker, I regret exceedingly that the committee has decided adversely to the proposition to place this flag with the Long Island Historical Society. The flag, however, should be preserved and carefully kept. There are excellent reasons for placing it in the Department of Agriculture. The resolution should be, and I hope will be, adopted without a dissenting vote.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

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

The SPEAKER. Without objection, the other two resolutions referred to in the report of the committee, numbered 321 and 339, will be laid on the table, as recommended in the report.

There was no objection.

Mr. STEELE. Mr. Speaker, I move that the House take a recess until 5 o'clock.

The motion was agreed to.

And accordingly (at 4 o'clock and 47 minutes) the House was declared in recess.

At 5 o'clock a. m. the House resumed its session.

MESSAGE FROM THE SENATE.

A message from the Senate by Mr. PLATT, one of its clerks, announced that the Senate had receded from its amendment to the bill (H. R. 14018) making appropriations for sundry civil expenses

of the Government for the fiscal year ending June 30, 1902, and for other purposes, numbered 151.

A further message from the Senate, by Mr. CUNNINGHAM, one of its clerks, announced that the Senate had passed without amendment bill of the following title:

H. R. 4120. An act to pay Eliza R. Crawford the amount of a United States loan certificate issued in 1779.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to the concurrent resolution (Con. Res. 115) to print 30,000 copies of the hearings before the Senate Committee on Agriculture and Forestry, etc.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13189) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, and had further insisted upon its disagreement to amendments numbered 168, 219, 220, and 221, had asked a further conference with the House on the said amendments, and had appointed Mr. NELSON, Mr. MCMILLAN, and Mr. BERRY as the conferees on the part of the Senate.

Also, that the Senate had agreed to the amendment of the House of Representatives to the amendment of the House of Representatives to the concurrent resolution (S. C. Res. 72) to print 3,500 copies of the report of the committee on awards of the World's Columbian Commission, etc.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. CANNON. Mr. Speaker, I desire to present a conference report, and ask that the reading of the report be dispensed with and that the statement be read in lieu thereof.

The SPEAKER. The gentleman from Illinois submits a conference report on the sundry civil appropriation bill, and asks unanimous consent that the reading of the report be dispensed with and that the statement only be read.

Mr. RICHARDSON of Tennessee. I desire, before consent is given, to ask the gentleman if this is a final agreement?

Mr. CANNON. It is a final agreement. If adopted, it passes the bill.

The SPEAKER. Without objection, this course will be pursued.

There was no objection.

Mr. ROBINSON of Indiana. I desire to reserve a point of order, and at this time make the point of order that the conferees have exceeded their authority on amendment numbered 88. I do this out of abundant caution; and if I am in error after I ascertain the real status of the amendant, the point of order can be withdrawn.

Mr. CANNON. I am ready to answer any question about it. I do not think it is subject to the point of order.

Mr. ROBINSON of Indiana. I will make the point of order, that it may be pending until the statement can be read.

Mr. CANNON. I do not think it is subject to the point of order; but, of course, I have no objection to the point of order being pending.

The SPEAKER. The statement will be read with that understanding.

The report of the committee of conference is as follows:

The committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 14018) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1902, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 17, 26, 30, 35, 36, 41, 42, 49, 62, 70, 71, 82, 89, 93, 105, 108, 110, 111, 112, 113, 115, 116, 117, 118, 119, 121, 122, 123, 124, 125, 126, 128, 129, 130, 132, 133, 134, 135, 149, and 150.

That the House recede from its disagreement to the amendments of the Senate numbered 5, 6, 20, 28, 81, 91, 99, 101, 102, 127, 131, and 152, and agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: Strike out the sum of $332,500 where it occurs in lines 3 and 4 and in lines 19 and 20 of the matter inserted by said amendment, and insert in lieu thereof the sum of "$300,000;" and the Senate agree to the same.

Amendment numbered 84: That the House recede from its disagreement to the amendment of the Senate numbered 84, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$950,770;" and the Senate agree to the same.

Amendment numbered 88: That the House recede from its amendment to the amendment of the Senate numbered 88, and agree to said Senate amendment amended as follows: Strike out all after the word "acre," in line 8 of the matter inserted by said Senate amendment, and insert in lieu therof the following: "And the Secretary of the Interior is further authorized, if in his judgment advisable, to exchange such portion as he may deem equitable of the agricultural land now owned by the Government, or of the farm opposite Alexandria, and known as Godding Croft, for 80 acres, more or less, lying immediately adjoining this said 60 acres and south of the present building site of the hospital. In case such exchange is made the Secretary is also authorized in his discretion to grant a roadway along the south side of said tract, from Nichols avenue to the river, not exceeding 90 feet in width. Any of the buildings authorized in the sundry civil appropriation act approved June 6, 1900, for the Government Hospital for the Insane, may be erected on land now owned, or that may be acquired hereunder, by the United States for the Government Hospital for the Insane;" and the Senate agree to the same.

Amendment numbered 94: That the House recede from its disagreement to the amendment of the Senate numbered 94, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$860,000;" and the Senate agree to the same.

Amendment numbered 95: That the House recede from its disagreement to the amendment of the Senate numbered 95, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$35,000;" and the Senate agree to the same.

Amendment numbered 96: That the House recede from its disagreement to the amendment of the Senate numbered 96, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$35,000;" and the Senate agree to the same.

Amendment numbered 97: That the House recede from its disagreement to the amendment of the Senate numbered 97, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$35,000;" and the Senate agree to the same.

Amendment numbered 98: That the House recede from its disagreement to the amendment of the Senate numbered 98, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$35,000;" and the Senate agree to the same.

Amendment numbered 114: That the House recede from its disagreement to the amendment of the Senate numbered 114, and agree to the same with an amendment as follows: Restore the matter stricken out by said Senate amendment amended as follows: On page 103 of the bill, in line 23, after the word "upon," insert the following: "or exercised by;" and the Senate agree to the same.

On amendment numbered 151 the committee of conference have been unable to agree.

W. B. ALLISON,
EUGENE HALE,
F. M. COCKRELL,
Managers on the part of the Senate.

J. G. CANNON,
W. H. MOODY,
THOS. C. MCRAE,
Managers on the part of the House.

The statement was read, as follows:

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14018) making appropriations for sundry civil expenses, submit the following written statement in explanation of the accompanying conference report:

Items inserted by the Senate have been eliminated, as follows, namely:

Fort Winfield Scott fog-signal station, California, $7,000;

The proposed increase in the salaries of superintendents of life-saving stations, $7,900;

Revenue cutter for Hawaii, $50,000;

Fish-cultural station in Utah, $25,000;

Fish-cultural station in Idaho, $25,000;

The provision granting rights to graze live stock in forest reserves;

Education in Alaska, $30,000;

The provision granting to the National Society of the Daughters of the American Revolution a site for a memorial building in Rawlins Park, in the District of Columbia;

The memorial bridge across the Potomac River, $100,000;

Payment to the county of Custer, Mont., $4,350;

The increase in the appropriations for the various branches of the National Home for Disabled Volunteer Soldiers, amounting to $11,550;

A Branch of the National Home for Disabled Volunteer Soldiers in South Dakota, $75,000;

Authority to inquire as to the establishment of a Branch of the National Home for Disabled Volunteer Soldiers in Idaho;

Conference for the protection of industrial property, $10,000;

Payment to Mexico, $412,572.70;

Buildings for laboratories, Department of Agriculture, $200,000;

Traveling expenses of judicial officers in Hawaii, $1,000;

The provision authorizing the printing of additional copies of the "Messages and Papers of the Presidents;" and

The provision relating to the appraisers of customs.

