

By Mr. HITT: Petition of the Personal Liberty League, of Rockford, Ill., in favor of House bills 178 and 179, reducing the tax on distilled spirits—to the Committee on Ways and Means.

By Mr. JACK: Petition of Local Union No. 1384, of Punxsutawney, Pa., favoring an educational test for restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. JONES of Washington: Petition of W. L. Jones, favoring the passage of a bill authorizing the Secretary of War to use only American-built vessels in the transportation of Government supplies to the Philippines—to the Committee on the Merchant Marine and Fisheries.

By Mr. LINDSAY: Resolution of the drug trade section of the New York Board of Trade and Transportation, allowing the payment of a drawback in cases where certain imported materials can not be positively identified, as shown in House bill 11308—to the Committee on Ways and Means.

By Mr. MANN: Petitions of the Board of Trade and citizens of Chicago, Ill., in support of House bill 3057, for the enactment of irrigation legislation—to the Committee on Irrigation of Arid Lands.

Also, resolutions of National Encampment Service Men of the Spanish War, of Chicago, Ill., favoring the Bell bill, allowing travel pay to volunteers from Manila, P. I., to San Francisco, Cal.—to the Committee on Military Affairs.

Also, petitions of St. Adolbert's Society and the Polish Roman Catholic Clergy Society, of Chicago, Ill., favoring the erection of a statue to the late Brigadier-General Count Pulaski at Washington—to the Committee on the Library.

By Mr. McCLELLAN: Resolution of the New York Board of Trade and Transportation, in favor of House bill No. 11308—to the Committee on Ways and Means.

By Mr. MIERS of Indiana: Papers to accompany House bill granting an increase of pension to Harvey Miller—to the Committee on Invalid Pensions.

By Mr. MOODY of Oregon: Resolutions of the Chamber of Commerce of Astoria, Oreg., urging the passage of House bill 163, to pension employees and dependents of Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

By Mr. HOLLIDAY: Resolutions of United Mine Workers' Union No. 198, of Seelyville, Ind., favoring the restriction of the immigration of cheap labor from the south and east of Europe—to the Committee on Immigration and Naturalization.

By Mr. OTJEN: Resolution of common council of Milwaukee, Wis., against the beef trust—to the Committee on the Judiciary.

By Mr. RUPPERT: Resolutions of the drug trade section of the New York Board of Trade and Transportation, favoring the enactment of House bill 11308—to the Committee on Ways and Means.

By Mr. RYAN: Resolutions of Buffalo (N. Y.) Merchants' Exchange, approving the reorganization of the consular service—to the Committee on Foreign Affairs.

By Mr. SIMS: Resolutions of Forked Deer Lodge, No. 72, Jackson, Tenn., for more rigid restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. STARK: Papers to accompany House bill 14377, granting a pension to Josephine Stewart—to the Committee on Invalid Pensions.

By Mr. SULZER: Resolution of the New York Board of Trade and Transportation, in favor of House bill 11308—to the Committee on Ways and Means.

By Mr. WARNOCK: Petition of J. W. Hood, of Fayetteville, N. C., and others, favoring Senate bill 5002 and House bill 12940, designated as the inquiry commission bill—to the Committee on Labor.

SENATE.

THURSDAY, May 15, 1902.

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

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. GALLINGER, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. Without objection, the Journal will stand approved.

SAC AND FOX AGENCY, IOWA.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Interior, transmitting a letter from the Commissioner of Indian Affairs submitting an item to be incorporated in the general deficiency appropriation bill for the payment of indebtedness incurred by the Indian agent of the Sac and Fox Agency, Iowa, amounting to \$2,143.05; which, with the accompanying paper, was referred to the Committee on Appropriations, and ordered to be printed.

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. 13996) making appropriations for the diplomatic and consular service in the Republic of Cuba.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 13895) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1903; asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. WADSWORTH, Mr. HENRY of Connecticut, and Mr. WILLIAMS of Mississippi managers at the conference on the part of the House.

PETITIONS AND MEMORIALS.

Mr. HANSBROUGH presented a petition of Lodge No. 125, Brotherhood of Railroad Trainmen, of Jamestown, N. Dak., and a petition of Local Division No. 178, Order of Railway Conductors, of Grand Forks, N. Dak., praying for the passage of the so-called Hoar anti-injunction bill, to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases, and remonstrating against the passage of any substitute therefor; which were ordered to lie on the table.

Mr. CLAPP presented a petition of Flour Packers and Millers' Protective Union No. 7548, of Minneapolis, Minn., praying for the enactment of legislation providing an educational test for immigrants to this country; which was referred to the Committee on Immigration.

Mr. ELKINS presented petitions of Local Division No. 448, Brotherhood of Locomotive Engineers, of Bluefield; of Lodge No. 236, Brotherhood of Locomotive Firemen, of Benwood Junction; of Lodge No. 236, Brotherhood of Locomotive Firemen, of Hinton; of Local Division No. 284, Brotherhood of Locomotive Engineers, of Grafton; of Local Division No. 190, Brotherhood of Locomotive Engineers, of Huntington, and of Colonel A. Howard Fleming Lodge, Brotherhood of Railroad Trainmen, of Fairmont, all in the State of West Virginia, praying for the passage of the so-called Hoar anti-injunction bill, to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases, and remonstrating against the passage of any substitute therefor; which were ordered to lie on the table.

Mr. BURTON presented a petition of the American Federation of Labor, of Pittsburg, Kans., praying for the enactment of legislation providing an educational test for immigrants to this country; which was referred to the Committee on Immigration.

He also presented petitions of Tip Top Lodge, No. 396, Brotherhood of Locomotive Firemen, of Goodland; of Osawatomie Lodge, No. 65, Brotherhood of Railroad Trainmen, of Osawatomie; of Walnut Valley Lodge, No. 354, Brotherhood of Railroad Trainmen, of Arkansas City; of Carver Division, No. 28, Order of Railway Conductors, of Atchison; of Local Division No. 161, Order of Railway Conductors, of Parsons; of Herington Division, No. 261, Brotherhood of Locomotive Engineers, of Herington; of Local Division No. 368, Order of Railway Conductors, of Argentine; of Cherokee Lodge, No. 370, Brotherhood of Railroad Trainmen, of Parsons; of Lodge No. 96, Brotherhood of Railroad Trainmen, of Dodge City; of Local Division No. 179, Order of Railway Conductors, of Topeka; of Local Division No. 137, Order of Railway Conductors, of Osawatomie; of Lodge No. 564, Brotherhood of Railroad Trainmen, of Hoisington; of Local Division No. 81, Brotherhood of Locomotive Engineers, of Kansas City, and of Kaw Valley Lodge, No. 313, Brotherhood of Locomotive Firemen, all in the State of Kansas, praying for the passage of the so-called Hoar anti-injunction bill, to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases, and remonstrating against the passage of any substitute therefor; which were ordered to lie on the table.

Mr. LODGE. I present a resolution adopted by the Commonwealth of Massachusetts, relative to the building of war vessels in the navy-yards of the country. I ask that the resolution be printed in the RECORD, and referred to the Committee on Naval Affairs.

The resolution was referred to the Committee on Naval Affairs, and ordered to be printed in the RECORD, as follows:

Commonwealth of Massachusetts. In the year 1902. Resolutions relative to the building of war vessels in navy-yards of the United States.

Resolved, That the Senators and Representatives from Massachusetts in the Congress of the United States are requested to use all reasonable efforts to secure the passage of the naval appropriation bill now pending in such form as shall authorize the construction by the United States Government in its own navy-yards of some of the war vessels to be built under the provisions of that bill.

Resolved, That properly attested copies of these resolutions be sent to each of the Senators and Representatives from Massachusetts in Congress.

SENATE, May 1, 1902.

Adopted. Sent down for concurrence.

HENRY D. COOLIDGE, Clerk.
HOUSE OF REPRESENTATIVES, May 7, 1902.

Adopted, in concurrence.

JAMES W. KIMBALL, Clerk.

A true copy. Attest:

HENRY D. COOLIDGE,
Clerk of the Senate.

Mr. LODGE presented a petition of the Merchants' Exchange of Buffalo, N. Y., praying for the reorganization of the consular service; which was ordered to lie on the table.

Mr. PENROSE presented petitions of Brotherhood of Railroad Trainmen, Lodge No. 43, of Sunbury; of Monroe Curtis Lodge, Brotherhood of Railroad Trainmen, of Susquehanna; of Brotherhood of Railroad Trainmen, of Tyrone; of Division No. 168, of Vilas; of Just in Time Lodge, No. 346, of Bethlehem; of Quaker City Lodge, No. 149, of Philadelphia; of Pioneer Lodge, No. 153, of Wilkesbarre; of Susquehanna Lodge, No. 444, of Williamsport; of A. L. Dunbar Lodge, No. 142, of Meadville; of Order of Railway Conductors, Oil City Division, No. 163; of Brotherhood of Locomotive Engineers, Division No. 45, of Philadelphia; of G. W. Childs Division, No. 343, of Philadelphia; of West Philadelphia Division, No. 1620, of Philadelphia; of Quaker City Division, No. 204, of Philadelphia; of Kensing Lodge, No. 113, of Philadelphia; of Mantua Lodge, No. 160, of Philadelphia; of Southwark Lodge, No. 363, of Philadelphia; of Liberty Bell Lodge, No. 587, of Philadelphia; of Wall Lodge, No. 439, of Pittsburg; of Captain S. S. Brown Division, No. 370, of Pittsburg; of Andrew Carnegie Division, No. 325, of Pittsburg; of Glenwood Division, No. 281, of Pittsburg; of Ormsby Lodge, No. 7, of Pittsburg; of Iron City Lodge, No. 179, of Pittsburg; of Glenwood Lodge, No. 244, of Pittsburg; of Pottsville Division, No. 590, of Pottsville; of Mahoning Lodge, No. 462, of Punxsutawney; of Reading Division, No. 75, of Reading; of Nicolls Division, No. 229, of Reading; of William Penn Lodge, No. 172, of Reading; of Renovo Division, No. 333, of Renovo; of Southern Tier Division, No. 10, of Sayre; of Lodge No. 337, of Sayre; of Division No. 454, of Scottsdale; of Lackawanna Division, No. 12, of Scranton; of Lodge No. 95, of Scranton; of H. A. Mace Lodge, No. 157, of Scranton; of Shamokin Lodge, No. 541, of Shamokin; of Sunbury Division, No. 187, of Sunbury, all of the State of Pennsylvania; of Local Division No. 57, of Providence; of Local Division No. 370, of Providence; of Providence Lodge, No. 66, of Providence; of Brotherhood of Railroad Trainmen, Lodge No. 390, of Providence, all of the State of Rhode Island; of Local Division No. 883, of Algiers; of Division No. 426, of New Orleans; of Crescent City Division, No. 108, of New Orleans; of Lodge No. 214, all of the State of Louisiana; of Local Division No. 281, of Vicksburg; of Lodge No. 331, of Water Valley; of J. T. Jones Division, No. 532, Brotherhood of Locomotive Engineers, of Gulf Port; of Queen and Crescent Lodge, No. 373, of Meridian; of J. C. Clark Division No. 537, of Meridian; of Pearl Lodge, No. 264, Brotherhood of Railroad Trainmen, of McComb, all of the State of Mississippi; of Huron Division, No. 121, of Huron, S. Dak.; of Huron Division, No. 213, of Huron; of Lodge No. 253, of Aberdeen, all of the State of South Dakota; of Palmetto Division, No. 208, of Charleston; of Division No. 265, of Florence; of Division No. 198, of Charleston, all of the State of South Carolina; of Lookout Division, of Chattanooga; of Division No. 149, of Jackson; of Holston Division, No. 239, of Knoxville; of Stanton Division No. 139, of Knoxville; of Rock City Division, No. 135, of Nashville, all of the State of Tennessee; of Guadalupe Division, No. 275, of Yoakum; of W. H. Reilly Division, No. 427, of Yoakum; of Tyler Division, No. 116, of Tyler; of Interstate Lodge, No. 248, of Texarkana; of Neil Sullivan Lodge, No. 206, of Temple; of Bogart Lodge, No. 294, of Smithville; of Davy Crockett Lodge, No. 369, of San Antonio; of Division No. 194, of Palestine; of Garfield Division, No. 219, of Marshall; of Longview Division, No. 396, of Longview; of Lone Star Lodge, No. 431, of Longview; of Laredo Division, No. 399, all of the State of Texas; of Tub Molders' Helpers' Union No. 7452, of New Brighton, Pa.; of Robert Andrews Division, No. 317, Brotherhood of Locomotive Engineers, of Alexandria; of Bristol Lodge, No. 556, of Bristol; of Railroad Telegraphers' Division No. 14, of Cloverdale; of Division No. 291, of Crewe; of Old Virginia Lodge, No. 492, of Roanoke; of Order of Railroad Conductors of Roanoke; of Old Dominion Lodge, No. 389, of Richmond; of Richmond Division, No. 26, of Richmond; of R. E. Lee Division, No. 205, of Portsmouth; of Lodge No. 550, of Norfolk; of Crewe Division, No. 349, of Crewe, all of the State of Virginia; of Ohio Valley Lodge, No. 13, of Benwood; of N. H. Smith Division, No. 448, of Bluefield; of Bluefield Lodge, No. 19, of Bluefield; of Order of Railroad Conductors No. 324, of Bluefield; of Brotherhood of Locomotive Engineers, Division No. 284, of Grafton; of Grafton Division, No. 190, of Grafton; of W. B. Ryder Lodge, No. 232, of Hinton; of Ashton Division, No. 136, of Hunt-

ington; of Lodge No. 530, of Kenova; of Parkersburg Division, No. 369, of Parkersburg; of Lewis Weitzel Lodge, No. 855, of Parkersburg; of Division No. 12, of Parkersburg; of Lodge No. 110, of Wheeling; of Division No. 211, of Abbotsford; of Chipewa Lodge, No. 410, of Wheeling, all of the State of West Virginia; of Castle Gate Lodge, No. 613, of Helper; of Division No. 124, of Ogden; of Ogden Lodge, No. 68, of Ogden; of Green Mountains Lodge, No. 535, of St. Albans, all in the State of Utah; of Continental Divide Lodge, No. 601, of Rawlins; of Cheyenne Division, No. 115, of Cheyenne, Wyo.; of Division No. 399, of Seattle; of Lodge No. 307, of Spokane; of Local Division No. 238, of Tacoma; of Order of Railroad Conductors, Division No. 249, of Tacoma; of Mount Tacoma Lodge, No. 403, of Tacoma, all of the State of Washington; of Local Division No. 9, of Houston; of San Jacinto Division, No. 366, of Houston; of Hillsboro Lodge, No. 616, of Hillsboro; of Evergreen Lodge, No. 81, of Fort Worth; of Engineer Division, No. 57, of Fort Worth; of H. G. Waynes Lodge, No. 716, of Ennis; of Division No. 88, of Ennis; of Division No. 242, of Ennis; of Brotherhood of Railway Trainmen, of El Paso; of El Paso Division, No. 69, of El Paso; of Gate City Lodge, No. 15, of Gate City; of Dennison Division, No. 177, of Dennison; of C. O. Wheeler Lodge, No. 409, of Cleburne; of Bigspring Lodge, No. 58, all of the State of Texas, praying for the enactment of legislation providing an educational test for immigrants to this country; which were referred to the Committee on Immigration.