The committee of conference have been unable to agree on the amendment of the Senate numbered 151, relating to—

The Pan-American Exposition at Buffalo, $500,000;

The St. Louis Exposition, $5,000,000; and

The Charleston Exposition, $250,000.

The remaining points of disagreement between the two Houses are recommended to be agreed to, in whole or in part, by the House.

J. G. CANNON,
W. H. MOODY,
THOS. C. MCRAE,
Managers on the part of the House.

Mr. CANNON. Mr. Speaker, if the Clerk will now turn to amendment numbered 88 and read in the conference report it will give the gentleman from Indiana the information he desires. Read it as set out in the conference report itself.

The Clerk read as follows:

Strike out all after the word "acre," in line 8 of the matter inserted by said Senate amendment, and insert in lieu thereof the following:

"And the Secretary of the Interior is further authorized, if in his judgment advisable, to exchange such portion as he may deem equitable of the agricultural land now owned by the Government, or of the farm opposite Alexandria, and known as Godding Croft, for 80 acres, more or less, lying immediately adjoining this said 60 acres and south of the present building site of the hospital. In case such exchange is made, the Secretary is also authorized, in his discretion, to grant a roadway along the south side of said tract, from Nichols avenue to the river, not exceeding 90 feet in width. Any of the buildings authorized in the sundry civil appropriation act approved June 6, 1900, for the Government Hospital for the Insane may be created on land now owned or that may be acquired hereunder by the United States for the Government Hospital for the Insane."

Mr. BENTON. I would like to ask the gentleman from Illinois how much land it is proposed to exchange?

Mr. CANNON. Fifty-nine or sixty acres.

Mr. BENTON. Is it this land that lies down the river?

Mr. CANNON. The Senate amendment was that 60 acres, in round numbers, should be exchanged for this land, acre for acre. The Senate amendment was considered in the House, and on motion of the gentleman from Indiana, the House agreed to the Senate amendment with an amendment, and this follows that provision in its language.

Mr. RIDGELY. Will the gentleman allow a question?

Mr. ROBINSON of Indiana. I very much doubt the propriety of the erection of the asylum over there at all, but I want to ask the gentleman in reference to this road. Does it affect the location as provided for in the Senate amendment? The Senate amendment provided that it was to be immediately contiguous to the 60 acres of land that were to be exchanged.

Mr. CANNON. We had jurisdiction of the whole matter, both in the Senate amendment and the House amendment, and, having jurisdiction, we were satisfied that if this additional 80 acres was acquired that we did not want to run the road in the middle of the 143 acres, together with what was required, and that the road would go at the side of the land that is acquired.

Mr. ROBINSON of Indiana. The purpose, then, is to erect this asylum, for which the Government has donated something like a million dollars, on this land to be acquired by exchange acre for acre?

Mr. CANNON. Acre for acre; but as to the last 80 acres, if it was 80, according to the gentleman's amendment, not acre for acre. We took the language of the gentleman's amendment, and for this reason: It was proper that we should do so because of the provision that the land at Godding Croft, down near Alexandria, across the river, that the Government owns, for an asylum—that that might be used. Now, then, it is not designed to exchange that land acre for acre. If it is exchanged, no doubt the Secretary will do the best he can with this land at Godding Croft.

Mr. ROBINSON of Indiana. The Secretary of the Interior may use the agricultural land, a part of the 174 acres, for exchange, and take of this that which is the agricultural land.

Mr. CANNON. We just follow the gentleman's amendment.

Mr. ROBINSON of Indiana. Mr. Speaker, my point of order is that the conferees exceeded their authority, as the law passed by Congress last year provided that the building for the insane asylum should be upon land already owned by the Government, "or upon such suitable land as may be donated to the Government." The amendment of the Senate provides nothing, and the language of the act provides nothing upon the subject of constructing the asylum upon land to be acquired by exchange. Therefore, the conferees having provided that the lands secured by the exchange shall be the site of the Government hospital, it is a change of existing law, and is a proposition upon which neither the Senate nor the House have acted. I insist on the point of order.

Mr. CANNON. In reply to the gentleman, I will state the conference committee had jurisdiction of the whole subject-matter—first, the Senate amendment, then the Senate amendment as modified by the gentleman's own amendment; and having jurisdiction of the whole matter, and of the acquisition of this land for the insane asylum, necessarily the greater included the less, and we could provide what should be done with the land in connection with the asylum.

The SPEAKER. The Chair will state that often conferees bring in entirely new provisions, and so long as within the theme discussed it is not subject to the point of order. The Chair thinks in this case the conferees have remained completely within their jurisdiction.

Mr. ROBINSON of Indiana. Just so the Chair understands my proposition.

The SPEAKER. The Chair understands it; remembers the discussion before; and feels he must overrule the point of order.

Mr. CANNON. I now move the adoption of the conference report.

Mr. GROSVENOR. I want to ask the gentleman a question?

Mr. CANNON. Certainly.

Mr. GROSVENOR. What disposition was made of amendment No. 8.

Mr. CANNON. What was it?

Mr. GROSVENOR. Relating to the Corcoran Art Gallery.

Mr. CANNON. The House agrees to the proposition to purchase the Corcoran Art Gallery.

Mr. GROSVENOR. According to the Senate amendment, or with an amendment to the Senate amendment?

Mr. CANNON. The provision of the Senate was to purchase the building at $332,000, and the agreement is to purchase it at $300,000.

Mr. RIDGELY. Will the gentleman yield for a question?

Mr. CANNON. Certainly.

Mr. RIDGELY. We are to get about 60 acres more?

Mr. CANNON. There is authority to get it.

Mr. RIDGELY. And who has recommended on the part of the Government this exchange of land?

Mr. CANNON. The superintendent of the asylum. The Senate has approved it; the House has approved it, on the motion of the gentleman from Indiana; and the Secretary and, I think, everybody connected with it.

Mr. RIDGELY. Can the gentleman tell us about the relative value of the land?

Mr. CANNON. Not as to the Godding Croft land.

Mr. BROMWELL. Will the gentleman tell us what is the shape of the amendment including the expositions?

Mr. CANNON. They are eliminated from the bill by the Senate receding from the expositions.

Mr. MERCER. As to amendment No. 97, the Fort MacKenzie military post, was there a change outside of the reduction of the amount?

Mr. McRAE. It is $35,000.

Mr. MERCER. And no other change made?

Mr. CANNON. No.

Mr. McCLELLAN. In connection with the question that the gentleman from Ohio asked, as to the standing of the amendment in reference to the fairs, have all been eliminated, so that they can not be considered by the House in any way?

Mr. CANNON. The conference report agreed upon all the amendments in difference between the House and the Senate except amendment No. 151, 20 pages of it, which covered the three fair propositions. Now, the Senate adopted the conference rep[ort] and as it is a Senate amendment the Senate recedes from [its] amendment, and now the adoption of this conference report passes the bill.

Mr. LENTZ. I desire to ask the question whether it is tru[e] that the President's Messages and Papers have gone out?

Mr. CANNON. They have gone out.

Mr. LENTZ. Why?

Mr. CANNON. Simply because it is a great expense, and the House conferees believed that the Government was not justified in providing for the sale of them and entering upon the bu[si]ness of opening a book store, so to speak. We did not believe that it was an expenditure that was justifiable from any standpoint.

Mr. LENTZ. It seems to me, Mr. Speaker, that it is the most justifiable expense, or as much so as any item in this bill. After the Government has prepared these plates and created a market to make a monopoly of it is the most objectionable of all things.