Mr. FRYE presented a petition of the Board of Trade of Portland, Me., praying for the establishment of lobster hatcheries on the coast of Maine; which was referred to the Committee on Fisheries.

He also presented a petition of sundry citizens of Chickasha, Ind. T., praying for the enactment of legislation providing for the union of Oklahoma and Indian Territories as one Territory or State on equal terms; which was referred to the Committee on Territories.

REPORTS OF COMMITTEES.

Mr. NELSON, from the Committee on Commerce, to whom was referred the bill (S. 4995) to establish an additional life-saving station on Monomoy Island, Massachusetts, reported it without amendment, and submitted a report thereon.

Mr. DEBOE, from the Committee on Pensions, to whom were referred the following bills, reported them each without amendment, and submitted reports thereon:

A bill (H. R. 9928) granting a pension to Benjamin E. Styles; and

A bill (H. R. 7401) granting an increase of pension to William Brown.

Mr. BURTON, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 9437) granting an increase of pension to Elias A. Calkins;

A bill (H. R. 1129) granting an increase of pension to William H. Shaffer; and

A bill (H. R. 307) granting an increase of pension to John L. Branson.

Mr. GALLINGER, from the Committee on Pensions, to whom was referred the bill (S. 3617) granting a pension to Leonora V. Stacy, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 3292) granting an increase of pension to Arthur H. Perkins;

A bill (H. R. 671) granting an increase of pension to Orra H. Heath;

A bill (H. R. 11921) granting an increase of pension to George W. De Graw;

A bill (H. R. 12780) granting an increase of pension to William H. Wheeler; and

A bill (H. R. 11343) granting a pension to Mary Louise Lowry.

Mr. PENROSE, from the Committee on Post-Offices and Post-Roads, to whom was referred the bill (S. 1156) for the relief of John C. Ray, assignee of John Gafford, of Arkansas, reported it without amendment, and submitted a report thereon.

Mr. MCCUMBER, from the Committee on Pensions, to whom was referred the bill (H. R. 8794) granting an increase of pension to Henry I. Smith, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 6750) granting an increase of pension to William H. Hoxie, reported it without amendment, and submitted a report thereon.

Mr. TURNER, from the Committee on Pensions, to whom was referred the bill (S. 3212) granting a pension to Ellen A. Sagar, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 8401) granting an increase of pension to Henry E. Murphy, reported it without amendment, and submitted a report thereon.

Mr. PATTERSON, from the Committee on Pensions, to whom was referred the bill (S. 959) granting an increase of pension to William H. Green, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 4515) granting an increase of pension to Alfred O. Blood, reported it with amendments, and submitted a report thereon.

Mr. SCOTT, from the Committee on Pensions, to whom was referred the bill (H. R. 10731) granting an increase of pension to Samuel P. Milburn, reported it without amendment, and submitted a report thereon.

CONFERENCES AND CONFERENCE REPORTS.

Mr. ALLISON. From the Committee on Appropriations, I present a report in response to a resolution passed during last Congress directing that committee to cause to be prepared for the use of the Senate a manual of the law and practice in regard to conferences and conference reports. It was not prepared until after the close of the Congress. It relates to a matter which was discussed somewhat yesterday. I ask that the report may be printed as a document and lie on the table.

The PRESIDENT pro tempore. The Senator from Iowa, from the Committee on Appropriations, submits a report which he desires to have printed as a document.

Mr. ALLISON. I think it would do no harm to print it in the RECORD, although it is perhaps too long for that purpose. I ask to have it printed as a document.

The PRESIDENT pro tempore. It will be printed as a document.

Mr. ALLISON subsequently said: I ask unanimous consent that an order may be made to print, for the use of the Senate, 1,000 extra copies of the report I made this morning.

The PRESIDENT pro tempore. The Senator from Iowa asks unanimous consent that 1,000 additional copies of the report made by him this morning from the Committee on Appropriations be printed for the use of the Senate. Is there objection? The Chair hears none, and it is so ordered.

The Chair will inquire if the Senator desires the copies to be bound or to have paper covers?

Mr. ALLISON. I do not desire to have it bound at all. I merely desire to have the print made in the ordinary way.

The PRESIDENT pro tempore. That order will be made.

BILLS INTRODUCED.

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

A bill (S. 5846) granting an increase of pension to Thomas G. Forrester;

A bill (S. 5847) granting an increase of pension to Henry W. Duckett;

A bill (S. 5848) granting an increase of pension to Smith H. Priddy;

A bill (S. 5849) granting an increase of pension to Albert Haynes; and

A bill (S. 5850) granting an increase of pension to Herbert Whitworth.

Mr. ELKINS introduced a bill (S. 5851) granting a pension to Julius Felix; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 5852) granting a pension to Robert P. McRae; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. DEBOE introduced a bill (S. 5853) for the relief of James C. Bacon; which was read twice by its title, and referred to the Committee on Claims.

Mr. NELSON introduced a bill (S. 5854) granting an increase of pension to Allen B. Evans; which was read twice by its title, and referred to the Committee on Pensions.

Mr. TILLMAN introduced a bill (S. 5855) to amend section 6 of chapter 541, United States Statutes; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. TALIAFERRO introduced a bill (S. 5856) granting an increase of pension to Elizabeth A. Turner; which was read twice by its title, and referred to the Committee on Pensions.

Mr. MILLARD introduced a bill (S. 5857) granting an increase of pension to Daniel B. Bailey; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 5858) to reimburse J. E. Turner for excess interest paid on the purchase price of certain lands; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Public Lands.

Mr. McLaurin of Mississippi (for Mr. MONEY) introduced a bill (S. 5859) for the relief of the estate of David R. Hubbard, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. PENROSE introduced a bill (S. 5860) granting an increase of pension to Katharine Rains Paul; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CLARK of Wyoming introduced a bill (S. 5861) for the relief of James Graham; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

Mr. STEWART introduced a bill (S. 5862) conferring jurisdiction upon the Court of Claims to hear and determine the claim of the Colville Indians in the State of Washington; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. PATTERSON introduced a bill (S. 5863) granting a pension to John D. Evans; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 5864) granting a pension to Samuel B. Baker; which was read twice by its title, and referred to the Committee on Pensions.

Mr. MASON (by request) introduced a bill (S. 5865) providing for the drainage of Lake Traverse, lying on and along the boundary line between the States of Minnesota and South Dakota, and to prevent the overflow of the waters of the Red River of the North; which was read twice by its title, and referred to the Committee on Commerce.

Mr. STEWART introduced a bill (S. 5866) to regulate the production and sale of milk and cream in and for the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

AMENDMENTS TO BILLS.

Mr. COCKRELL submitted an amendment proposing to appropriate \$13,500 to grade and macadamize New Hampshire avenue, Whitney avenue (Jackson street) to Seventh street (Brightwood avenue), intended to be proposed by him to the District of Columbia appropriation bill; which was referred to the Committee on the District of Columbia, and ordered to be printed.

Mr. DANIEL submitted an amendment proposing to appropriate \$1,500 for grading Messmore street from Columbia street to Erie street, intended to be proposed by him to the District of Columbia appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. LODGE submitted an amendment proposing to appropriate \$25,000 for the purpose of preparing and printing a new edition of the charters, constitutions, and organic laws of all the States, Territories, and colonies now or heretofore forming the United States, and any acts of Congress relating thereto, intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Printing, and ordered to be printed.

He also submitted an amendment proposing to appropriate \$3,000 for the salary of a superintendent of heating and ventilation, whose duty it shall be to plan and supervise the construction and management, under the direction of the Commissioners of the District of Columbia, of the heating and ventilating structures and apparatus of all municipal buildings under their control, etc., intended to be proposed by him to the District of Columbia appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

He also submitted an amendment proposing to appropriate \$4,000 for grading and macadamizing Eighth street NW., Petworth, from Savannah street to Utica street, intended to be proposed by him to the District of Columbia appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. GALLINGER submitted an amendment proposing to increase the appropriation for the purchase of text-books and school supplies for use of pupils of the first eight grades, etc., from \$45,000 to \$52,500, intended to be proposed by him to the District of Columbia appropriation bill; which was referred to the Committee on the District of Columbia, and ordered to be printed.

Mr. DANIEL and Mr. PENROSE submitted amendments intended to be proposed by them to the bill (H. R. 14018) to increase the limit of cost of certain public buildings, to authorize the purchase of sites for public buildings, to authorize the erection and completion of public buildings, and for other purposes; which were referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

ISTHMIAN CANAL REPORTS.

Mr. MORGAN. I ask that an order be made to reprint some documents which are not now available in the Document Room. The order was read and agreed to, as follows:

Ordered, That the following documents, heretofore printed, be reprinted and bound in one document for the use of the Senate, namely:

1. The report of the Nicaragua Canal Commission of May 9, 1899, without appendixes.

2. Chapter VII of the report of the Isthmian Canal Commission of November 30, 1901.

3. The letter of Maj. E. C. Dutton of June 22, 1891, printed in Report No. 2136, made to the House of Representatives, first session Fifty-fourth Congress.

4. And the chapters on "Earthquakes," pages 132 to 136, and on "Seismic records of the canal region," pages 136 to 137 of Appendix 2 of the report of E. S. Wheeler, chief engineer of the Nicaragua Canal Commission.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. B. F. BARNES, one of his secretaries, announced that the President had on the 14th instant approved and signed the following acts:

An act (S. 2632) to amend an act entitled "An act granting to the Clearwater Valley Railroad Company a right of way through the Nez Percés Indian land in Idaho;

An act (S. 4992) to provide an American register for the bark Otto Gildemeister; and

An act (S. 5387) to change the terms of the circuit courts of the United States within the first circuit.

AGRICULTURAL 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. 13895) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1903, and asking for a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. PROCTOR. I move that the Senate insist upon its amendments disagreed to by the House of Representatives 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. PROCTOR, Mr. HANSBROUGH, and Mr. BATE were appointed.

UNION RAILROAD STATION.

The PRESIDENT pro tempore. The morning business is closed, and the Chair lays before the Senate the union railroad station bill.

The Senate resumed the consideration of the bill (S. 4825) to provide for a union railroad station in the District of Columbia, and for other purposes.

The PRESIDENT pro tempore. The question before the Senate is on the motion of the Senator from Montana [Mr. CLARK] to recommit the bill to the Committee on the District of Columbia.

Mr. BERRY. On that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. VEST. I should like to ask one question before I vote on the motion. If my memory is not incorrect, I think the senior Senator from New Hampshire [Mr. GALLINGER] stated yesterday that the proposed tunnel through Capitol Hill will run 175 feet, surface measurement, from the Library building. I should like to ask him in what direction from the Library building it runs, from the east or the north?

Mr. GALLINGER. Mr. President, if it is proper, I will answer the question.

The PRESIDENT pro tempore. By unanimous consent, the Chair thinks the Senator may answer it.

Mr. GALLINGER. I will say to the Senator that the proposed tunnel is to run north and south, on the west side of First street.

Mr. VEST. On the west side?

Mr. GALLINGER. Yes.

The PRESIDENT pro tempore. The Secretary will call the roll on the motion of the Senator from Montana [Mr. CLARK] to recommit the bill to the Committee on the District of Columbia.

The Secretary proceeded to call the roll.

Mr. BLACKBURN (when his name was called). I am paired with the Senator from Michigan [Mr. McMILLAN] and I withhold my vote in his absence.

Mr. CLAPP (when his name was called). In the absence of the junior Senator from North Carolina [Mr. SIMMONS], I withhold my vote.

Mr. DEPEW (when his name was called). I have a general pair with the Senator from Louisiana [Mr. McENERY], who is not present. If I had the privilege of voting, I should vote "nay." As he is not present I withhold my vote.

Mr. DOLLIVER (when his name was called). I am paired with the senior Senator from Mississippi [Mr. MONEY]. If he were present, I should vote "nay."

Mr. GIBSON (when his name was called). I have a general pair with the junior Senator from Utah [Mr. KEARNS], and withhold my vote.

Mr. PENROSE (when Mr. QUAY's name was called). My colleague [Mr. QUAY] is absent. If he were present, he would vote "nay." He is paired, however, with the senior Senator from Alabama [Mr. MORGAN].

The roll call was concluded.

Mr. SPOONER (after having voted in the negative). I have a general pair with the Senator from Tennessee [Mr. CARMACK]. I do not know that this is absolutely a party question, but it seems to me pretty near it. I prefer, therefore, to observe the pair. I withdraw my vote.

Mr. BERRY (after having voted in the affirmative). I suggest to the Senator from Wisconsin that I am paired with the Senator from Maryland [Mr. McCOMAS]. I did not notice at the time that he is absent, and I have voted. If the Senator desires, we can transfer our pairs, and he can vote.

Mr. SPOONER. Very well, then. The pairs may be considered transferred, and I will allow my vote to stand.

Mr. McLAURIN of South Carolina. I have a general pair with the senior Senator from North Carolina [Mr. PRITCHARD], and I withhold my vote.

Mr. FOSTER of Louisiana. I should like to inquire if the junior Senator from North Dakota [Mr. McCUMBER] has voted?

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

Mr. FOSTER of Louisiana. I have a general pair with that Senator, and will withhold my vote in his absence.

Mr. BURROWS. My colleague [Mr. McMILLAN] is necessarily absent from the city. If he were present, he would vote "nay." He is paired with the Senator from Kentucky [Mr. BLACKBURN].

Mr. DEPEW. I transfer my pair with the Senator from Louisiana [Mr. McENERY] to the Senator from New Jersey [Mr. DRYDEN], and vote "nay."

The result was announced—yeas 23, nays 43; as follows:

YEAS—23.

Bacon,	Culberson,	McLaurin, Miss.	Teller,
Bailey,	Daniel,	Mallory,	Tillman,
Bate,	Dubois,	Patterson,	Turner,
Berry,	Hansbrough,	Pettus,	Vest,
Clark, Mont.	Harris,	Rawlins,	Wellington.
Clay,	Heitfeld,	Taliaferro,	

NAYS—43.

Aldrich,	Depew,	Hoar,	Perkins,
Allison,	Dietrich,	Jones, Nev.	Platt, Conn.
Bard,	Dillingham,	Kean,	Platt, N. Y.
Beveridge,	Elkins,	Kittridge,	Proctor,
Burnham,	Foraker,	Lodge,	Quarles,
Burrows,	Foster, Wash.	Martin,	Scott,
Burton,	Frye,	Mason,	Simon,
Clark, Wyo.	Gallinger,	Millard,	Spooner,
Cockrell,	Gamble,	Mitchell,	Warren,
Cullom,	Hale,	Nelson,	Wetmore.
Deboe,	Hanna,	Penrose,	

NOT VOTING—22.

Blackburn,	Foster, La.	McCumber,	Pritchard,
Carmack,	Gibson,	McENERY,	Quay,
Clapp,	Hawley,	McLaurin, S. C.	Simmons,
Dolliver,	Jones, Ark.	McMillan,	Stewart.
Dryden,	Kearns,	Money,	
Fairbanks,	McComas,	Morgan,	

So the Senate refused to recommit the bill.

Mr. BACON. I move to amend the bill by striking out, on page 14, lines 11 to 23, inclusive, the provision which makes the District of Columbia liable for half of the damages. I ask that it may be read, in order that the Senate may see what it is.

Mr. BERRY. That leaves the Government to pay it all?

Mr. BACON. It does not make any provision about it. That is to be made afterwards.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Georgia will be read.

The SECRETARY. On page 14 it is proposed to strike out from line 11 to line 23, inclusive, in the following words:

DAMAGES.

All damages to adjacent property owners resulting from, incidental to, or connected with changes in the grades of the streets or alleys authorized by this act shall be borne, paid for, and defrayed by the District of Columbia, and shall be recoverable by action of law against the said District on the part of the owners of the property so damaged. Fifty per cent of the amounts so recovered shall be refunded to the said District by the United States: *Provided*, That in determining the damages as herein provided the jury shall take into consideration any benefits that may have accrued by reason of the location of said station in proximity to the property alleged to have been damaged.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Georgia [Mr. BACON].

Mr. BACON. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. BERRY (when his name was called). I am paired with the Senator from Maryland [Mr. McCOMAS].

Mr. CLAPP (when his name was called). In the absence of the junior Senator from North Carolina [Mr. SIMMONS], I withhold my vote.

Mr. DEPEW (when his name was called). I transfer my pair with the Senator from Louisiana [Mr. McENERY] to the Senator from New Jersey [Mr. DRYDEN] and vote "nay."

Mr. DOLLIVER (when his name was called). I renew the announcement of my pair with the senior Senator from Mississippi [Mr. MONEY].

Mr. FOSTER of Louisiana (when his name was called). In the absence of the junior Senator from North Dakota [Mr. McCUMBER], I withhold my vote.

Mr. GIBSON (when his name was called). I am paired with the junior Senator from Utah [Mr. KEARNS].

The roll call having been concluded, the result was announced—yeas 17, nays 43, as follows:

YEAS—17.			
Bacon,	Clay,	Mallory,	Turner,
Bailey,	Dubois,	Patterson,	Wellington.
Bate,	Hansbrough,	Taliaferro,	
Carmack,	Heitfeld,	Teller,	
Clark, Mont.	McLaurin, Miss.	Tillman,	

NAYS—43.			
Aldrich,	Depew,	Jones, Nev.	Platt, Conn.
Allison,	Dietrich,	Kean,	Platt, N. Y.
Bard,	Dillingham,	Kittredge,	Proctor,
Beveridge,	Elkins,	Lodge,	Quarles,
Burnham,	Foraker,	Martin,	Scott,
Burrows,	Frye,	Mason,	Simon,
Clark, Wyo.	Gallinger,	Mitchell,	Spooner,
Cockrell,	Gamble,	Nelson,	Stewart,
Cullom,	Hale,	Penrose,	Vest,
Daniel,	Harris,	Perkins,	Wetmore.
Deboe,	Hoar,	Pettus,	

NOT VOTING—23.			
Berry,	Fairbanks,	Kearns,	Money,
Blackburn,	Foster, La.	McComas,	Morgan,
Burton,	Foster, Wash.	McCumber,	Pritchard,
Clapp,	Gibson,	McEnery,	Quay,
Culberson,	Hanna,	McLaurin, S. C.	Rawlins,
Dolliver,	Hawley,	McMillan,	Simmons,
Dryden,	Jones, Ark.	Millard,	Warren.

So Mr. BACON's amendment was rejected.
Mr. MALLORY. I offer the amendment which I send to the desk.

The SECRETARY. On page 14, line 19, strike out all after the word "States" down to and including the word "damaged" in line 23 on the same page. Strike out the proviso.

Mr. GALLINGER. Read it.
The SECRETARY. It is proposed to strike out the proviso in the following words:

Provided, That in determining the damages as herein provided the jury shall take into consideration any benefits that may have accrued by reason of the location of said station in proximity to the property alleged to have been damaged.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Florida [Mr. MALLORY].

Mr. MALLORY. On that I ask for the yeas and nays.
The yeas and nays were ordered.

Mr. COCKRELL. Let the amendment be read.
Mr. SPOONER. I ask that the amendment be rereported.
The PRESIDENT pro tempore. The amendment will be again read.

The Secretary again read the proviso, on page 14, beginning in line 19.

The PRESIDENT pro tempore. The amendment is to strike out those words. The Secretary will call the roll on agreeing to the amendment.

The Secretary proceeded to call the roll.
Mr. BERRY (when his name was called). I am paired with the Senator from Maryland [Mr. McCOMAS].

Mr. FOSTER of Louisiana (when his name was called). In the absence of the Senator from North Dakota [Mr. McCUMBER], with whom I am paired, I withhold my vote.

Mr. GIBSON (when his name was called). I have a general pair with the junior Senator from Utah [Mr. KEARNS].
The roll call was concluded.

Mr. DEPEW. I transfer my pair with the Senator from Louisiana [Mr. McENERY] to the Senator from New Jersey [Mr. DRYDEN] and vote "nay."
The result was announced—yeas 14, nays 48; as follows:

YEAS—14.			
Bacon,	Dubois,	Mallory,	Turner,
Bate,	Hansbrough,	Pettus,	Wellington.
Carmack,	Heitfeld,	Rawlins,	
Clark, Mont.	McLaurin, Miss.	Teller,	

NAYS—48.			
Aldrich,	Deboe,	Hoar,	Platt, Conn.
Allison,	Depew,	Jones, Nev.	Platt, N. Y.
Bailey,	Dietrich,	Kean,	Proctor,
Bard,	Dillingham,	Kittredge,	Quarles,
Beveridge,	Elkins,	Lodge,	Scott,
Burnham,	Foraker,	Martin,	Simon,
Burrows,	Frye,	Mason,	Spooner,
Burton,	Gallinger,	Mitchell,	Stewart,
Clark, Wyo.	Gamble,	Nelson,	Tillman,
Cockrell,	Hale,	Patterson,	Vest,
Cullom,	Hanna,	Penrose,	Warren,
Daniel,	Harris,	Perkins,	Wetmore.

NOT VOTING—23.			
Berry,	Fairbanks,	McComas,	Morgan,
Blackburn,	Foster, La.	McCumber,	Pritchard,
Clapp,	Foster, Wash.	McEnery,	Quay,
Clay,	Gibson,	McLaurin, S. C.	Simmons,
Culberson,	Hawley,	McMillan,	Taliaferro.
Dolliver,	Jones, Ark.	Millard,	
Dryden,	Kearns,	Money,	

So Mr. MALLORY's amendment was rejected.
Mr. HANSBROUGH. I offer an amendment to come in after line 12, on page 17. It is to insert the following proviso:

Provided, That the payments by the United States Government and the District of Columbia to the Baltimore and Ohio Railroad for the elimination of grade crossings shall not exceed 40 per cent of the total cost of such work, such cost to be ascertained by the Secretary of War, who shall report to Congress in detail.

The PRESIDENT pro tempore. The Senator from North Dakota offers an amendment, which will be read.
The Secretary read the amendment.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from North Dakota [Mr. HANSBROUGH].

Mr. HANSBROUGH. On this amendment I ask for the yeas and nays.
The yeas and nays were ordered.

Mr. ALLISON. I ask that the amendment be again read.
Mr. CULBERSON. I should like to have the section read as it would stand if amended.

The PRESIDENT pro tempore. It will be read as requested.
The Secretary read as follows:

LIMIT OF TIME FOR COMPLETION.

SEC. 8. That of the works herein described, the lines of railroad leading northward and southward from the main passenger station and terminal connecting the same with lines of the Baltimore and Ohio Railroad Company and lines of the Baltimore and Potomac Railroad Company, respectively, shall be completed, and the main passenger station and terminals shall be ready for occupancy, within five years from the date of the passage of this act. The construction of said passenger station and terminal and viaduct by said terminal company, in accordance with the provisions of this act, shall be deemed and taken to be a full compliance by the Baltimore and Ohio Railroad Company with the requirements in that regard of the said act relating to it, approved February 12, 1901, and the respective periods of five and six years from the passage of said act, as mentioned in section 8 thereof, are hereby extended respectively for five and six years from the passage of this act. Except as modified by this act, all the provisions of said act relating to the Baltimore and Ohio Railroad Company, approved February 12, 1901, shall be and remain in full force and effect: Provided, That the payments by the United States Government and the District of Columbia to the Baltimore and Ohio Railroad for the elimination of grade crossings shall not exceed 40 per cent of the total cost of such work, such cost to be ascertained by the Secretary of War, who shall report to Congress in detail.

The PRESIDENT pro tempore. The Secretary will call the roll on agreeing to the amendment proposed by the Senator from North Dakota [Mr. HANSBROUGH].

The Secretary proceeded to call the roll.
Mr. FOSTER of Louisiana (when his name was called). I withhold my vote on account of the absence of the Senator from North Dakota [Mr. McCUMBER], with whom I am paired.

Mr. GIBSON (when his name was called). I am paired with the Senator from Utah [Mr. KEARNS] and therefore withhold my vote.

Mr. BURROWS (when Mr. McMILLAN's name was called). My colleague [Mr. McMILLAN], who is necessarily absent, is paired with the Senator from Kentucky [Mr. BLACKBURN].

The roll call having been concluded, the result was announced—yeas 14, nays 48; as follows:

YEAS—14.			
Bacon,	Clark, Mont.	Hansbrough,	Teller,
Bate,	Clay,	Heitfeld,	Turner.
Berry,	Daniel,	McLaurin, Miss.	
Carmack,	Dubois,	Taliaferro,	

NAYS—48.			
Aldrich,	Dillingham,	Lodge,	Proctor,
Allison,	Elkins,	Mallory,	Quarles,
Bailey,	Foraker,	Martin,	Rawlins,
Bard,	Frye,	Mason,	Scott,
Beveridge,	Gallinger,	Mitchell,	Simon,
Burnham,	Gamble,	Nelson,	Spooner,
Burrows,	Hale,	Patterson,	Stewart,
Clark, Wyo.	Hanna,	Penrose,	Tillman,
Cockrell,	Harris,	Perkins,	Vest,
Cullom,	Hoar,	Pettus,	Warren,
Deboe,	Kean,	Platt, Conn.	Wellington,
Depew,	Kittredge,	Platt, N. Y.	Wetmore.

NOT VOTING—23.			
Blackburn,	Fairbanks,	Kearns,	Money,
Burton,	Foster, La.	McComas,	Morgan,
Clapp,	Foster, Wash.	McCumber,	Pritchard,
Culberson,	Gibson,	McEnery,	Quay,
Dietrich,	Hawley,	McLaurin, S. C.	Simmons,
Dolliver,	Jones, Ark.	McMillan,	
Dryden,	Jones, Nev.	Millard,	

So Mr. HANSBROUGH's amendment was rejected.
Mr. HANSBROUGH. I now offer an amendment to come in in section 8, page 18, line 14, after the word "use," to insert "a portion of Garfield Park and;" so as to read:

And in consideration thereof, and of the relinquishment and surrender by said Baltimore and Potomac Railroad Company of its right to occupy and use a portion of Garfield Park and the portion of the Mall.

The PRESIDENT pro tempore. The question is on the amendment proposed by the Senator from North Dakota.

The amendment was rejected.

The PRESIDENT pro tempore. If there be no further amendments to the bill, the substitute proposed by the Senator from North Dakota [Mr. HANSBROUGH] is now in order. It has been read to the Senate. The question is on agreeing to that amendment. [Putting the question.] By the sound the "noes" have it.

Mr. HANSBROUGH. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. BATE. I ask that the amendment may be read, Mr. President, unless it is very long.

The PRESIDENT pro tempore. It is very long.

Mr. BATE. Very well, then, I withdraw the request for the reading.

The Secretary proceeded to call the roll.

Mr. BERRY (when his name was called). I am paired with the Senator from Maryland [Mr. McCOMAS]. If he were present, I should vote "nay."

Mr. GIBSON (when his name was called). I am paired with the junior Senator from Utah [Mr. KEARNS], and therefore withhold my vote.

Mr. QUARLES (when his name was called). I have a general pair with the Senator from Texas [Mr. CULBERSON]. In his absence I withhold my vote.

The roll call having been concluded, the result was announced—yeas 4, nays 51; as follows:

YEAS—4.			
Hansbrough,	Heitfeld,	Patterson	Turner.
NAYS—51.			
Aldrich,	Deboe,	Hoar,	Platt, N. Y.
Allison,	Depew,	Kean,	Proctor,
Bacon,	Dietrich,	Kittredge,	Scott,
Bailey,	Dillingham,	Lodge,	Simon,
Bate,	Dubois,	Malory,	Spooner,
Burnham,	Elkins,	Martin,	Stewart,
Burrows,	Foraker,	Mason,	Tallaferro,
Carmack,	Frye,	Mitchell,	Teller,
Clark, Mont.	Gallinger,	Nelson,	Tillman,
Clark, Wyo.	Gamble,	Penrose,	Vest,
Cockrell,	Hale,	Perkins,	Warrar,
Cullom,	Hanna,	Pettus,	Wetmore.
Daniel,	Harris,	Platt, Conn.	
NOT VOTING—33.			
Bard,	Dryden,	McComas,	Pritchard,
Berry,	Fairbanks,	McCumber,	Quarles,
Beveridge,	Foster, La.	McEnery,	Quay,
Blackburn,	Foster, Wash.	McLaurin, Miss.	Rawlins,
Barton,	Gibson,	McLaurin, S. C.	Simmons,
Clapp,	Hawley,	McMillan,	Wellington.
Clay,	Jones, Ark.	Millard,	
Culberson,	Jones, Nev.	Money,	
Dolliver,	Kearns,	Morgan,	

So Mr. HANSBROUGH'S amendment was rejected.

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

The PRESIDENT pro tempore. The question is, Shall the bill pass?

Mr. BERRY. I ask for the yeas and nays on the passage of the bill.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. BERRY (when his name was called). I have arranged with the junior Senator from New York [Mr. DEPEW] to transfer our pairs so that the Senator from Maryland [Mr. McCOMAS] will stand paired with the Senator from Louisiana [Mr. McENERY], and I vote "nay."

Mr. DOLLIVER (when his name was called). The Senator from Mississippi [Mr. MONEY], with whom I am paired, is absent. If he were present, I should vote "yea."

Mr. FOSTER of Louisiana (when his name was called). In the absence of the Senator from North Dakota [Mr. McCUMBER], with whom I am paired, I withhold my vote. If he were present, I should vote "nay."