Mr. CANNON. We do not propose to do that. I know of no reason why the Government should publish any more of these exceedingly expensive books. We have published now numbers enough to furnish all the libraries, and perhaps a good deal more than that. My opinion is that the Government is not justified in further publishing this expensive book.

Mr. LENTZ. There was no objection made to it in the House.

Mr. CANNON. Oh, yes; the House twice insisted on its disagreement to the Senate amendments.

Mr. LENTZ. I am almost tempted to raise the point of no quorum.

Mr. CANNON. The gentleman would punish himself.

Mr. LENTZ. It would not punish me.

Mr. CANNON. I think the gentleman feels as sleepy as I feel and look. [Laughter.]

Mr. LENTZ. I am not sleepy, but it seems to me that these Presidents' Papers ought to go in. They are the most valuable documents that the Government ever issued.

Mr. CANNON. Mr. Speaker, I move the adoption of the conference report.

The question was taken, and the conference report was agreed to.

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

Mr. PAYNE. Mr. Speaker, from the information I get I think the House can take a recess until 6 o'clock, and then we may be able to close up business substantially. I move that the House take a recess until 6 o'clock.

The motion was agreed to; accordingly (at 5 o'clock and 25 minutes) the House took a recess until 6 o'clock.

At 6 o'clock a. m. the House resumed its session.

LEAVE TO PRINT.

Mr. SMALL. Mr. Speaker, I ask unanimous consent to print some remarks in the RECORD upon the inland waterway from Boston to Beaufort Inlet.

Mr. PAYNE. If it is done without necessitating an appendix I have no objection.

Mr. SMALL. I think there are always supplements published after the close of the session.

Mr. PAYNE. There have been, but we want to avoid them at this time.

Mr. RICHARDSON of Tennessee. How long a time does the gentleman wish?

Mr. SMALL. For five days.

Mr. RICHARDSON of Tennessee. The gentleman from North Carolina, I will say to the gentleman from New York, has given this subject a great deal of thought, and I trust that the gentleman from New York will not object.

Mr. PAYNE. We have had so many appendixes heretofore that I wish to avoid them.

The SPEAKER. The gentleman from North Carolina modifies

his request and asks that he have the privilege for five days. Is there objection? [After a pause.] The Chair hears none.

Mr. PAYNE. Mr. Speaker, I now move the House take a recess for thirty minutes.

Mr. MONDELL. And I move, Mr. Speaker, that the House take a recess until 10 o'clock.

Mr. PAYNE. Of course if that should be adopted it would kill the river and harbor bill.

Mr. WILLIAMS of Mississippi. I would like to ask why the gentleman from New York wants to take the recess for thirty minutes?

Mr. PAYNE. Because at the end of thirty minutes I understand that the river and harbor bill will be ready for consideration.

Mr. WILLIAMS of Mississippi. Oh, well, if there is any possibility of engineering the river and harbor bill through safely, I shall not object to the motion. [Laughter.]

The SPEAKER. Does the gentleman from Wyoming press his motion?

Mr. HEPBURN. I hope the gentleman from Wyoming will press it. We can not finish it until 10 o'clock.

The SPEAKER. The gentleman from New York moves that the House take a recess for thirty minutes, and the gentleman from Wyoming moves to amend that motion by moving that the House take a recess until 10 o'clock. The motion will first be on the amendment.

The question was taken; and on a division (demanded by Mr. TOMPKINS) there were 14 ayes and 63 noes.

Mr. TOMPKINS. I make the point of no quorum, Mr. Speaker.

[Cries of "Oh, no!" "No!" "No!"]

Mr. TOMPKINS. I will withdraw the point of order, Mr. Speaker.

The SPEAKER. The gentleman from New York withdraws the point; the noes have it, and the motion is lost. The question is on the motion of the gentleman from New York [Mr. PAYNE] that the House take a recess for thirty minutes.

The motion was agreed to. Accordingly (at 6 o'clock and 5 minutes) the House took a recess until 6 o'clock and 35 minutes.

The recess having expired, the House at 6 o'clock and 35 minutes a. m. resumed its session.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had receded from its amendment to the bill (H. R. 9829) to provide for celebrating the one hundredth anniversary of the purchase of the Louisiana territory by the United States by holding an international exhibition of arts, industries, manufactures, and the products of the soil, mine, forest, and sea in the city of St. Louis, in the State of Missouri, numbered 2.

The message also announced that the Senate had passed without amendment a bill of the following title:

H. R. 636. An act for the relief of St. John's Lodge, Ancient Free and Accepted Masons, No. 3, of Newbern, N. C.

ST. LOUIS EXPOSITION.

Mr. BARTHOLDT. Mr. Speaker, I ask unanimous consent to address the House for one minute.

The SPEAKER. If this request relates to business of the House, the Chair will submit it.

Mr. BARTHOLDT. It does.

The SPEAKER. The gentleman from Missouri asks unanimous consent to address the House for one minute. The Chair hears no objection. The gentleman will proceed.

Mr. BARTHOLDT. Mr. Speaker, in behalf of the Missouri delegation and of the city of St. Louis, I wish to extend to the honorable Speaker of this House and all its members a cordial invitation to attend the St. Louis World's Fair, which we propose to make the grandest international exposition that the world has ever seen.

RIVER AND HARBOR BILL.

Mr. BURTON. Mr. Speaker, if I may be allowed to proceed for a moment by unanimous consent——

The SPEAKER. If there be no objection, the gentleman will proceed.

Mr. BURTON. I am exceedingly reluctant to ask members of the House to stay here, awaiting the fate of the river and harbor bill. Its fate is uncertain, but we hope it will yet become a law. I dislike, as I have said, to ask members to tarry here, and not return to their residences for the present; but I think it best that a long recess should not be taken. I move that the House take a recess for one hour.

Mr. WILLIAMS of Mississippi. Before that motion is put, I would like to ask the gentleman a question. Does he not think it would be better and safer to proceed right now to procure a quorum?

Mr. BURTON. Answering the gentleman's question, I will say I do not think a quorum will be necessary—at least not for one hour. We can then tell the situation better than now.

Mr. HEPBURN. I would like to ask the gentleman a question. When he says "we hope" that the bill will be a success, is not that an editorial "we?"

Mr. BURTON. I think it is a good deal more than an editorial "we." I think it includes, perhaps, about nineteen-twentieths of those present.

The SPEAKER. The gentleman from Ohio moves that the House take a recess for one hour.

Mr. STEELE. I suggest a recess until 10 o'clock.

Several MEMBERS. Say half past 9.

Mr. BURTON. If I may be allowed again to address the House by unanimous consent, I will say the probabilities are that no danger would be incurred by a recess until 9 o'clock. But I am so anxious to lose no chances for carrying this bill into law, after it has reached this stage and when the Senate has agreed so nearly with this body, that I have proposed a recess for one hour.

The SPEAKER. The gentleman moves that the House stand in recess until 8 o'clock.

Mr. BROMWELL. I suggest half past 8.

The SPEAKER. Is that agreeable to the gentleman from Ohio?

Mr. BURTON. In accordance with what seems to be the wish of many members, I will modify my motion and move that the House stand in recess until half past 8 o'clock.

The motion was agreed to.

The recess having expired, the House (at 8 o'clock and 30 minutes a. m.) resumed its session.

REFURNISHING OF THE HALL OF THE HOUSE.

The SPEAKER announced the appointment of Mr. CANNON, Mr. DALZELL, and Mr. RICHARDSON of Tennessee as members of the commission appointed in pursuance of the provision of the sundry civil appropriation act to superintend the refurnishing of the Hall of the House.

Mr. BURTON (at 9 o'clock and 7 minutes a. m.). I move that the House take a recess until 10 o'clock.

The motion was agreed to.

The recess having expired, the House resumed its session.

DEVISEES OF CASPER BARBER.

Mr. JENKINS. I ask unanimous consent that the Committee on the District of Columbia be discharged from the further consideration of House bill 11830, with a Senate amendment, and that the amendment be now taken up and concurred in.

The Clerk read the following amendment of the Senate to the bill (H. R. 11830) for the relief of the devisees of Casper Barber and their assigns from the operation of the act restricting the ownership of real estate in the District of Columbia to American citizens:

After the word "Barber," in line 4, insert the words "and George E. King."

The SPEAKER. Is there any objection?

Mr. SULZER. Reserving the right to object, I should like to hear an explanation of this.

Mr. JENKINS. This bill has already passed this House; this amendment simply makes a correction by the insertion of a name.

Mr. SULZER. What does the bill do?

Mr. JENKINS. Its effect is exactly as read by the Clerk. It gives the beneficiaries named in the bill a clear title to certain real estate. The gentleman from New York perhaps was not in the House when the bill was considered.

Mr. SULZER. Is it a bill to allow aliens to hold real estate in the District of Columbia?

Mr. JENKINS. In regard to a certain piece of real estate it was held by one of the title guaranty companies of this District that the Feder l Government held the title rather than the individual who claimed it. The question was submitted to the proper officers of the District and the Attorney-General. They all disclaimed any interest on the part of the United States in the land, and recommended that Congress pass this bill to quiet the title.

Mr. SULZER. How much land is involved?

Mr. JENKINS. It is a small lot. The person whom the bill proposes to relieve is a poor Irishman.

Mr. SHATTUC. That settles it.

Mr. SULZER. That is enough. [Laughter.]

There being no objection, the House proceeded to consider the amendment, which was concurred in.

GENERAL FEDERATION OF WOMEN'S CLUBS.

Mr. RAY of New York. I ask unanimous consent to discharge the Committee on the Judiciary from the further consideration of the Senate bill which I send to the desk and to consider it now.

The bill (S. 5715) granting a charter to the General Federation of Women's Clubs, was read, as follows:

Be it enacted, etc., That Mrs. Rebecca D. Lowe, Atlanta, Ga.; Mrs. Dimies, T. S. Denison, New York, N. Y.; Miss Margaret J. Evans, Northfield, Minn.; Mrs. Emma A. Fox, Detroit, Mich.; Mrs. George W. Kendrick, jr., Philadelphia, Pa.; Mrs. Emma M. Van Vechten, Cedar Rapids, Iowa; Mrs. George H. Noyes, Milwaukee, Wis.; Mrs. Edward L. Buchwalter, Springfield, Ohio; Mrs. William J. Christie, Butte, Mont.; Mrs. William T. Coad, Rapid City, S. Dak.; Mrs. Laura Rockwell Priddy, Wichita, Kans.; Mrs. Frank Sherwin Streeter, Concord, N. H.; Mrs. Anna D. West, Somerville, Mass.; Mrs. Charles W. Fairbanks, Indiana; Mrs. Lucia E. Blount, Washington, D. C.; Mrs. Ralph Trautman, New York; Mrs. John L. McNeil, Colorado; Mrs. Mary S. Lockwood,

Washington, D. C.; Mrs. May Wright Sewall, Indiana; Mrs. J. C. Croly, New York; Miss May V. Temple, Tennessee; Mrs. Phoebe A. Hearst, California; Mrs. Kate Tannett Woods, Massachusetts; Mrs. Julia Plato Harvey, Illinois; Mrs. Jane O. Cooper, Colorado; Mrs. Harriet H. Robinson, Massachusetts; Mrs. Ellen M. Henrotin, Illinois; Mrs. Mary E. Mumford, Pennsylvania; Mrs. C. P. Barnes, Kentucky; Mrs. Philip N. Moore, Missouri; Mrs. Alice Ives Breed, Massachusetts; Mrs. Frank Trumbull, Colorado; Miss Annie Laws, Ohio; Mrs. Sarah S. Platt-Decker, Colorado; Mrs. J. C. Royle, Utah; Josephine Bates, Mary Rogers, Octavia W. Bates, Fanny Purdy Palmer, Julia Ward Howe, Cordelia I. Sterling, Katherine Nobles, Mary D. Steele, and their associates and successors, are hereby created a body corporate and politic, of the District of Columbia, by the name, style, and title of the General Federation of Women's Clubs, and by that name shall have perpetual succession, for educational, industrial, philanthropic, literary, artistic, and scientific culture, and to bring into communication with one another the various women's clubs throughout the world, with power in said corporation to make and use a common seal, and to alter the same at pleasure.

SEC. 2. That said corporation is authorized to acquire, by devise, bequest, or otherwise, hold, purchase, and convey, such real and personal estate as shall or may be required for the purposes of its incorporation, not exceeding $200,000, with authority in said corporation, should it be by it deemed necessary so to do, to mortgage or otherwise incumber the real estate which it may hereafter own or acquire, and may give therefor such evidences of indebtedness as such corporation may decide upon.

SEC. 3. That said corporation shall have a constitution and may adopt and make by-laws for the admission and qualifications of members, the management of its property, and the regulation of its affairs, and shall have the power to amend said constitution and by-laws at pleasure. Said corporation *shall have its* headquarters at Washington, in the District of Columbia.

The SPEAKER. Is there objection?

Mr. MADDOX, Reserving the right to object, I should like to hear some explanation of this bill.

Mr. LANHAM. I think there will be no objection to it.

Mr. RAY of New York. All that this bill does is to incorporate these ladies, who come from all the States of the Union, for the purposes mentioned in the act. This is an organization of ladies, having no relation to politics. It includes Democratic ladies and Republican ladies. The only purpose of the bill is to promote mutual culture in scientific, religious, and philanthropic work. The bill proposes simply to incorporate them in the District of Columbia only, giving them power to own real estate, and of course mortgage the same, for purposes connected with their work.

Mr. LANHAM. The operations of this corporation are, as I understand, limited to the District of Columbia?

Mr. RAY of New York. Yes, sir; and its headquarters are to be here. A bill of like character, for other purposes, however, has been passed by the House at this session. This bill has the unanimous approval of the members of the Judiciary Committee whom I have been able to see, and I have consulted the majority of them, Republicans and Democrats alike.

Mr. MADDOX. Is it a private charter?

Mr. RAY of New York. Of course it is a private incorporation.

Mr. MADDOX. Do the Committee on the Judiciary all agree to it?

Mr. RAY of New York. All I have been able to see. Of course I was not able to see them all.

Mr. MADDOX. How many have you been able to see?

Mr. RAY of New York. The gentleman from Missouri [Mr. DE ARMOND], the gentlemen from Texas [Mr. LANHAM], the gentleman from Arkansas [Mr. TERRY], the gentleman from Wisconsin [Mr. JENKINS], the gentleman from Maine [Mr. LITTLEFIELD], the gentleman from New York [Mr. ALEXANDER], and one or two others, and there is no objection to it.

Mr. MADDOX. They all agree to it?

Mr. GAINES. You say they can not operate except in the District of Columbia?

Mr. RAY of New York. Oh, no; we can not incorporate an association outside of the District of Columbia. It is not a business incorporation, but simply for religious, scientific, literary, philanthropic, and social work and purposes.