Mr. GIBSON (when his name was called). I again announce my pair with the Senator from Utah [Mr. KEARNS].

Mr. BURROWS (when Mr. McMILLAN'S name was called). My colleague [Mr. McMILLAN], who, as I have said, is unavoidably absent, is paired with the Senator from Kentucky [Mr. BLACKBURN]. If present, my colleague would vote "yea."

Mr. PENROSE (when Mr. QUAY'S name was called). My colleague [Mr. QUAY], who is necessarily absent, is paired with the senior Senator from Alabama [Mr. MORGAN]. If present, my colleague would vote "yea."

The roll call was concluded.

Mr. DOLLIVER. I desire to transfer my pair with the Senator from Mississippi [Mr. MONEY] to the Senator from Connecticut [Mr. HAWLEY], which will enable me to vote. I vote "yea."

The result was announced—yeas 45, nays 24; as follows:

YEAS—45.			
Aldrich,	Depew,	Jones, Nev.	Platt, N. Y.
Allison,	Dietrich,	Kean,	Proctor,
Bard,	Dillingham,	Kittredge,	Quarles,
Beveridge,	Dolliver,	Lodge,	Scott,
Burnham,	Elkins,	Martin,	Simon,
Burrows,	Foraker,	Mason,	Spooner,
Clapp,	Frye,	Millard,	Stewart,
Clark, Wyo.	Gallinger,	Mitchell,	Warren,
Cockrell,	Gamble,	Nelson,	Wetmore.
Cullom,	Hale,	Penrose,	
Deboe,	Hanna,	Perkins,	
	Hoar,	Platt, Conn.	
NAYS—24.			
Bacon,	Clay,	Heitfeld,	Simmons,
Bailey,	Culberson,	McLaurin, Miss.	Tallaferro,
Bate,	Daniel,	Mallory,	Teller,
Berry,	Dubois,	Patterson,	Tillman,
Carmack,	Hansbrough,	Pettus,	Turner,
Clark, Mont.	Harris,	Rawlins,	Vest.
NOT VOTING—19.			
Blackburn,	Gibson,	McCumber,	Morgan,
Dryden,	Hawley,	McEnery,	Pritchard,
Fairbanks,	Jones, Ark.	McLaurin, S. C.	Quay,
Foster, La.	Kearns,	McMillan,	Wellington.
Foster, Wash.	McComas,	Money,	

So the bill was passed.

FORTIFICATIONS APPROPRIATION BILL.

Mr. PERKINS. I ask unanimous consent that the Senate proceed to the consideration of the bill (H. R. 13359) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill, the pending question being on the amendment offered by Mr. PROCTOR, to insert at the end of line 2, on page 6, the following:

Provided, That no part of the appropriation made by this act shall be used for constructing or procuring disappearing carriages, emplacements, or magazines therefor.

Mr. WARREN. I ask the Senator from California to yield to me that I may submit a conference report.

Mr. PERKINS. I yield for that purpose.

OMNIBUS CLAIMS BILL.

Mr. WARREN. I submit a conference report on the omnibus claims bill, which I send to the desk.

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 amendment of the Senate to the bill (H. R. 8587) for the allowance of certain claims for stores and supplies reported by the Court of Claims under the provisions of the act approved March 3, 1883, and commonly known as the Bowman Act, having met, after a conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the Senate amendment numbered 2, and agree to the same.

That the committee report a disagreement to the Senate amendment numbered 1.

F. E. WARREN,
WILLIAM E. MASON,
H. M. TELLER,
Managers on the part of the Senate.
THAD. M. MAHON,
HENRY R. GIBSON,
T. W. SIMS,
Managers on the part of the House.

Mr. COCKRELL. What is the effect of the conference report? I should like to have an explanation of it.

Mr. WARREN. For the information of the Senator from Missouri I will say that the amendments made by the Senate to the House bill were two. One of them was virtually to strike out the entire bill and to insert new and old matter together as a substitute, so that amendment numbered 1 really covers all the items that the Senate proposed in the bill.

Amendment numbered 2 related to the title only. The title of the bill when it came to us was, "A bill for the allowance of certain claims for stores and supplies reported by the Court of Claims under the provisions of the act approved March 3, 1883, and commonly known as the Bowman Act," and nothing else. We amended it by adding the words "and for other purposes."

The real disagreement is not as to all the items in amendment numbered 1, but is because of the fact that the House conferees received instructions from the House not to agree to certain claims called the Selfridge board claims. As a matter of fact, I will say, for the information of Senators, that the conferees are practically agreed upon all matters except as to one State claim, the differences as to which do not appear to me to be formidable. And as to the so-called Selfridge board claims I think I may say, without divulging any confidences which I ought not to, that two of the House conferees have felt that the Selfridge board claims should be paid in full, and the third one, although not favoring those claims, has suggested on one or two occasions that they

should be cut down to the same percentage of the total claims that similar claims were cut down to—and about as many and for nearly as large an amount in Selfridge board claims—as were allowed in the omnibus claims bill last passed; in other words, in the last omnibus claims bill there was a cut of 20 per cent off from all the so-called Selfridge board claims, and I think the same percentage from a large number of the largest of the so-called Bowman claims.

I will refer to the senior Senator from Colorado [Mr. TELLER] and ask him if I am not correct in that statement?

Mr. TELLER. I understand that is precisely the situation, Mr. President.

Mr. WARREN. The conferees on the part of the House, feeling bound by their instructions, have desired to report their disagreement in order that they may further test the sense of the House upon the matters contained in this bill.

Mr. HALE. Mr. President, the last remark of the Senator from Wyoming discloses the real situation. I suppose what will happen in the other branch will be a motion to recede from the so-called Selfridge board awards. If the House does not recede from its position and insists upon the attitude taken when it instructed its conferees, the matter will then go into another conference, and when reported here, although in the present form as one amendment, I suppose the Senator expects and realizes that opportunity will be presented to move that the Senate recede from its attitude with reference to the Selfridge claims, in order that the whole bill may not be put in peril by reason of those claims. I do not interpose it now, but I myself feel that whenever it next comes before this body the attitude of the Senate may as well be taken upon these claims, in addition to the attitude that the House has taken. I should not want to see the bill fail, because it has very valuable matter upon it aside from the award of the Selfridge board, and clearly, unless the House recedes, that question will have to be, at no far distant date, presented to the Senate.

Mr. WARREN. Mr. President, I think I ought to say, after the remarks by the senior Senator from Maine [Mr. HALE], that there is a little more to the situation as we get it unofficially from the cloakrooms and from members of the House. That is, that there is a serious—I think I may say very serious—resistance on the part of a great many members of the House to another class of claims in that measure—yes, two others, the Bowman claims and spoliation claims—and such members have felt that as these two classes of claims have passed through the Court of Claims, and that court had cut them down and made findings, they could perhaps afford to put behind them each one his own opinion that such claims were perhaps unworthy and should not be paid, if in doing that they could wipe out and do away with certain other claims that had been long before Congress and which also were findings of official boards of United States officers.

Mr. President, I want to say just one word in regard to the Selfridge board claims, because I have heard or overheard Senators, or at least one or two Senators, in private conversation say that they were rotten, that they ought not to be paid, etc. Of course this has not been publicly stated upon the floor, or I would probably have resented and replied to it. The history of the Selfridge board claims, briefly told, is simply this: A certain class of men who were then engaged in shipbuilding and machine building were approached in the time of the great civil war, when this country was in dire peril, and were asked to build certain vessels upon plans which were not yet completed.

The larger ones of those institutions were approached first with these half and less than half matured plans, and were asked to make bids upon them on grounds approximately as follows: "We want this boat built, and it will not cost more than, say, the *Paul Jones*. That was, say, \$80,000. You must bid \$80,000. We will complete these plans and we will see you through." In one case it was represented that the machinery should weigh a certain amount, and consequently cost a certain number of dollars, when, as a matter of fact, after the vessel was finally built and the machinery completed, according to later plans, it weighed several times as much and cost immensely more than the boat referred to.

The Government having taken that position with regard to the contracts, these parties were forced to do the work—and I say "forced," because we have the record showing that the Government, with its strong hand, approached the shipowners and said, "Either you will take this price and enter into contract to build these ships or the Government will take possession of your works and build them." With such shipowners or machine builders discretion was the better part of valor, and they entered into the contracts practically under duress. The plans were not complete. They were changed from time to time. Some of them were changed before the keel of the vessel was laid. The first vessel built under the first plan went down a mile from shore because the plans for the vessel were of such a nature that the carrying of them out produced a structure that would not float.

There was delay for from a few months in some cases to years in other cases, nor did they ever have plans complete. The evidence shows that these men asked, yes pleaded again and again, for completed plans. The Department had to wait for ideas for plans until certain experiments had been carried out, or until certain vessels had been floated, or until they had been put into the water to see if they would float.

Now, having built these vessels, the price of material having risen in some cases 100 per cent, and labor the same—we all remember the rapid inflation of prices during that period—the builders came to the Department and asked for pay, upon the basis of what these vessels had actually cost—nothing more and nothing less. The accounting officers of the Treasury and of the Navy departments who were to pay these accounts were bound, of course, so far as they were concerned, under their bonds, by the text of each contract as it read, and could not afford the necessary relief. Hence there was an equity that must be in some way settled. Congress evaded it for a time, as it evades all claims, and has done from time immemorial. Finally there was a request, too strong to be longer denied, for some tribunal. The Government itself selected its own tribunal, judge and jury. That tribunal (the Selfridge board, made up of distinguished officers) made these findings—so many dollars extra cost for this builder, on this ship, or on its fittings of engines and machinery, and so many dollars extra cost for the other. And that finding has remained a matter of record all these years.

The Senate and House have repeatedly had these claims under consideration. They have paid many of them in separate and individual bills and in omnibus bills. I think more than half of them, or about half of them, have been paid, and some of them have been sent to the Court of Claims, and in each instance, so far as I know, the finding of the Court of Claims has been for more money than was allowed under the Government board findings. Now has come the time when your committee, after digging through these claims day after day, night after night, and month after month, have concluded that there ought to be an end and a final settlement; that there ought to be a cleaning up of what is left, and in one bill, to avoid wasting further time of the Senate and House over the individual amounts. It is not fair to those who have not been paid that their neighbors should have been paid, since the claims are all on the same footing, all alike, on all fours together. It is not fair that this money which is due them should remain longer unpaid. In fact, the main opposition in the House to-day is that the claims are thirty or forty years old. But the claimants have never lagged and are not guilty of laches. Congress has been too busy some sessions and too parsimonious in some others to do its duty by these claimants. But yet several Congresses have passed bills in relief, and about one-half have been passed, as I have already stated.

Here we are, Mr. President, confronted with the findings of our own officers, our own courts, and the acts of former Congresses. Will we pay the balance of these claims, or will we say that they are rotten, and that the members of the Claims Committee are corrupt, because there has been an outrageous attack, through a nondescript falsification publication, secretly circulated in the House at the last moment, signed by a man who has been repudiated by the House and the Government on account of his bad habits and morals, and lying, and vicious "cussedness?" Are we going to allow ourselves to say that we will recede from these claims because he says they are rotten? I take it not. But on the other hand, Mr. President, it is always within the purview of a conference committee to cut out acknowledged good items and measures if it becomes necessary. I find there are men in the House who know all about these claims who feel that they would rather see the whole bill fail than have these claims cut out. I find there are others who feel that if this class of claims goes out certain other classes should go out as well.

So I think it would be unsafe at this time and now for the Senate to move to recede from any one of the claims which we have in the bill, although—and I agree with the Senator from Maine—that time may come; I do not think the time has yet arrived.

Mr. HALE. Mr. President, I did not, in what I said, mean in any way to enter into the merits of the award of the Selfridge board.

Mr. WARREN. I understood that.

Mr. HALE. I was only calling attention to the fact that we may be again confronted with the action of the House voting squarely, as it has done twice, against these claims and insisting upon its attitude. However good they may be, I do not think the Senate could long continue the controversy, when there are so many other items in the bill. All I intended was to call the attention of the Senate to that fact. The House, I suppose, will to-day consider the subject and take its attitude. If it recedes, that ends the whole matter most happily. If, on the other hand, it maintains the position it has already taken in two votes, the Senate being the moving party in putting these claims on, sooner or later, as I

have said, we shall be met with a motion to recede. I think the Senator is right in not making it now.

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

The conference report was agreed to.

FORTIFICATIONS APPROPRIATION BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13359) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes.

The PRESIDENT pro tempore. The question is on the amendment offered by the Senator from Vermont [Mr. PROCTOR]. It will be read.

The SECRETARY. On page 6, line 2, after the word "dollars," insert the following proviso:

Provided, That no part of the appropriation made by this act shall be used for constructing or procuring disappearing carriages, emplacements or magazines therefor.

Mr. PROCTOR. Mr. President, I wish to ask the Senator from California [Mr. PERKINS] if he does not think it would be unwise to expend more money on the manufacture of these carriages, which have already cost so many millions and will cost many millions more if this scheme is carried out, until there has been a full, perfect test under service conditions?

Mr. PERKINS. Mr. President, when the amendment was offered yesterday by my friend from Vermont [Mr. PROCTOR], I should have then stated that the committee had considered this matter during the past few years and were willing at any time, and anxious, to refer it to a competent board to again pass upon this whole question.

The amount involved yesterday was a very small sum, not one-half what has been estimated for by the Secretary of War, and is in the Book of Estimates. I did not make that statement at the time because at the proper time I trusted and hoped that the Senator would withdraw his amendment and either offer one in the line I have suggested or permit your committee to present one which expressed their view.

That which I did object to on behalf of your committee is that Congress has not proved to be a success as experts in building gun carriages, in manufacturing guns, or in passing upon the qualities of high-explosive powder. The Senate is competent, if it had the time, or individual members of it perhaps are, but we have not the time to give it the consideration that those who have made a special study of the subject bestow upon it.

This morning I am in receipt of a letter from the Secretary of War relative to the subject-matter to which the Senator from Vermont refers. If he will withdraw his amendment offered yesterday and present an amendment which he has formulated, I think I will be justified, after having the letter read which has been sent me by the Secretary of War, in accepting the same, if there be no objection on the part of my associates upon the committee.

Mr. PROCTOR. I therefore offer a modification of my amendment, the first part of it being precisely the same and providing for a test.

The PRESIDENT pro tempore. The Senator from Vermont modifies his amendment. As modified it will be read.

The Secretary read as follows:

Provided, That no money appropriated by this bill shall be expended for disappearing carriages or emplacements or magazines therefor until a thorough test has been made by a disinterested board of officers of high rank and at least one mechanical engineer of high standing, with not less than 30 shots from a 10-inch gun, with full charges of smokeless powder and full weight of shot, under all the conditions of actual service, the whole time elapsing between the firing of the first shot and the firing of the last shot being reported, and also the time elapsing between the firing of each shot in succession, the cost of such test to be paid out of this appropriation.