Mr. GAINES. Do you mean to say that you can only operate in the District of Columbia?

Mr. RAY of New York. They are to have their headquarters in the District of Columbia. We can not incorporate generally for work or business throughout the United States, except it be some constitutional purpose is to be carried on or worked out when the power is confided to Congress.

Mr. GAINES. Can not they operate in Tennessee, or New York, or any of the other States?

Mr. RAY of New York. They would have to be be an incorporation there by the State if they did. This is not for the purpose of carrying on business as an incorporation outside of the District of Columbia. They would have no power to do anything of that kind. Their headquarters are here, and it is an association for literary, social, and philanthropic work.

Mr. COWHERD. Mr. Speaker, it seems to me from the reading of the bill at the Clerk's desk that this company was not limited, as are most of the charters that we grant for associations in the District of Columbia.

Mr. RAY of New York. It is an incorporation of the District of Columbia. I examined it, and consulted the gentleman of the Committee on the Judiciary, including the gentlemen from Texas and from Missouri [Mr. LANHAM and Mr. DE ARMOND].

Mr. COWHERD. If the gentleman is certain that it is limited to the District I would have no objection to it.

Mr. RAY of New York. I am certain of that.

Mr. JENKINS. I will ask my colleague a question: If in section 2, authorizing the corporation, if created, to acquire real estate anywhere makes it a corporation to do business? I agree with the chairman of the committee in his conclusion; but I thought from the reading of the bill that it was intended to be a general charter. Section 2 provides:

That said corporation is authorized to acquire, by devise, bequest, or otherwise, hold, purchase, and convey such real and personal estate——

Mr. LLOYD. Mr. Speaker, I make the point of order that we can not hear for the disorder.

The SPEAKER. The House will be in order.

Mr. GAINES. I hope the gentleman will finish the reading of that section.

Mr. JENKINS (reading)—

SEC. 2. That said corporation is authorized to acquire, by devise, bequest, or otherwise, hold, purchase, and convey such real and personal estate as shall or may be required for the purposes of its incorporation, not exceeding $200,000, with authority in said corporation, should it be by it deemed necessary so to do, to mortgage or otherwise encumber the real estate which it may hereafter own or acquire, and may give therefor such evidences of indebtedness as such corporation may decide upon.

I want to ask the chairman of the committee if he does not think that would apply to any part of the country?

Mr. RAY of New York. I think not, because it is an incorporation of the District of Columbia; but still if they had the money and purchased some real estate outside of the District, I do not see what objection there could be to that.

Mr. GAINES. But you said it operated only in the District of Columbia, and did not do any business. Is not buying, owning, and controlling property business?

Mr. RAY of New York. It is not, except as I have stated.

Mr. PAYNE. Why should they not be able to buy property anywhere?

Mr. GAINES. But the gentleman said that it does not operate outside of the District of Columbia, and I say it does, that owning property outside the District of Columbia is business.

Mr. RAY of New York. I still insist that this company, if we incorporate them, can not own real estate outside of the District, because it is limited to the District. I do not say positively that they can not; but I do not think under this bill they can. It is in the same language of all the bills of like character we have passed which are limited to the District of Columbia. What I said was I did not see what possible harm can come to anyone if the corporation purchases and owns real estate in the various States. It is purely a religious, scientific, social, and philanthropic association.

Mr. LANHAM. And a woman's measure, at that.

Mr. RAY of New York. And a woman's measure; and we can not have too many of such associations operated by women devoted to this kind of work.

Mr. CLAYTON of Alabama. And meets entirely the approval of the Committee on the Judiciary.

Mr. RAY of New York. So far as I have been able to see them; I have seen the majority. We have approved and passed similar bills heretofore.

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

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

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

HOUR OF FINAL ADJOURNMENT.

Mr. PAYNE. Mr. Speaker, I understand, according to the arrangements for the day, the House is to leave this Hall at a quarter before 12 and proceed to the Senate to take part in or witness the ceremonies there. I therefore ask unanimous consent that the House adjourn finally at 11.45 to-day.

The SPEAKER. The gentleman from New York asks unanimous consent that the final adjournment of the House of Representatives take place at 15 minutes before 12. Is there objection? [After a pause.] The Chair hears none, and the order is accordingly made.

Mr. PAYNE. I move that the House take a recess until 11 o'clock.

The motion was agreed to; and accordingly (at 10 o'clock and 15 minutes a. m.) the House was declared in recess.

At 11 o'clock a. m. the House resumed its session.

Mr. PAYNE. Mr. Speaker, I offer the following resolution, for the present consideration of the House.

The Clerk read as follows:

Resolved, That a committee of three members be appointed by the Chair to wait upon the President of the United States and inform him that the two Houses have completed the business of the present session and are ready to adjourn unless the President has some other communication to make to them.

The SPEAKER. The question is on agreeing to the resolution.
The resolution was agreed to.
The SPEAKER appointed the following committee, in pursuance of the resolution: Mr. PAYNE, Mr. GROSVENOR, and Mr. RICHARDSON of Tennessee.

ENROLLED BILLS SIGNED.

Mr. BAKER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:
H. R. 13729. An act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1902;
H. R. 4120. An act to pay Eliza R. Crawford the amount of a United States loan certificate issued in 1779;
H. R. 13705. An act making appropriations for the naval service for the fiscal year ending June 30, 1902, and for other purposes;
H. R. 9829. An act to provide for celebrating the one hundredth anniversary of the purchase of the Louisiana territory by the United States by holding an international exhibition of arts, industries, manufactures, and the products of the soil, mine, forest, and sea in the city of St. Louis, in the State of Missouri;
H. R. 14018. An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1902, and for other purposes;
H. R. 636. An act for the relief of St. John's Lodge, Ancient, Free, and Accepted Masons, No. 3, of Newbern, N. C.;
H. R. 9835. An act to establish a code of law for the District of Columbia;
H. R. 11830. An act for the relief of the devisees of Casper Barber and their assigns from the operation of the act restricting the ownership of real estate in the District of Columbia to American citizens;
S. 5715. An act granting a charter to the General Federation of Woman's Clubs; and
S. 5943. An act to establish Lowelltown, Me., a subport of entry.

LEAVE TO PRINT.

Mr. LIVINGSTON. Mr. Speaker, I ask unanimous consent to print in the RECORD within ten days a statement of the appropriations made at this session of Congress.
The SPEAKER. The gentleman from Georgia asks leave to print for ten days a statement in respect to the appropriations of this Congress. Is there objection? [After a pause.] The Chair hears none.
Mr. BROMWELL. Mr. Speaker, in the absence of the chairman of the Committee on Appropriations, I ask unanimous consent that if he desires to print any matter on the subject of appropriations of this Congress that he be permitted to do so for ten days.
The SPEAKER. The gentleman from Ohio asks unanimous consent that the chairman of the Committee on Appropriations be accorded the same privilege as that which has just been given to the gentleman from Georgia.
Mr. LIVINGSTON. Mr. Speaker, I want to say that the chairman of the Committee on Appropriations will make that personal request of the House. I was in to confer with him, and he was not in, but I know that he intends to make this a personal request. Therefore I did not make it for him.
The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. BROMWELL]? [After a pause.] The Chair hears none.

MESSAGE FROM THE PRESIDENT.

A message from the President of the United States, by Mr. PRUDEN, one of his secretaries, announced that the President of the United States had approved and signed bills of the following titles:
On March 3, 1901:
H. R. 9835. An act to establish a code of law for the District of Columbia;
H. R. 13705. An act making appropriations for the naval service for the fiscal year ending June 30, 1902, and for other purposes;
H. R. 13729. An act making appropriations for the Post-Office Department for the fiscal year ending June 30, 1902;
H. R. 14018. An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1902, and for other purposes;
H. R. 13067. An act to enlarge the powers of the courts of the District of Columbia in cases involving delinquent children, and for other purposes;
H. R. 11350. An act to establish the National Bureau of Standards;
H. R. 9886. An act amending section 4708 of the Revised Statutes of the United States in relation to pensions to remarried widows;
H. R. 10302. An act requiring common carriers engaged in interstate commerce to make full reports of all accidents to the Interstate Commerce Commission;
H. R. 9829. An act to provide for celebrating the one hundredth anniversary of the purchase of the Louisiana territory by the United States by holding an international exhibition of arts, industries, manufactures, and the products of the soil, mine, forest, and sea in the city of St. Louis, in the State of Missouri;
H. R. 10701. An act to amend section 6, Chapter CXIX, United States Statutes at Large, numbered 24 (Five Civilized Tribes);
H. R. 14138. An act to authorize the Pigeon River Improvement, Slide, and Boom Company, of Minnesota, to enter upon the Grand Portage Indian Reservation and to improve the Pigeon River in said State at what is known as the cascades of said river;
H. R. 14163. An act to authorize the Portland, Nehalem and Tillamook Railway Company to construct a bridge across Nehalem Bay and River, in the State of Oregon;
H. R. 13436. An act to authorize the Charleroi and Monessen Bridge Company to construct and maintain a bridge across the Monongahela River;
H. R. 14228. An act to authorize the city of Nashville, Tenn., to construct a free public bridge across the Cumberland River within the corporate limits of said city;
H. R. 14093. An act to authorize the Paris, Choctaw and Little Rock Railway Company to construct and maintain a bridge across Red River in the State of Texas;
H. R. 10698. An act to amend an act amending the act entitled "An act to authorize the receipt of United States gold coin in exchange for gold bars;"
H. R. 13195. An act to amend section 5153 of the Revised Statutes of the United States;
H. R. 13396. An act to amend section 5546 of the Revised Statutes;
H. R. 14260. An act to amend an act entitled "An act to constitute a new division of the eastern judicial district of Texas, and to provide for the holding of terms of court at Sherman, Tex., and for the appointment of a clerk for said court, and for other purposes," approved February 19, 1901;
H. R. 12331. An act to amend an act entitled "An act conferring on the supreme court of the District of Columbia jurisdiction to take proof of the execution of wills affecting real estate, and for other purposes," approved June 8, 1898;
H. R. 10001. An act for the relief of the heirs of Joseph T. Stout;
H. R. 523. An act for the relief of Arba N. Waterman;
H. R. 573. An act for the relief of Arthur Connell;
H. R. 568. An act for the relief of W. T. Fitzpatrick, Bedford City, Va.;
H. R. 3696. An act for the relief of the administrator of Mary R. Frost, deceased;
H. R. 14028. An act for the relief of Aquilla J. Daugherty;
H. R. 2659. An act for the relief of Meriwether Snuff and Tobacco Company, at Clarksville, Tenn.;
H. R. 11830. An act for the relief of the devisees of Casper Barber and their assigns from the operation of the act restricting the ownership of real estate in the Territories and the District of Columbia to American citizens;
H. R. 1452. An act to remove the charge of desertion and grant an honorable discharge to John C. Weckler;
H. R. 13530. An act to provide an American register for the foreign-built ship *Balclutha;*
H. R. 3003. An act to authorize the Secretary of the Navy to loan naval equipment to certain military schools;
H. R. 8032. An act to reimburse J. A. B. Miles, E. D. Kelly, and Rawlings Webster;
H. R. 4120. An act to pay Eliza R. Crawford the amount of a United States loan certificate issued in 1779;
H. R. 8946. An act to pay to J. P. Ouzts $209.50 for services as deputy collector internal revenue for district of South Carolina;
H. R. 13609. An act to incorporate the Society of American Florists and Ornamental Horticulturists within the District of Columbia;
H. R. 13068. An act to waive and release all claims of the United States by way of escheat to the real estate in the District of Columbia of which Patrick Cavanagh, or his sons, Charles W. Cavanagh and William Cavanagh, died seized;
H. R. 14269. An act confirming a lease between J. W. Peglow and the Seneca Nation of New York Indians;
H. R. 11900. An act granting a right of way to the Jamestown and Northern Railway through the Devils Lake Indian Reservation in the State of North Dakota;
H. R. 1215. An act granting a pension to Charles M. Neet;
H. R. 3491. An act granting a pension to Melvina Greenawalt;
H. R. 4193. An act granting a pension to Levi C. Mann;
H. R. 6776. An act granting a pension to Annie Chamberlain;
H. R. 6409. An act granting a pension to Maria E. Hamill;
H. R. 7055. An act granting a pension to John G. Barr;
H. R. 7072. An act granting a pension to Mary Barron;
H. R. 7321. An act granting a pension to Armilda J. Luttrell;
H. R. 7688. An act granting a pension to Katy Kurth;
H. R. 7995. An act granting a pension to Jane Hunter;
H. R. 10758. An act granting a pension to Sallie B. Wilson;
H. R. 11303. An act granting a pension to Elizabeth M. Killen;

H. R. 11453. An act granting a pension to Charles E. Binns;
H. R. 11795. An act granting a pension to Columbus S. Whitaker;
H. R. 12232. An act granting a pension to Hannah Martha Dusenberry;
H. R. 12392. An act granting a pension to Henry Smith;
H. R. 12747. An act granting a pension to Arline E. McNutt;
H. R. 12801. An act granting a pension to Willis Brady;
H. R. 13725. An act granting a pension to Emily S. Knight;
H. R. 13794. An act granting a pension to Hix Patterson;
H. R. 364. An act granting an increase of pension to Lewis Black;
H. R. 1730. An act granting an increase of pension to Alfred H. Jones;
H. R. 1769. An act granting an increase of pension to Isaac H. Duvall;
H. R. 2163. An act granting an increase of pension to Mary L. Cramer;
H. R. 3648. An act granting an increase of pension to Charles W. Little;
H. R. 4132. An act granting an increase of pension to Elijah Baxter;
H. R. 4588. An act granting an increase of pension to Peter M. Hill;
H. R. 5645. An act granting an increase of pension to William H. H. Bonslough;
H. R. 7202. An act granting an increase of pension to Elizabeth Causey;
H. R. 7354. An act granting an increase of pension to Milbre V. Douglass;
H. R. 7544. An act granting an increase of pension to Florence L. Stuart;
H. R. 9503. An act granting an increase of pension to Samuel Baughman;
H. R. 9539. An act granting an increase of pension to Ella V. Coston;
H. R. 9843. An act granting an increase of pension to John A. Hardy;
H. R. 10334. An act granting an increase of pension to Nellie T. P. Koehler;
H. R. 11197. An act granting an increase of pension to Eugene Leahy;
H. R. 11998. An act granting an increase of pension to John W. Horner;
H. R. 12004. An act granting an increase of pension to George B. Smith;
H. R. 12204. An act granting an increase of pension to Mary A. Tunis;
H. R. 12386. An act granting an increase of pension to William N. Hall;
H. R. 12507. An act granting an increase of pension to Ezekiel Dawson;
H. R. 12732. An act granting an increase of pension to Elizabeth Reynolds;
H. R. 12816. An act granting an increase of pension to Samuel A. Needham;
H. R. 12939. An act granting an increase of pension to Thomas J. Kerstetter;
H. R. 13080. An act granting an increase of pension to John F. Carbee;
H. R. 13173. An act granting an increase of pension to Ellen Pratt;
H. R. 13186. An act granting an increase of pension to Francis M. Thompson;
H. R. 13329. An act granting an increase of pension to Grotius N. Udell;
H. R. 13520. An act granting an increase of pension to Cornelia Hays;
H. R. 13563. An act granting an increase of pension to James Hicky;
H. R. 13699. An act granting an increase of pension to Samuel C. F. Seabury; and
H. R. 13998. An act granting an increase of pension to Margaret L. B. Parsons.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed the following resolution:

Resolved, That a committee of two Senators be appointed by the Chair to join a similar committee appointed by the House of Representatives to wait upon the President of the United States and inform him that the two Houses, having completed the business of the present session, are ready to adjourn unless the President has some other communications to make to them; and that in compliance with the foregoing the Chair had appointed as said committee Mr. HOAR and Mr. COCKRELL.