Mr. PERKINS. I ask that the letter of the Secretary of War be read in connection with this proposed amendment.

The PRESIDENT pro tempore. Does the Senator from Vermont yield for that purpose?

Mr. PROCTOR. Certainly. I was merely about to say that I drew this amendment and submitted it to the Secretary of War last night, and had a note from him saying that it is satisfactory to him.

The PRESIDENT pro tempore. The Secretary will read the letter.

The Secretary read as follows:

WAR DEPARTMENT, Washington, May 15, 1902.

MY DEAR SENATOR PERKINS: I have just received from Senator PROCTOR the inclosed draft of an amendment which he proposes to offer to the fortifications bill, and providing for a thorough test of disappearing carriages, and he asks me to communicate to you my views regarding it. I think the amendment is a very proper one, and I should be very glad to have it adopted. My view regarding the disappearing gun carriages has been that they were adopted after very full consideration, both by the Ordnance Department and by the Board of Ordnance and Fortification, under the direction of officers of the highest rank and authority, such as General Schofield and General Ab-

bott, and there has never been in my mind any sufficient ground established for reversing the conclusions reached by those officers. The raising of the question, however, makes it very proper, and I think it is very desirable that no pains should be spared to test the question, in every way possible, whether the established policy of the Government in regard to these carriages should be reversed.

Very sincerely, yours,

ELIHU ROOT.

HON. GEORGE C. PERKINS, *United States Senate.*

Mr. TELLER. Mr. President, I think the amendment of the Senator from Vermont [Mr. PROCTOR] is a very proper one, and I am very glad it has the approval of the Department. I myself gave a good deal of attention to this question of disappearing gun carriages some years ago, and I confess to have had some prejudice against the present Buffington-Crozier carriage. I have not believed and do not now believe that it is yet such a carriage as we ought to have, but it is undoubtedly the best carriage now in existence. A better one, in my judgment, can be arranged. There are some defects in it to which the attention of the Department has been called from time to time, but the policy of the Department has been for many years to receive no suggestions from outside people.

The Senator from Vermont spoke of the Board of Ordnance and Fortification. I had something to do with the creation of that board, as did some other Senators who are here, for the purpose of getting into the Department a board that would accept from the best engineers of the country suggestions on questions of this kind. I am sorry to say I think the way that board has been constituted most of the time it was not any great improvement on the former conditions. This trial, I think, ought to show that there are some defects which can be obviated in the present carriage. I know they have been pointed out by some very able engineers. I think perhaps the carriage can be made to be a very valuable one for some places, but only for some places. The idea that it shall be put everywhere is simply absurd, but there are places where a disappearing carriage is almost a necessity.

Mr. COCKRELL. On low land.

Mr. TELLER. The Department, I understand, is going upon the theory that they are not to be put up in every place, because they are a rather expensive machine. There are places where I believe a much cheaper carriage would be very much more valuable than the disappearing carriage. Then there are other places again where it is almost a necessity that we shall have some kind of a disappearing carriage.

So I shall be very glad myself to vote for this compromise, hoping that the trial, which seems to be a proper one, will bring about what we all desire, the securing of the best gun mount there is.

Mr. WARREN. Mr. President, I agree with the general proposition of the Senator from Colorado [Mr. TELLER]. I do not believe the Senator from Colorado would wish to be understood as saying that the Department has refused to entertain propositions of investigation into gun carriages other than the Buffington-Crozier.

Mr. TELLER. Mr. President, if the Senator will allow me, I am not talking about the present board as now constituted, but the board of some years ago. It was utterly useless for anybody who was not an Army officer within the circle of their acquaintance to go and suggest anything in the line of gun carriage or almost anything else. As now constituted, I know nothing about it. I have not given any attention to it for a number of years.

Mr. WARREN. Now, Mr. President, without taking issue with the Senator, because he and I can not differ upon that point, he will remember that we have done something along the line of investigation in disappearing gun carriages. It has not been entirely along the line of the Buffington-Crozier, because we have in this bill that is now before us a settlement proposed with another company which had been employed by the Government to construct a type of disappearing carriage.

Representatives of that contractor were before the subcommittee and stated very frankly that they had failed to bring out as good a carriage as they expected, and furthermore that the Buffington-Crozier carriage was a much better one, and therefore they desired to settle with the Government without further perfecting their type of gun carriage.

Further than that, we have appropriated quite lately some \$180,000 altogether for an outside inventor to use in inventing and constructing a type of disappearing carriage. There are some fifty-odd thousand dollars standing now to the credit of that inventor, or that carriage, so that we have not had a change of heart upon the desirability of disappearing carriages.

Mr. President, it may be useless for me to prolong my remarks, since I have no objection to the amendment as proposed, but I do feel that since the subject was brought up in the manner it was and the record made up as it is, there are some facts which I ought to put in the record.

The amendment as first proposed by the Senator from Vermont [Mr. PROCTOR] was an attempt to take away arbitrarily from

the Secretary of War, an officer in whom we have the utmost confidence as to ability, fidelity, and honesty of purpose, all discretion, and it was to take power away from our Army boards; to leave our engineers, our artillerymen, and our ordnance officers all bound hand and foot as to the construction of gun carriages. The amendment as now proposed opens it to an investigation which is of course proper and to which no one objects.

But, Mr. President, yesterday a record was attempted to be made by the Senator from Vermont that the present Chief of Ordnance was the patentee of the gun carriage in use; that he had sold to a company the rights to the patent for foreign countries. The intimation is clear, in reading the statement as made, that the Senator means to charge that this would probably unduly influence the Ordnance Department; and following the inference further, the suspicion would arise that the Senator intimated that an inferior carriage might be accepted because of personal interest.

Mr. President, I fail to see where any special personal interest arises. The patent, when it was issued, was free for the use of the United States and it is so stated in the patent itself. There is not a possible benefit that can come to either General Buffington or General Crozier by the use of that carriage in the United States. There is no incentive, in my judgment, for the Board of Ordnance to feel that they have any interest whatever in that particular carriage, except the loyal one of best serving the interests of the United States.

What is the history? The history is not that Messrs. Buffington and Crozier first applied for a patent and then came before the United States to sell it, or that they started in for the securing of a patent to make money out of for themselves. Congress created the Endicott board to take up the whole matter of our fortifications and coast defenses. Almost the first expression of that board was regarding the necessity of having some kind of a disappearing carriage.

The War Department was appealed to and sent men abroad to examine all the disappearing carriages in use abroad as well as at home. It happened to fall to Captain Crozier to be selected one of those upon whom was charged the responsibility of finding a good disappearing carriage, if any existed, and if not, to develop one. After looking the entire field over he came to the conclusion that none was up to the desired standard, but he discovered, however, that a patent had been issued to General Buffington a long time ago. He appealed to General Buffington to go on and complete and improve his patent, asking for a further patent, if he desired, General Crozier still not desiring to enter the field himself.

General Buffington refused to have anything to do with the further study of perfecting it. Captain Crozier started to work along other lines to see what other carriage, if any, would do, but his final conclusion was that, taking the principle of the Buffington carriage and adding the product of his own inventive genius, he could evolve a carriage which he believed would answer. Time passed. Crozier completed his plan and type, and, after laborious and continuous application, he reported to the War Department. The War Department—and I will put it in the RECORD—considered it of importance, sufficiently so that the then Secretary of War in his annual report complimented the country and complimented the Department upon having evolved the best carriage in the world.

The Secretary of War, in his annual report for the year 1894, writes as follows:

The establishment of type disappearing gun carriages for 8-inch and 10-inch guns, invented by officers of the Ordnance Corps, and believed to be unequalled for rapidity and simplicity of action by any carriage elsewhere in use, is a notable achievement of the year. This problem solved, the armament of our harbors may now be prosecuted as rapidly as means are available.

At the date of the last annual report of the Department a selection of a type carriage for 8 and 10 inch guns was expected within a few months. Since then the 8-inch Buffington-Crozier disappearing carriage has been tried, with results, as stated by the Board of Ordnance, "exceeding for rapidity and smoothness of operation the most sanguine expectations of this board." The carriage is the combined invention of Colonel Buffington and Captain Crozier, of the Ordnance Department, and reflects credit on the inventive skill of American officers.

It is a satisfactory solution of one of the most difficult problems which has confronted military science. I concur in the recommendation that liberal appropriations be made for the manufacture of these carriages for service, so that expenditures for guns of this caliber and emplacements prepared for them may speedily be utilized.

The President of the United States considered the achievement important enough to merit a mention in his annual message. I ask to put the language in the RECORD.

The annual message of the President to Congress of December 7, 1896, makes the following reference:

During the same year, immediately preceding the message referred to, the first modern gun carriage had been completed and 11 more were in process of construction. All but one were of the nondisappearing type. These, however, were not such as to secure necessary cover for the artillery gunners against the intense fire of modern machine, rapid-fire, and high-power guns.

The inventive genius of ordnance and civilian experts has been taxed in designing carriages that would obviate this fault, resulting, it is believed, in the solution of this difficult problem.

It was brought to the notice of those abroad, and was complimented there by very many, from Krupp, the great gun maker, down; and still Mr. Crozier had no patent and asked for none. He asked for no interest and expected no benefits. But, Mr. President, at the suggestion of higher officers of the United States he applied for a patent, and was impelled, because he had used Buffington's patent as a foundation, to preserve in the patent Buffington's name. Therefore the patent came out in the name of Buffington and Crozier.

But there was no interest, there was nothing in common between Generals Buffington and Crozier in any way except as they were necessarily thrown together in this one connection. I do not understand that they have been in entire harmony all of the time upon all matters. Finally, the United States felt that it desired to protect itself against foreign countries. It could not patent the device at home or abroad and so Captain Crozier was appealed to to take out and secure the benefit of a patent to protect the United States, and he did so.

All of this to show you that it could not have been Crozier's original or later intention to make money upon his patent.

About this time Crozier was appointed a professor in the West Point Military Academy, and his commission was issued and sent to him. He was then a junior captain. His commission carried with it the pay and allowances of a lieutenant-colonel. It was a life position and one that after ten years gave him a colonel's position, with all its perquisites and with all the rights of retirement, but such was his love for his chosen work that he declined the promotion.

Now, for a small sum, and that only to cover expenses, etc., the rights abroad were sold to the Bethlehem Company. Why? To make money for the patentees? Not any more than to protect the United States. If the United States had a patent that it thought was better than any for a similar purpose in other countries, it was to its interest to protect itself with the patent rights, so that if other countries of the world should desire to use our type of carriage they should be compelled to pay a royalty charge for it, and citizens in this nation should get the benefit of it.

We had a duly organized Board of Ordnance and Fortification. This invention was under examination from time to time, and it is a curious fact, but a fact nevertheless, that the first four reports—and I will ask to insert them—were all of them, as I am informed, unanimately in favor of this particular gun carriage.

General Schofield was the chairman of the board at its first meetings, and joined in the favorable reports. At that time neither Crozier nor Buffington was a member of the board; in fact, there never has been at any one time but one member from the Ordnance Department.

And with all the changes on that board, the first four reports are unanimately in favor of this particular gun carriage. Upon the fifth and last report out of the 5 votes 3 voted against and 2 voted for a large and continued use of the Crozier carriage, and, curiously enough, that was the first board upon which either of the patentees had served.

I submit herewith the five reports referred to:

EXPRESSIONS OF THE BOARD OF ORDNANCE AND FORTIFICATION IN REGARD TO THE DISAPPEARING CARRIAGE.

[Report for period from date of organization of the board to October 24, 1891: Maj. Gen. J. M. Schofield, president; Col. Henry L. Abbott, Corps of Engineers; Col. Henry W. Closson, Fourth United States Artillery; Col. A. Mordecai, Ordnance Department, United States Army, and Mr. Byron M. Cutcheon, members, 1891.]

In these days of naval range finders, machine guns, small arms of wonderful precision, and smokeless powders, the handling of heavy guns, mounted upon ordinary barbette carriages on low sites, is certain to be productive of such destructive results as to forbid its being attempted.

[Report of board for year ending October 31, 1894: Maj. Gen. J. M. Schofield, president; Col. Henry L. Abbott, Corps of Engineers; Col. Henry W. Closson, Fourth United States Artillery; Maj. Frank H. Phipps, Ordnance Department, United States Army, and Mr. Byron M. Cutcheon, members, 1894.]

The 8-inch carriage of this type had been received at the proving ground prior to the last annual report, and was being assembled and mounted on that date.

Since then it has passed a most satisfactory test at the hands of the Ordnance Board, exceeding for rapidity and smoothness of operation the most sanguine expectations of this board. This is an absolutely new type of disappearing carriage, the result of the combined inventions of Colonel Buffington, United States Ordnance Department, and Captain Crozier, Ordnance Department. It is a strictly American invention. Although of an entirely novel type, never before subjected to trial, it passed successfully through its test without so much as the breakage of a bolt, or any accident whatever. Only slight alterations in the recoil mechanism were required. The board regards this as a remarkable record. This is a front pintle carriage and traverses through 180 degrees.

The board recommends that liberal appropriations be made, so that the expenditure for guns of this caliber and emplacements therefor, already made, may be speedily utilized.

Ten-inch Crozier-Buffington disappearing carriage: This carriage, which was in process of fabrication at the date of last report, has been completed, assembled on its platform at Sandy Hook, and fully tested and accepted during the year.

The carriage does not materially differ, except in proportions, from the 8-inch carriage. Only slight modifications were required, especially in the hydraulic cylinders for checking recoil, in order to make it work satisfactorily. Like the 8-inch carriage of this type, the test has been completed without accident and to the entire satisfaction of the board.

[Report of board for year ending October 31, 1897: Maj. Gen. Nelson A. Miles, president; Col. Royal T. Frank, First United States Artillery; Col. Peter C. Hains, Corps of Engineers, United States Army; Maj. Frank H. Phipps, Ordnance Department, United States Army; and Mr. Joseph H. Outhwaite, members, 1897.]

The test of this carriage (12-inch) is nearly completed, and it has proven an unqualified success. The development of this carriage is considered by the board as a decided advance, as it enables the Government to mount its heaviest guns under cover without resorting to such expensive devices as the gun-lift battery and armored turrets, which were considered the only solution of the problem a few years ago.

[Report of board for year ending October 31, 1898: Maj. Gen. Nelson A. Miles, president; Col. Royal T. Frank, First United States Artillery; Col. Peter C. Hains, Corps of Engineers, United States Army; Maj. Frank H. Phipps, Ordnance Department, United States Army, and Mr. Joseph H. Outhwaite, members, 1898.]

This carriage (12-inch) was completed at the Watertown Arsenal May 6, 1897. It has since passed a very satisfactory test at the proving ground, and has been issued to the service.

[Report of board for year ending October 31, 1899; members as above.]

* * * For the 6-inch, the Chief of Ordnance proposed two mounts, a disappearing carriage of the Crozier-Buffington system and a pillar mount similar to that for the 8-inch, with a preference in favor of the former. As the pillar-mount system will be thoroughly tested with the 5-inch gun, the board decided to test the Crozier-Buffington with the 6-inch.