The SPEAKER resigned the chair in favor of Mr. JOY, as Speaker pro tempore, amid general applause.

The SPEAKER pro tempore. The gentleman from Texas [Mr. BAILEY] will please take the chair. [Applause.]

REPORT OF COMMITTEE TO WAIT UPON THE PRESIDENT.

The committee to wait upon the President appeared at the bar of the House.

Mr. PAYNE. Mr. Speaker, the committee appointed by the House to join a like committee on the part of the Senate to wait on the President of the United States to inform him that the two Houses had completed their business and were ready to adjourn unless he had some further communication to make, report that they have performed that duty and the President informs them that he has no further communication to make.

LEAVE TO PRINT.

Mr. JAMES R. WILLIAMS. Mr. Speaker, I ask unanimous consent, on account of sickness in my family, that I may have ten days instead of five to extend my remarks on the Army appropriation bill.

The SPEAKER pro tempore. The gentleman from Illinois asks unanimous consent that he may have ten days within which to extend his remarks on the Army appropriation bill. Is there objection?

Mr. PAYNE. I hope there will be no objection.

The SPEAKER pro tempore. The Chair hears no objection.

RESOLUTION OF THANKS TO SPEAKER.

Mr. RICHARDSON of Tennessee. Mr. Speaker, I desire to offer the following resolution, and ask for its immediate consideration.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

Resolved, That the thanks of this House are tendered to the Hon. DAVID B. HENDERSON for the able, impartial, and dignified manner in which he has presided over its deliberations and performed the arduous and important duties of the Chair.

[Applause.]

Mr. RICHARDSON of Tennessee. Mr. Speaker, the resolution just offered by myself, and read at the desk, gives expression, as I believe, to the real feelings of every member of the House. I know from declarations made by members of the minority in this Chamber that without exception such is the opinion they entertain. When this Congress convened in December, 1899, the majority of the House, in party caucus, chose the Speaker and claimed him as their own, but by his generous treatment of those of us of the minority, and by an impartial discharge of the duties of a most responsible and at times perplexing office, he has shown himself to be the Speaker of the whole House, and not simply of the one side to which he owed his selection.

The position of Speaker of the House is both judicial and political. It is judicial in this, that the occupant of the chair is at all times bound by and obedient to a code of rules prescribed for the government and control of the House, and in the execution of which he is but its organ and servant. It is at the same time political. In the very nature of things, he is expected in his position to look carefully to the interests of his party, and while he is to administer the affairs of his great office in a manner to best promote the public weal, it is not expected that he will fail to use all legitimate and proper methods to build up his party and fortify it against attack.

It may be that in moments of excitement and acrimonious debate, such as we frequently witness here, when words are flying fast and hot and when crimination and recrimination are indulged, often too far, between the two sides, some of us are of opinion that unfair means are adopted and injustice done by a display of too much partisanship, yet in cooler moments, when reason is restored and all are satisfied that no intention to do injustice or to be unfair is discovered, these things are forgotten, or are properly attributed to the infirmities of temper and the imperfections of human nature.

After quite a long experience in this body, speaking for myself, I am thoroughly convinced that the House in its membership is honest and sincere, and that each, from the Speaker to the humblest member, earnestly endeavors to see his duty to the country, and then to discharge it to the very best of his ability.

I will not detain the House further, but ask as a proper tribute from us all that the resolution be adopted. [Loud applause.]

The SPEAKER pro tempore (Mr. BAILEY of Texas). The question is on agreeing to the resolution offered by the gentleman from Tennessee [Mr. RICHARDSON]. The Chair will take a rising vote. All who are in favor of the resolution will signify it by rising.

[The members of the House rose in a body; and there was a loud outburst of applause.]

The SPEAKER pro tempore. Those voting in the affirmative will be seated. If there are any opposed to the adoption of this resolution, they will rise. [A pause.] No one rises; and the Chair declares the resolution unanimously adopted. The gentleman from Tennessee, the gentleman from New York [Mr. PAYNE],

and the gentleman from Missouri [Mr. JOY] are appointed a committee to wait upon the Speaker and notify him of the action of the House.

After a pause the Speaker, escorted by the committee just appointed, entered the Hall and ascended to the Speaker's desk, amid loud and prolonged cheering.

The SPEAKER pro tempore. Mr. Speaker, it becomes my very pleasant duty to inform you that the House of Representatives has just adopted, by a rising and unanimous vote, the resolution which I will ask the Clerk to read.

The Clerk read as follows:

Resolved, That the thanks of this House are tendered to Hon. DAVID B. HENDERSON for the able, impartial, and dignified manner in which he has presided over its deliberations and performed the arduous and important duties of the Chair.

The SPEAKER pro tempore. And I may be permitted to add, on behalf of myself and every member of this House, that we all sincerely wish for you a long and prosperous life. [Prolonged applause, during which the Speaker pro tempore handed the gavel to the Speaker and returned to the floor.]

The SPEAKER. Gentlemen of the House of Representatives: On the 4th day of December, 1899, when I assumed the duties of this office, my heart was filled with gratitude because of the generous reception accorded me by this body, and it was filled with apprehension because of the labors and difficulties that I saw before me. I then appealed to you—all of you—for that support without which no presiding officer could be successful. Not for a single day or hour have you forgotten that request. [Applause].] No member of this great body on either side has ever for an hour endeavored to embarrass me in the discharge of my duties, but with untiring kindness and patience, and I feel almost with affection, you remembered my request. The kind greeting you accorded me then gave me intense pleasure. But after serving with you for two years, to have this resolution so generously adopted touches me profoundly, and you have given me the greatest joy of my political life.

This has been a busy, working Congress. No day or hour has been wasted; and the cheerfulness with which you all energetically and earnestly moved up to a discharge of your great duties will be noted by the historian and justly noted. Grave questions you have met earnestly and at times with that heat essential to great conflicts over mighty problems, but, gentlemen, not one disgraceful scene mars the record of the Fifty-sixth Congress. After the conflicts in which each has sought to assert his convictions I know that you part as friends. Take with you my profound gratitude. Wishing you pleasant recollections of these great two years, assuring you that I believe in my heart your country is stronger because you have been members of the Fifty-sixth Congress, I sincerely wish you a safe return to your homes. And I now declare the House of Representatives of the Fifty-sixth Congress adjourned without day. [Loud and long continued applause.]