If sufficient rapidity of fire can be obtained with this design, its advantages are obvious. The pillar mount, though under cover of the parapet when not firing, is necessarily exposed in action. The gun detachment is somewhat protected by the gun shield, but this is, of course, inadequate against large-caliber guns. With the disappearing system the gun is only above the parapet at the instant of firing and the gun detachment is completely protected, with the exception of the gun layer, whose head only is exposed in sighting. The sight is placed upon the carriage instead of upon the gun, and the gun can be laid while being loaded. It remains to be seen, when the two types are tested, whether or not the pillar mount will show any marked superiority in rapidity of aimed fire.

[Report of board for year ending October 31, 1900: Lieut. Gen. Nelson A. Miles, president; Brig. Gen. John M. Wilson, Corps of Engineers, United States Army; Brig. Gen. A. R. Buffington, Ordnance Department, United States Army; Col. John I. Rodgers, Fifth United States Artillery, and Mr. Thomas J. Henderson, members, 1900.]

The 6-inch rapid-fire gun on Buffington-Crozier mount (disappearing).—The tests of this gun and carriage have been completed during the year at the proving ground at Sandy Hook, N. J. As the result of these tests the board, at its meeting on October 5, 1900, took the following action:

While the mechanical operation of the carriage is satisfactory, it is the opinion of the board that, in the interests of economy in the construction of carriage and emplacements and of the general efficiency of the service, this carriage should not be adopted as a type, and it is recommended that no additional carriages of this type shall hereafter be procured for rapid-fire guns.

After giving the question of nondisappearing and disappearing carriages for 8, 10, 12, and 16 inch high-power guns for coast fortifications and the opinions of artillery officers careful consideration, it is the judgment of the Board of Ordnance and Fortification that it would be unwise and injudicious to locate any more guns on disappearing carriages than those now under process of construction on high or medium sites, and no more should be placed (than those now under process of construction) on low sites until the proportion of those to be placed in such fortifications shall have been limited to one-third of the total number to be so located.

Note on above resolution of president of the board (proceedings of October 8, 1900): Ayes—General Miles, General Rodgers, General Henderson; noes—General Wilson, General Buffington.

The present Board of Ordnance and Fortification are in favor of the Buffington-Crozier disappearing gun carriages for certain sites.

Now, Mr. President, the engineers have charge of the new emplacements and of the selection of gun carriages therefor. There has been no evidence introduced here that the engineer force of the United States is opposed to disappearing gun carriages or disapproves of them. Certain officers of the artillery department who have the matter of the guns, when constructed, in charge were called upon by the Secretary of War for opinions and criticisms. Some 90 have expressed their opinion.

It will be observed that the questions were peculiarly worded, and were evidently made with a view of inviting criticism. They were made with a view of getting at the facts, not as to whether the gun carriages as then constructed were properly constructed, but, if not, in what respect were they not, and how could they be improved upon. I have gone through all of the letters written by those officers.

Mr. PROCTOR. The Department succeeded in getting criticism.

Mr. WARREN. They did. I should be very sorry to see this country ever arrive at a stage when its scientists and its experts should all agree, because whenever there is perfect agreement there is stagnation, and whenever stagnation comes the nation dies; we have no competition and no progress.

But, Mr. President, are we to follow the minority or are we to follow the majority? It has never been claimed that a disappearing carriage always is the thing for all sites and under all circumstances. I do not claim it; I do not think the Department claims it.

When we look through these questions, which invited criticism as to all sites, we find that quite a large majority is against the disappearing gun carriage as to high sites. We find, on the other side, that a very large majority is for these gun carriages upon all low sites. Therefore, if we are going to take the weight of evidence of our experts, from whom we have invited criticisms and answers, we are going to decide that the gun car-

riage is not always useful upon high sites, but that it is intensely useful upon low sites.

In arranging the names of the responding artillery officers according to the measure of their approbation or disapprobation, I have here a list in which I have the entire 91 answers, some of which were noncommittal. In arranging them according to the measure of their approbation it is safe to say that if you go down the list to the fortieth and forty-fifth or fiftieth, or more than half way down, and find them complimentary, then the majority is in favor of the carriage upon some site, either high or low.

The result of this computation I will ask to put in the RECORD, since the Senator from Vermont has put in his synopsis. I ask to put into the RECORD a summing up which will show for itself whether it is correct or incorrect, as all the names are given.

REPLIES OF ARTILLERY OFFICERS TO THE QUESTION, "IN YOUR JUDGMENT, ARE THE DISAPPEARING CARRIAGES NOW MOUNTED IN MODERN WORKS SATISFACTORY OR UNSATISFACTORY?"

No expression of opinion.—Randolph, Marsh, Rogers, Rumbough, Stone, Vogdes, Danes, Berry, Blake, Coe, and Lassiter—11.

Satisfactory.—Kinzie, Lancaster, Myrick, Woodruff, Bailey, Blunt, Chase, Cronkite, Captain Harris, Hills, Hoyle, Hubbell, Leary, Pratt, McClellan, Walker, Wisser, Campbell, Chamberlain, Davis, Hains, Hayden, Hero, Hubbard, Johnston, McNair, Martin, Winston, Ferguson—29.

Fairly satisfactory.—Adams, Califf, Conklin, Newcomb, Townsley, and White—8.

Of its type satisfactory.—Hasbrouck, Homer, Treat, Van Deusen, and Skerrett—5.

Satisfactory if we must have one.—Haskin—1.

Partially satisfactory.—McCrea, Major Strong, Alexander, Hamilton, Lundeen, Patterson, Captain Strong, Weaver, Arnold, Hunter, Gatchell, Gatley, Landon, and Snow—14.

Machinery too complicated.—Burbank, Van Ness, and Whistler—3.

Not satisfactory per se; weakness lies in the animate artillery.—Captain Best—1.

Unsatisfactory under existing conditions of numerical strength and pay of enlisted men.—Barrette.

Unsatisfactory.—Anderson, Applewhite, Brown, Day, Harlow, First Lieutenant Harris, Hoskins, Kephart, Lomia, Morris, Ridgway, Pence, Ruckman, Schenck, Spinks, Stewart, and Walke, and Col. J. I. Rogers—18.

Unsatisfactory to some degree.—Bartlett.

Best attainable, but condemns use on all sites.—Todd.

SUMMARY.

No expression of opinion.....	11
Unsatisfactory under existing conditions.....	1
Total.....	12

Satisfactory.....	29
Fairly satisfactory.....	6
Of its type, satisfactory.....	5
Satisfactory if we must have one.....	1
Partially satisfactory.....	14
Not satisfactory per se; weakness lies in animate artillery.....	1
Total.....	56

Machinery too complicated.....	3
Unsatisfactory.....	18
Unsatisfactory to some degree.....	1
Best attainable, but condemns use on all sites.....	1
Total.....	23

In looking over the synopsis and letters I do not find that the majority of evidence is against the disappearing carriage except on high sites. On the contrary, the evidence is very strongly in favor of disappearing carriages on all low sites.

I have information before me regarding opinions abroad of disappearing carriages, and I come to the conclusion from reading this information and from all the information I can get that all countries are interested in disappearing gun carriages, but a country which has its emplacements and guns all in position is not as anxious to change and put in disappearing carriages, even though it be an improvement, as a country which is engaged in building new fortifications.

I do not believe any other country has as vigorously pursued the problem of coast defenses and fortifications of late years as has the United States. This country long neglected its coasts, but finally, and I think very properly, took up vigorously the matter of its coast defenses and fortifications. It had a clear field, and it very properly went the world over to see if the desire expressed on every hand and in every country for a disappearing carriage was well founded in desirability or necessity, and to see if the proper carriage existed, and if such a carriage did not exist to find one or to try to invent and build one which would be satisfactory.

I presume the present carriage may not be as complete and satisfactory as we may yet see. This is an age of progress. We may find something which will be far better. But I do not believe there is necessity for condemning both the present carriage and the people who invented it until we find something better, or until we find some reason for such condemnation.

There have been letters and papers introduced here from those who extremely disapprove of the disappearing gun. One officer, Ruckman, who writes a letter which covers some eight pages of closely printed matter in Senate Doc. No. 336, this session, was quoted yesterday by the Senator from Vermont [Mr. PROCTOR], and his letter went in the RECORD. As against that I desire to

offer three letters—they are not long ones—from three distinguished officers who take an opposite view. The three letters taken together will not require as much space as Ruckman's occupied in the RECORD. All of these officers are peculiarly qualified, through experience, to pass judgment.

No. 1.

HEADQUARTERS DEPARTMENT OF CALIFORNIA,
ARTILLERY INSPECTOR,
San Francisco, Cal.

In the first place, I think I have had as much practical experience with both carriages as any other officer of artillery. At the breaking out of the war with Spain my battery was assigned to the five 10-inch B. L. rifles, mounted on disappearing carriages at Fort Winfield Scott, San Francisco. Three of these carriages were model 1894, two of model 1896. We were in camp just in rear of the guns for eight months, serving them four hours daily, except Sundays. Most of this time I was in command of a battalion of artillery serving the entire armament at Fort Scott, and thus had experience with the 12-inch B. L. rifles mounted on barrette carriages. During the period mentioned the 10-inch guns were frequently fired. At target practice I have witnessed the firing of the 12-inch guns on barrette carriages. For the last six months my battery has had charge of the entire armament of Fort Scott.

As a result of this experience I am totally in favor of the disappearing carriage for all sites—low, medium, and high.

In an action with a spirited naval antagonist I am confident the fire of the barrette gun will soon be silenced or kept down by the secondary armament of the ships, while the disappearing gun will continue its fire undisturbed. Nor will shields afford sufficient protection to prevent the silencing of the barrette guns.

As to the "mechanical complication" of the disappearing carriage as compared with the barrette carriage, this is not to my mind and in my experience what others allege. When the latter carriage is supplied with retraction gearing, as contemplated, it will, to a novice, appear much more complicated. The principal difference then between it and the former carriage will be the gun levers and counterweights, which in themselves are very simple and positive in their action, requiring no attention.

Guns mounted on the disappearing carriage are more rapidly fired than when mounted on the barrette carriage, caliber for caliber. Moreover, the personnel serving the latter will become played out from fatigue much sooner than will be the case with those serving the disappearing gun, caliber for caliber.

The barrette carriage certainly requires less attention in its care and preservation. This cuts no figure, however, for my battery, with 20 men short (on the average), takes care of five 10-inch rifles (disappearing), three 12-inch rifles (disappearing), five 10-inch rifles (barrette), three 8-inch rifles (disappearing), three 15-inch pneumatic guns, thirty-two 12-inch mortars, two 6-inch disappearing carriages, keeps all of the emplacements, drains, roadways, slopes, etc., in perfect order, drills twice a week at infantry drill, furnishes the guard for the entire armament, and prepared this entire armament and furnished the manning details for same in the recent test by you.

In my experience I have met with no difficulty in serving the disappearing carriage. To one who has had little or nothing to do with it the carriage looks complicated.

I consider the disappearing carriage a practical, serviceable mounting, not too complicated or delicate to be maintained in working order and not requiring more expenditure of labor or greater skill in serving it than can reasonably be expected of the personnel we are liable to have in the artillery service.

Yours, very truly,

SEDGWICK PRATT.

No. 2.

ON BOARD U. S. ARMY TRANSPORT MEADE,
At Sea, December 26, 1899.

I was on duty at Fort Wadsworth, N. Y., in 1896, when the first five of the carriages, model 1894, for 8-inch guns were mounted, and though I was not directly in charge of the work of mounting the guns, I assisted in this, and as these were the first mounted in service, so far as I knew, naturally took great interest in all stages of the work.

After these guns were mounted I was detailed as president of a board of officers, consisting of Lieut. F. S. Harlow, First Artillery; Lieut. I. N. Lewis, Second Artillery, and myself, to graduate the elevating circles of these guns and to report upon the condition and serviceability of the mounting. To the best of my recollection the board found all but one of the guns in practicable working order, except in regard to a few minor details. The unserviceability of this gun was due to defects in the platform.

During the summer of 1898 I was on duty at Kest West, Fla., and assisted in the mounting of two 8-inch guns on disappearing carriages, model 1894, and three 10-inch guns on carriage model 1896, besides a number of mortars and rapid-fire guns. The work of the mounting was in direct charge of Capt. C. H. McKinstry, Engineer Corps, who had as an assistant a Mr. Raybold, a machinist who had mounted a number of guns on disappearing carriages at other places. Under the supervision of Mr. Raybold no difficulty was experienced in assembling the carriages, and from what I thus saw and had already seen at Fort Wadsworth, of such work, I have not the slightest hesitation in stating that all necessary information for mounting guns on these carriages can be obtained from the pamphlets of instruction furnished by the Ordnance Department, when the ordinary mechanical knowledge which every officer of artillery should possess is considered.

Regarding the working condition of these carriages, so far as they alone were concerned, this was found to be practically perfect after they had been thoroughly cleaned and oiled. With the model 1896 carriages some little difficulty was at first experienced in causing the guns to rise from their loading to the firing position, necessitating the use of a lever to start them; but after the guns had been cleaned and oiled and counter-weight was adjusted no further trouble of any kind was had with these carriages, and I was simply delighted with the working of this model, which appeared to me to be as nearly a perfect piece of mechanism as human ingenuity could devise.

The carriages of both models were under my charge for about six weeks after they had been assembled, and during this time were operated daily, Sundays excepted. No difficulty whatever was experienced in keeping them in proper working condition, and as the carriages became more and more clean, the operations of traversing, elevating, hauling the gun down to its loading position or causing it to rise to its firing position, became more and more easy.

Regarding the graduation of the circles, I was unable to test that on the elevating circle for lack of proper facilities; that on the azimuth circle I tested with great care by means of a transit set up under the gun in its firing position with the model 1894 carriages, and upon the gun with the 1896 carriages, and found the graduation practically perfect, though the arcs of the traverse circles of the model 1896 were slightly out of their true position. * * * No difficulty was found in adjusting the index of the elevating circle. This was done by placing a steel straightedge in the bore and using the machinist level.

The gun batteries where this work was done were located on a sandy point near the water's edge. The air in that locality was constantly saturated with salt-water spray; high winds, carrying dust and sand into every crack and crevice, prevailed almost daily, and heavy rains were of frequent occurrence. The guns had no protection whatever from the weather at any time, and the batteries could not have well been more exposed to deteriorating influences. From the experience gained from caring for these guns and their carriages under such circumstances, I am perfectly confident that such carriages can be kept in perfect working condition at all times by not more than one-half an hour's work of their permanent detachments per day.

From my experience, as given above, I would therefore say that to keep the Buffington-Crozier disappearing carriages at a garrisoned post in perfect order, ready for immediate use, it would be simply necessary for a post commander to assign the batteries to particular guns, and direct the battery commanders to keep these guns in perfect order, and then make himself at least semi-weekly inspections to see that his orders are being carried out. That to preserve guns at places where they are not in constant use, a detachment of about 10 men under charge of a lieutenant, or possibly a reliable non-commissioned officer, would be sufficient. With a view to ascertaining if the guns and carriages are kept in proper condition, Department inspectors of artillery should make frequent inspections and at unexpected times.