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communication was taken from the Speaker's table and referred as follows:

A letter from the Secretary of War, transmitting statement in response to the resolution of the House calling for information as to a supplementary report of the Missouri River Commission on improvements at St. Joseph, Mo.—to the Committee on Rivers and Harbors, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII Mr. MCCLEARY, from the Committee on the Library, to which was referred the bill of the House (H. R. 13295) for the erection of an equestrian statue to the memory of Brig. Gen. Casimer Pulaski at Washington, D. C., reported the same without amendment, accompanied by a report (No. 3003); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

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. DRIGGS: A bill (H. R. 14337) to amend an act entitled "An act to amend Title LX, chapter 3, of the Revised Statutes of the United States, relating to copyrights," approved March 3, 1891—to the Committee on Patents.

By Mr. NEWLANDS: A bill (H. R. 14338) to provide for the disposal of the arid public lands and to authorize the construction of reservoirs for the storage of water and other necessary irrigation works for arid land reclamation, and for other purposes—to the Committee on Irrigation of Arid Lands.

By Mr. RIDGELY: A bill (H. R. 14339) to provide for the acquisition, purchase, construction, and condemnation by the United States of America of railroads lying in the Territories of the United States, the respective States, and the District of Columbia engaged in interstate commerce in carrying the mails, and to provide for the operation of said roads by the United States, and amending the act of Congress of February 4, 1887, entitled "An act to regulate interstate commerce," and for other purposes—to the Committee on Railways and Canals.

By the SPEAKER: A memorial of the legislature of California, against importation of pauper labor—to the Committee on Foreign Affairs.

Also, a memorial of the legislature of Montana, favoring the election of United States Senators by direct vote—to the Committee on Election of President, Vice-President, and Representatives in Congress.

By Mr. BURTON: A resolution (H. Res. 445) to nonconcur in Senate amendments to the bill of the House No. 13189—to the Committee on Rules.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ACHESON: Petition of citizens of Fayette County, Pa., in favor of an amendment to the Constitution against polygamy—to the Committee on the Judiciary.

Also, petition of citizens of Canonsburg, Pa., in behalf of the passage of the Gillett bill—to the Committee on Alcoholic Liquor Traffic.

By Mr. BURKETT: Resolutions of the American Paper and Pulp Association, in favor of currency legislation—to the Committee on Banking and Currency.

Also, resolution of the National Board of Trade, in favor of reclamation and settlement of the arid lands in the West—to the Committee on Irrigation of Arid Lands.

By Mr. COWHERD: Petition of the Woman's Christian Temperance Union of Kansas City, Mo., favoring the passage of the Gillett bill for the protection of native races in our islands against intoxicants and opium—to the Committee on Alcoholic Liquor Traffic.

By Mr. STANLEY W. DAVENPORT: Resolutions of the Chicago Federation of Labor in relation to the reclamation and settlement of the arid public lands—to the Committee on Irrigation of Arid Lands.

By Mr. DRISCOLL: Petition of citizens of North Syracuse, N. Y., favoring the exclusion of alcoholic liquor from countries inhabited chiefly by native races—to the Committee on Alcoholic Liquor Traffic.

By Mr. ESCH: Resolutions of Western Packers' Canned Goods Association, praying that tin plate be placed on the free list—to the Committee on Ways and Means.

By Mr. FITZGERALD of Massachusetts: Resolutions of the National Business League in relation to the reclamation and settlement of arid lands—to the Committee on Irrigation of Arid Lands.

By Mr. GRAHAM: Resolutions of Western Packers' Canned Goods Association, praying for the removal of the duty on tin plate—to the Committee on Ways and Means.

By Mr. HALL: Petitions of citizens of Clearfield and Elk counties, Pa., for the prohibition of the sale of firearms, opium, and intoxicating liquors to the inhabitants of the New Hebrides and other islands—to the Committee on Alcoholic Liquor Traffic.

By Mr. LAWRENCE: Petition of citizens of North Adams, Mass., favoring anti-polygamy amendment to the Constitution—to the Committee on the Judiciary.

By Mr. MANN: Petitions of citizens of Morgan Park and Hill Woman's Christian Temperance Union, of Chicago, Ill., in behalf of the passage of the Gillett bill—to the Committee on Alcoholic Liquor Traffic.

Also, resolutions of the National Board of Trade, advocating the holding of the public lands in the West for the benefit of the people—to the Committee on the Public Lands.

Also, resolution of the board of directors of the Board of Trade of Chicago, in relation to bills of lading—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the Western Packers' Canned Goods Association, for the removal of the duty on tin plate—to the Committee on Ways and Means.

Also, resolutions of the American Paper and Pulp Association, in relation to the currency—to the Committee on Banking and Currency.

By Mr. NAPHEN: Petition of Sarah Clay Bennett and Martha

E. Root in behalf of the National American Woman Suffrage Association—to the Committee on the Judiciary.

Also, resolutions of the Chicago Federation of Labor, for the reclamation of the arid lands in the Western States—to the Committee on Irrigation of Arid Lands.

By Mr. STEWART of Wisconsin: Resolutions of Cigar Makers' Union No. 287, of Marinette, Wis., urging that the public lands be held for the benefit of the people—to the Committee on the Public Lands.

By Mr. SULZER: Petition of the Western Packers' Canned Goods Association, Bloomington, Ill., asking that tin plate be placed on the free list—to the Committee on Ways and Means.

BILLS WHICH FAILED TO RECEIVE THE APPROVAL OF THE PRESIDENT.

H. R. 6146. An act for the relief of the administrators of William B. Moses, deceased, and of Lebbeus H. Rogers;

H. R. 5553. An act to correct the military record of William T. Pratt;

H. R. 12860. An act for the relief of Isaiah Lightner, W. H. Winterbottom, and Gustave Mollin;

H. R. 3825. An act to grant an honorable discharge to Frederick A. Noeller;

H. R. 2430. An act for the relief of Jacob L. Hanger, alias William T. Graham;

H. R. 7602. An act to correct the military record of Palmer G. Percy;

H. R. 7243. An act to remove the charge of desertion from the military record of Silas Nicholson;

H. R. 2464. An act to remove the charge of desertion from the military record of Nicholas Swingle;

H. R. 5599. An act granting an honorable discharge to James L. Proctor;

H. R. 1860. An act for the relief of the trustees of Carson-Newman College, at Mossycreek, Tenn.;

H. R. 1136. An act for the relief of parties for property taken from them by military forces of the United States:

H. R. 636. An act for the relief of St. John's Lodge, Ancient Free and Accepted Masons, No. 3, of Newbern, N. C.;

H. R. 6591. An act for the relief of Austin A. Yates;

H. R. 2294. An act for the relief of J. V. Davis, of Alexandria, Va.;

H. R. 8270. An act for the relief of Herman Von Marsdorf, late a lieutenant of Company D, First Maryland Cavalry;

H. R. 2617. An act for the relief of the legal representatives of Edwin De Leon, deceased, for $8,000 claimed by him for judicial services;

H. R. 2619. An act for the relief of Agnes and Maria De Leon;

H. R. 628. An act for the relief of Hamilton M. Sailors;

H. R. 1959. An act for the relief of the heirs of George W. Saulpaw;

H. R. 4853. An act for the relief of the heirs at law of Edward N. Oldmixon;

H. R. 427. An act for the relief of heirs of Mrs. Tellisse W. Wilson;

H. R. 11828. An act to remove charge of desertion from military record of Charles F. Kramer;

H. R. 2472. An act to correct the military record of John H. Finfrock;

H. R. 4204. An act to correct the military record of George A. Winslow; and

H. R. 7603. An act to correct the military record of James A. Somerville.