From what I have herein stated it will be seen that I regard the Buffington-Crozier disappearing carriages as perfectly serviceable, and I believe that to keep them in proper condition at all times and places it will only be necessary for the officers responsible for them to perform their duties as prescribed in the Drill Regulations for Seacoast Artillery.

Very respectfully,

ARTHUR MURRAY.

No. 3.

SAN FERNANDO DE LA UNION, Luzon, P. I., July 15, 1900.

You send me two newspaper clippings purporting to give the views on (1) the broad subject of disappearing carriages for the coast artillery, and (2) certain alleged defects in the Buffington-Crozier carriage, the only disappearing carriage adopted in our service; and because of my rather more than ordinary acquaintance with this carriage you ask for my "opinion as to whether or not it is a practicable machine, not beyond the capacity of the artillery to use and care for."

Now, I have very decided opinions as to the merits of the particular carriage in question and equally pronounced views on the general subject, provided the disparity in cost of installation of the two systems is, as a matter of fact, small, as several engineer and ordnance officers have assured me that it is. This feature, however, is a matter of simple arithmetic, and with an engineer construction report at hand could be settled, if not quieted, in a very few minutes.

It is also true that I have had not a little experience with our disappearing carriages, having mounted the first four at Fort Monroe (one 8-inch and three 10-inch), and also written a drill for these guns. Moreover, when, in March, 1898, I was detailed to duty with the Secretary of War, he immediately sent me to inspect and report upon all our modern or high-power guns and mortars on the Southern and Eastern coasts, in pursuance of which order I thoroughly inspected every such gun and mortar then installed or in process of installation from Galveston, Tex., to Portland Head, Me. (from March 26 to May 23 inclusive), and I assume that the reports of these inspections are now filed with some bureau of the War Department. I ought, therefore, to be able to give you a reasonably well-informed opinion on the question proposed, and I do so frankly and gladly.

The programme I invariably followed in inspecting these disappearing carriages is too long to incorporate here, but if you should desire it it is filed with one of my first reports, I think, submitted about the end of March, 1898. It is enough to say that it tested the system searchingly in every respect, indeed, except as to rapidity of fire. The instructions under which I made the inspections did not contemplate or permit of my actually firing the guns (this was reserved for you to do), though, of course, I have at other times frequently witnessed such firing.

To mention but a few of the points of inspection, each piece was let up into the firing position and retracted to the loading position and the times taken; the carriage traversed through its full horizontal arc and timed, and the elevating apparatus operated and timed, and mean error taken. The score or more of other "points" had to do mainly with the degree of success of the engineer work immediately affecting the carriage, the accuracy with which it had been installed or mounted, and the measure of care bestowed on carriage, piece, etc., by the artillery troop charged with such care.

These tests showed the system, as a whole, to be, in my judgment, as near perfection as could be devised. It is solid, strong, and admirably adapted to the ends in view, and bearing in mind what it accomplishes and how unerringly and even gracefully it does it, it is seen to be "a practicable machine," not only "not beyond the capacity of the artillery to use and care for," but of astonishing simplicity and at the same time of striking ingenuity.

With but two exceptions, every case observed by me of even sluggish action of the system in any direction—vertical, horizontal, or inclined, or of "stiffening of its joints" (geared or sliding surfaces, etc.)—every such slightest inertness witnessed on the whole long tour of testing—from Texas to Maine—was with two exceptions obviously due to some fault of installation, or more often to neglect or to lack of information on the part of the artillery troops in charge. The first of the two exceptions noted was a carriage at Fort Schuyler, which, despite its being everywhere in admirable condition as to cleanliness, lubrication, etc., and properly counterpoised, would not begin the rise into battery without help, though one man with a short handspike started it with one hand, and the rest of the rise was accomplished perfectly.

This peculiar behavior was exhibited over and over again, and I afterwards heard that it was due to a fault of construction. The other exception was a carriage I saw being tested at Sandy Hook. In this the top-carriage was "cranky," would not recoil properly, but I did not, during my brief stay, learn the reason. But this carriage, remember, was under test—had not yet been issued to the service—and knowing as well as I do the thoroughness, conscientiousness, and esprit de corps, of our ordnance officers, it seems almost superfluous to add that unless the imperfection of this particular top-carriage was discovered under test and cured, then that carriage never was issued.

Your use of the word "machine" means much in this connection. Every high-power gun carriage is strictly a "machine" and needs at least a few machinists to groom it and feed it and run it. It is a dirty, greasy, vile-smelling machine (yet beautiful withal), and whether because of the dapper propensities exhibited (and to their credit) by younger officers or due to the confirmed and indurated (dried-lacquer) habits of those of us no longer young, certain it is that there is or was up to the summer of 1898 a very general reluctance (or let us say omission) on the part of artillery officers to care for their guns as these should and must be cared for—yes, even though we may actually have reverted to those early conditions mentioned by General Hunt in one of his sketches when because of his dirty mechanical calling the artilleryman had no caste among la militaire.

It would seem that the relative numbers of disappearing and barbette guns for our present armament had long since passed the stage of discussion, for was this not decided upon some years ago by the board or boards which devised and matured the plans for seacoast defense? And then, too, is it not largely a matter of site? In future allotments, apportioning the guns (barbette and disappearing) for schemes of defense not already perfected and entered upon, the one sole question in the general discussion would be that of cost.

If the disparity in cost of emplacement is really small, then, in my judgment, our disappearing system should be greatly preferred; but if the engineers' figures are largely in favor of the barbette, it might at once become a live question as to the desirability of a materially increased number of guns for the same money, even with a greater loss of men due to absence of protection, and a distinctly great loss in rapidity of fire in the individual guns, for from the very nature of the case the Buffington-Crozier system is far ahead of the barbette in rapidity of fire, since in the first the gun crouches down like a camel to receive its burden, while in the second both men and ammunition must be lifted up to the gun like climbing the ladder to the main deck of an elephant. So much for relative rapidity; as to absolute rapidity, our disappearing carriage is capable of fire abundantly rapid.

If England has discarded any disappearing carriage, it was probably the fault of the particular model tried.

To resume. The Buffington-Crozier carriage is the very reverse of complexity for its purposes, being simplicity itself, and I am convinced will give a maximum of efficiency with a minimum "butcher's bill." Moreover, I believe it to be well within "the capacity of the artillery to use and care for."

W. P. DUVALL.

Mr. President, we all know what the name of Krupp means with reference to fortifications or guns for fortifications. Of course, we can not accuse Krupp of being unduly partial to any carriage. He ought not to be. His business is to manufacture guns. Here is what Krupp says:

Yes, you may say that we have heard of the discussion in your country about disappearing carriages, and that some of your officers are dissatisfied with them and think that they are not suitable for seacoast defense. We do not share in this opinion. If there is any difficulty it must be in the construction of the carriages. It is not in the principle. We have a disappearing carriage which we think is superior to any that has ever been made, and believe that it fulfills all the requirements, especially for heavy guns.

Mr. PROCTOR. Does the Senator understand that the German Government has adopted or used that carriage?

Mr. WARREN. I do not so understand. As I remarked yesterday, the German Government is erecting its guns for very expensive emplacements, and guns erected with turret cupolas and armored machinery. Their guns and mountings cost many hundreds of thousands of dollars apiece.

It is not at all strange that Germany, slow but sure, with her seacoast all covered with a style of gun very much larger than ours, and therefore requiring a different kind of carriage, should hesitate to do away with her present armament and to adopt ours. But we find the German Government interested in it. We find the German Government complimenting us upon this carriage. We find them entirely alive and acute to the situation as to the matter of disappearing gun carriages.

Of course I do not claim that this disappearing gun carriage is the only one that may challenge the attention of Germany, but I am ready to assert that it more nearly meets the view of Germany, as they express it and as their officers express it, than does any other carriage.

Mr. President, I know the Senator from Vermont would not willingly place anything in the RECORD that is not correct, and upon one matter I am going to ask whether he is correct or not. Yesterday, in speaking of the board as constituted, he first claimed that Colonel Rodgers had been removed, but that, of course, he corrected and stated that Rodgers had not been taken off the board. He stated also that Colonel Story was taken off the board because he was against this gun carriage.

Mr. PROCTOR. Mr. President, I beg pardon. I stated that he was not in favor of this gun carriage, but was still on the board.

Mr. WARREN. So far as Mr. Story is concerned he has never made any report that I know of. He has never written a letter that I know of. He has never authorized, that I know of, any expression against the disappearing carriage, and, unless the Senator has some evidence of that nature, I feel it safe to say that Colonel Story does not oppose the disappearing gun carriage, and that he has not so expressed himself.

I wish to say further that, even if there should be any intimation that Story was taken off because he was against the carriage, it seems to me the force of the argument or the assertion that the Department has been unduly anxious to use this carriage and has shaped the board accordingly falls to the ground in the light of the fact that Colonel Rodgers, who has been against it, has remained upon the board and is now upon it, and when,

as a matter of fact, nobody has been taken off that board who, so far as we know, is opposed to the Crozier carriage.

I do not think Colonel Story is opposed to the disappearing carriage, and I do not think he will so state to-day. If the Senator has other information I challenge and am willing it shall go into the RECORD. Certainly his removal from that board, certainly the removal from that board of General Crozier was not in the interest of shaping the board so that it would be in favor of this carriage.

The PRESIDING OFFICER (Mr. KEAN in the chair). Will the Senator from Wyoming suspend for a moment? The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (S. 2295) temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes.

Mr. LODGE. I ask that the unfinished business may be temporarily laid aside, because I hope the bill just under consideration will not take very much longer, and I want to go on with the Philippine government bill this afternoon.

Mr. WARREN. I shall not occupy much more time.

The PRESIDING OFFICER. The Senator from Massachusetts asks that the unfinished business be temporarily laid aside. Is there objection? The Chair hears none, and it is so ordered. The Senator from Wyoming will proceed.

Mr. WARREN. There have been charges made, and oftener made outside of this Chamber than in, that the Ordnance Department is a little ring within itself; that it is illiberal as to any inventions made outside of its Department, and that the common people have been illiberally treated. Now, there are two sides to this question. If the Ordnance Department had put up money every time they were asked to develop some scheme or some patent, the country would have been bankrupt long ago.

We should have little respect indeed for an Ordnance Department that allowed itself to lend hand and money to every kind of a proposed invention, no matter by whom made, and I am ready to state, and to challenge contradiction of the statement, that the records of that department and the records of the Government will show that we have already authorized the building of types where the men themselves have seemed too radical for us, as business men, to believe that they were entirely right on general principles.

We have put money in oftentimes when it was more to give benefit of the doubt than that we had any confidence in the proposed invention. So I am prepared to say that I believe the Department has been as liberal in that respect as the interests of the United States and good economic government required.

Now, Mr. President, I yield the floor, as I do not wish to further exhaust the time of the Senate.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Vermont as modified.

Mr. PERKINS. The committee has accepted it.

The PRESIDING OFFICER. It will be treated as an amendment to the amendment of the committee, changing the total, which was passed over. The amendment of the committee will be stated.

The SECRETARY. On the top of page 6, after the word "arsenals," strike out "two hundred and fifty" and insert "four hundred and six;" so as to make the total read "four hundred and six thousand dollars."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. PROCTOR. I offer an amendment and ask to have it read for information.

The PRESIDING OFFICER. The amendment will be read.

The SECRETARY. In line 6, on page 1, strike out "namely" and insert:

And shall be expended under the direct supervision of the Board of Ordnance and Fortification, and said board shall be under the direction of the Secretary of War and subject to his supervision and control in all respects, and shall have power to provide suitable regulations for the inspection of guns and materials at all stages of manufacture to the extent necessary to protect fully the interests of the United States, and generally to provide such regulations concerning matters within said board's operations as shall be necessary to carry out to the best advantage all duties committed to its charge: *Provided*, That subject to the foregoing provisions the expenditure shall be made by the several bureaus of the War Department having jurisdiction of the same under existing law: *Provided further*, That hereafter the said Board of Ordnance and Fortification shall have exclusive supervision and direct control, under the Secretary of War, of all experiments and tests, whether at the established proving grounds or elsewhere under military authority, conducted for the purpose of improving types of war material in service or for the purpose of developing or establishing new types of guns, gun mounts, small arms, ammunition, projectiles, fuses, explosives, submarine mines, torpedoes, armor plates, and all other implements and engines of war for the military service: *And provided further*, That hereafter only such designs of guns, gun mounts, small arms, ammunition, projectiles, fuses, explosives, submarine mines, torpedoes, armor plates, and other implements and engines of war as shall have been recommended as types by the said Board of Ordnance and Fortification shall be purchased or manufactured for use in the military service of the United States, except in such cases in which Congress by specific enactment shall have designated the particular article and

type to be purchased or manufactured: *And provided further*, That hereafter the Board of Ordnance and Fortification shall consist of seven—the Commanding General of the Army, four Army officers, either on the active or retired list, not below the rank of brigadier general, and two civilians, one of whom shall be an expert mechanical engineer of well-known reputation.

Mr. PROCTOR. Mr. President, it was not my purpose to take any time with this amendment or to ask for a vote upon it. I merely wanted to call the attention of the Senate to this matter of the Board of Ordnance and Fortification.

The first part of my amendment is a copy of the act of 1888 which established the Board of Ordnance and Fortification, and apparently gave it some power. All that power has been practically taken away, and as it is now constituted it is a very useless expense and a source of controversy. I believe it would be for the interest of the country to have the board reestablished, composed of officers of high rank. In the Army bill, which we recently passed, there is a provision authorizing the Secretary to detail officers of high rank. It had better be so constituted as to have some authority and amount to something, or it should be dispensed with.

I merely offered the amendment to call attention to the matter, and I will now withdraw it.

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.

CIVIL GOVERNMENT FOR THE PHILIPPINE ISLANDS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 2295) temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes.

Mr. LODGE. I think before going on with the unfinished business there ought to be a quorum present. I make the point of no quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

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

Aldrich,	Cockrell,	Jones, Nev.	Proctor,
Allison,	Cullom,	Kean,	Quarles,
Bacon,	Daniel,	Kittredge,	Rawlins,
Bailey,	Dietrich,	Lodge,	Scott,
Bard,	Dillingham,	McCumber,	Simon,
Bate,	Dolliver,	McLaurin, Miss.	Spooner,
Berry,	Elkins,	Mallory,	Taliaferro,
Beveridge,	Foraker,	Martin,	Teller,
Blackburn,	Foster, La.	Mitchell,	Tillman,
Burnham,	Foster, Wash.	Nelson,	Vest,
Burton,	Frye,	Perkins,	Warren,
Carmack,	Gallinger,	Pettus,	Wellington,
Clapp,	Gamble,	Platt, Conn.	Wetmore,
Clark, Wyo.	Hale,	Platt, N. Y.	
Clay,	Hansbrough,	Pritchard,	

The PRESIDING OFFICER. Fifty-eight Senators have responded to their names. A quorum is present.

Mr. LODGE. Mr. President, I want very much to go on with the Philippine bill this afternoon; and if no Senator is ready to proceed with the debate, we can take up the amendments.

Before we proceed to do that, however, I should like to ask if some agreement can not be made in regard to the time of voting, and we can then have debate here every day. I am not unreasonable in pressing for an agreement to fix the time for a vote, but on Monday we stopped at half past 3 o'clock, after a speech of the Senator from Ohio [Mr. FORAKER], as nobody else was ready to proceed on the other side. We stopped again at half past 3 on Tuesday; and nobody was ready to proceed yesterday, when I yielded, as I was glad to do, in order that the Senate might proceed with the consideration of an appropriation bill and get that important measure out of the way.

But I do not think, Mr. President, that it is quite fair to refuse to fix a date when we can take a vote, and at the same time we find ourselves on one afternoon after another with no Senator in readiness to continue the debate. I do think if Senators want to debate this bill they ought to debate it, or else not put objection in the way of fixing a reasonable time for a vote, which will give every Senator who desires to speak a chance to speak.

Mr. CARMACK. Mr. President—

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Tennessee?

Mr. LODGE. Certainly.

Mr. CARMACK. I do not know what right the Senator has to say that nobody is ready to go on with the debate.

Mr. LODGE. I did not say that nobody was ready to go on with it. I was speaking of the past, when nobody was ready to go on. If any Senator is ready to go on now, I shall be delighted.

Mr. CARMACK. I believe there has been but one day when no one was ready to go on.

Mr. LODGE. There was no one ready to proceed on Monday, Tuesday, or Wednesday. I was indulging in the hope that Senators would be willing to fix a time to take the vote. If they are

not, I will ask the Senate to take up the bill after the morning hour each day and remain in session until the debate is exhausted.

Mr. DUBOIS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Massachusetts yield?

Mr. LODGE. With great pleasure.

Mr. DUBOIS. I know the Senator from Massachusetts means to be entirely fair. We could not very well displace the conference report which was presented, and the appropriation bills which were pressing, in order to go on with the Philippine bill. The time which the Senator speaks of, unless it has been occupied in debate on the Philippine bill, has been occupied in the consideration of appropriation bills and conference reports.

Mr. LODGE. The Senator forgets. I have every day inquired if any Senator was ready to go on, and these other bills were only taken up when it was made clear that no one was ready to proceed on the Philippine bill. Besides making that public statement every day, I made private inquiries on both sides of the Chamber. I shall be glad if Senators on the other side will themselves agree to name a time when they will be ready to take a vote. It does seem as if there ought to be some time when it will be possible to conclude the debate, and I shall be glad if they will name the day.

Mr. DUBOIS. The Senator's attention was called the other day to the fact that this debate had been almost continuous, including Saturdays. I do not recall any time in my experience in the Senate when a bill has been kept so constantly before the Senate as this bill has been, to the exclusion of almost everything else. It has been somewhat difficult for Senators, under these circumstances, to prepare themselves. There are Senators on this side of the Chamber, at any rate, who desire to speak, and I think there are some on the other side. On account of the lull in the consideration of the Philippine bill while the appropriation bills were being considered, Senators have, I suppose, had an opportunity to prepare themselves. This is a very great question. I know how I feel about it. I would not like to stand before the Senate and the people of the United States and make a speech on a bill of this importance unless I had given some preparation to it; and I am inclined to think that the debate will proceed steadily, as it has in the past. I have not much sympathy with the disposition to force unusual hours upon the Senate, in view of the fact that every Senator recognizes that the Philippine bill has been before the Senate almost constantly.

Mr. LODGE. It had been before the Senate almost constantly for some days, and then the debate stopped and for three days no Senator has been ready to go on. Of course if I can not get a time fixed for taking the vote, I am powerless. I only ask for it because I think it is but fair that we should dispose of the bill. This is the third week of this debate—or the fourth week, as the Senator from Connecticut [Mr. PLATT] suggests to me—certainly three weeks have been consumed in its discussion, and it seems to me it is certainly not unreasonable to ask that a time be fixed for a vote. If that is refused, under those circumstances of course I shall be obliged to keep the bill before the Senate and to ask for continuous debate upon it.

I have made these requests and these statements with a view of accommodating the Senate, not, of course, with any view of discommodating any Senator.

Mr. HALE. Mr. President, I can hardly imagine any situation more uncomfortable than that of the Senator from Massachusetts [Mr. LODGE]. He is in charge of a most important bill, which everybody understands will be fully debated, and yet he knows that there are other matters of importance that ought to receive the consideration of the Senate before we adjourn. He is naturally desirous of fixing a time when this debate shall end and a vote shall be taken on the measure. I think he has been very faithful in keeping the bill before the Senate, in pushing it, and in asking for a limitation of debate. On the other hand, I do not discern, Mr. President, any fixed purpose, or any purpose, on the other side to delay this bill for the sake of delay.

Mr. COCKRELL. There is no such purpose under any contingency.

Mr. HALE. The Senators upon the other side, representing their party, feel that this is a most important measure that is to enter largely into the controversies that will arise in the coming elections, and I have felt all the while that they are entitled to ample time to present their side of the case. I do not find now that the hesitation and the unwillingness and the unreadiness to continue the debate constantly every day is entirely on the other side, but it is also upon this side. Senators upon this side who propose to speak upon this subject, and who will speak most illuminatingly, are not ready to speak to-day. I do not know that they will be ready to speak to-morrow. The Senator from Massachusetts is confronted with that situation. The Senators upon this side and upon the other side are not yet quite ready.

I believe, Mr. President—and I have some reason for stating

my belief—that during the days of this week and next week the bill will be wound up, a vote will be taken upon it, and the bill will be out of the way. I do not think the Senators upon the other side will, for the sake of delay, hinder that result. I think we shall reach an agreement.

If I had my way, Mr. President, I would, either now or some days later, fix a time when the general debate, the long speeches, delightful as they are, should cease, and that we should then have two or three days for the fifteen-minute debate upon the bill or upon amendments to be proposed. Certainly nothing could give ample opportunity for debate better than that, and Senators upon the other side are as much interested as are we on this side in maintaining the dignity of the Senate and the reputation that the Senate has to-day of always passing bills that the majority desire. Nobody upon this side has been heard urging the previous question, or any measure that shall cut off debate; but we all of us have a common pride in the attitude this body presents to the country, after full debate, of coming to a conclusion and voting, and the minority assent to take their chance.

I think, Mr. President, we shall arrive at that conclusion within a few days. I look to see this bill entirely out of the way and other measures up here during some time next week, and I hope the Senator from Massachusetts, who has shown great wisdom in conducting this bill, will realize that, and that we shall have that result.

Mr. COCKRELL. Mr. President, I have no doubt that the statement made by the Senator from Maine [Mr. HALE] is correct, and I am very glad he has made the statement he has, that there is no disposition here to delay for mere delay's sake. No Senator on this side asks for anything but a full and fair chance for deliberation.

As I understand, there are Senators on both sides who yet desire to be heard, and the debate will go on just as rapidly as possible. Nobody has any interest in delaying the bill. Delay can be of no political advantage to either party, and neither party, I think, desires delay for mere delay's sake. There is a Senator who is now prepared to go on with the discussion, and it will go on just as rapidly as Senators can make their speeches. Sometimes it is not convenient for two or three Senators to speak upon the same day, and it is not always convenient for a Senator to commence his speech and not be able to finish it the same day. If we follow the usual course we shall have no trouble at all in coming to a final vote on this question.

Mr. BAILEY. Mr. President, if there is nobody ready to go on—

Mr. COCKRELL. The Senator from Mississippi [Mr. McLAURIN] has been waiting for half an hour to get the floor.

Mr. BAILEY. I shall be glad to hear him. I was simply going to suggest that if there was nobody ready to proceed on the pending bill, there is another matter on the table—

Mr. LODGE. I have not been asking whether anybody is ready to proceed to-day. I now understand the Senator from Mississippi [Mr. McLAURIN] is ready to proceed, and, in that case, I hope he will do so.

After what has been said, I am entirely satisfied. I merely desired to give notice—and I think I was entirely justified in doing so—that I shall ask the Senate to deal with this bill continuously until it is disposed of; and I shall move to-morrow to take it up immediately after the routine morning business.

Mr. McLAURIN of Mississippi. Mr. President, as has been very properly said, there is no disposition on this side of the Chamber to delay the discussion of this bill. When the discussion commenced it was not my intention to say anything at all in reference to the bill or to the questions which it brings up. On the 22d of February last, when the Philippine tariff bill was before the Senate, I then gave expression to my ideas with reference to the policy that had been pursued and the prospective policy in the Philippine Islands, and I contented myself with what I said on that occasion; but some things have transpired during this debate, to which I have listened with a great deal of interest, that prompt me to submit some observations to the Senate which have occurred to me during the progress of the debate, and I have waited for an opportunity, when no other Senator desired the floor, to do so.

The Secretary of War had said that it was very important that the charges which were made, and which were probably some of them true, of improper conduct on the part of some of our officers in the Philippine Islands should be thoroughly investigated. That kind of sentiment—one which I think is proper—seems to prevail with the Philippines Committee, because they very properly undertook to get before them witnesses who could give to them, and through them to the Senate, and through the Senate to the country, something of the proceedings in that distant province, which now becomes a part of the empire of this country. Because there was an effort made, especially by the minority of the Committee on the Philippines, and because the result of that effort was being presented to the Senate by the members of that committee, who

were interested in developing the true condition of affairs in the Army and in the provinces of which we have taken possession; because they presented facts to the Senate and to the country just exactly as they are, the effort to defend that policy is made by Senators on the opposite side of this Chamber by charging that the Democratic minority in this body are guilty of wholesale slander of the Army. They take up, then, the gauntlet, and undertake to defend the Army against the imaginary slanders and assaults made by the minority in this Chamber.

If it is a fact that because Senators on this side are undertaking to uncover the transactions in the distant Philippine Islands to the Senate, that the Senate may intelligently act upon this question and upon this policy—the policy that has been adopted by the Administration and the policy which it is intended to follow further by this bill now before the Senate for discussion—I say if, because these Senators have undertaken to uncover what is being done with a view, if it is wrong, to putting an end to it, they are guilty of slandering the Army; and if Senators who have on this floor protested against the course that has been pursued, not by the Army of the United States, but by some of its officers and men, the regulations for whose conduct it is the duty of the Congress of the United States to make, have thereby slandered the Army, then I say the Secretary of War is equally guilty with the minority of the Philippines Committee and with the minority who have spoken on this question in the Senate.

Here is what the Secretary of War says with reference to that:

But the fact that any such acts of cruelty and barbarity appear to have been done indicates the necessity of a most thorough, searching, and exhaustive investigation under the general charges preferred by Governor Gardener, and you will spare no effort, in the investigation already ordered under these charges, to uncover every such case which may have occurred and bring the offenders to justice.

And if the President desires to know, may not the Senate desire to know? Is it a fact that the Senate of the United States does not desire to know? Is it a fact that the only members of the Senate who desire to know are the minority of the Philippines Committee and the minority in this Chamber? But listen:

The President desires to know in the fullest and most circumstantial manner all the facts, nothing being concealed, and no man being for any reason favored or shielded. For the very reason that the President intends to back up the Army in the heartiest fashion in every lawful and legitimate method of doing its work, he also intends to see that the most rigorous care is exercised to detect and prevent any cruelty or brutality, and that men who are guilty thereof are punished. Great as the provocation has been in dealing with foes who habitually resort to treachery, murder, and torture against our men, nothing can justify, or will be held to justify, the use of torture or inhuman conduct of any kind on the part of the American Army.

By direction of the Secretary of War:

H. C. CORBIN,

Adjutant-General, Major-General, United States Army.

That is an order which was issued on the 15th of April, 1902, to General Chaffee at Manila. Mark you—

The President intends to back up the Army.

For that very reason he desires to know the status of affairs in the Philippine Islands. The Congress of the United States is presumed to make appropriations for the support of the Army and to make rules and regulations for the Army, and for the very reason that Congress intends to make appropriations to support the Army, to make rules and regulations for the government of the Army, it is important that the Congress of the United States should know and should understand exactly the status of affairs in the Philippines, just as much as it is that the President of the United States should know this status.

I repeat, that if it be true that because Senators desire to make an investigation into this matter and to ascertain the true facts in reference to affairs in the Philippines they are guilty of slandering the Army, then it must be true that the Adjutant-General and the Secretary of War, by whose order and direction the Adjutant-General made this order, and even the President himself, are guilty of slandering the Army, by directing an investigation of the status of affairs in the Philippines, in order that they may discharge the duties devolved upon them in their great offices. The truth is, no Democratic Senator has slandered the Army or charged anything that is not true against anyone in the Army, and I defy contradiction.

Now, we are met by several different propositions from Senators on the other side of this question and Senators who are supporting the policy of the Administration in the Philippine Islands. One Senator, the Senator in charge of this bill, the junior Senator from Massachusetts [Mr. LODGE], tells us that we have not attacked the private soldiers in the American Army in the Philippines for the reason that the private soldiers have more votes, there being a hundred thousand of them, and that their families have more votes than have the officers and their families, and that, therefore, we have confined ourselves to an attack upon the officers of the American Army.

The junior Senator from Indiana [Mr. BEVERIDGE] charged us with wholesale slander of officers, noncommissioned officers, and privates without distinction.

I find in the remarks of the junior Senator from Kansas [Mr. BURTON] that he charges wholesale slander of the American Army by Senators on this side of the Chamber. He goes further than anybody else, and charges that we not only slander the American Army, but that we are guilty of taking sides with the Filipino insurrectionists against the American Army and virtually against the American Government. This is what the Senator from Kansas says:

We are standing for the American soldier. You are for the insurgents.

It has been said by several Senators on the opposite side of the Chamber in this debate that no sympathy has been expressed by us on this side for the American soldier, but that all our sympathy has been expressed for the Filipino insurgents.

Mr. BEVERIDGE. Mr. President—

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

Mr. McLAURIN of Mississippi. Certainly.

Mr. BEVERIDGE. I should like to ask the Senator a question. He has read a quotation from the speech of the junior Senator from Kansas [Mr. BURTON] aligning the Senator's side of the Chamber with the insurgents and our side with the reverse.

Mr. McLAURIN of Mississippi. Yes, sir.

Mr. BEVERIDGE. I should like to know of the honorable Senator whether he disavows championing the cause of the insurgents? Are you with them or are you not?

Mr. McLAURIN of Mississippi. Mr. President, as I have said, I have spoken on this question, and, in answer to the Senator, I will read what I have said on that point on February 22, 1902:

As long as there is a fight between the United States and the Filipinos my loyalty is to the United States and my sympathies are with the Americans, regardless of causes that produced the strife. But this does not prevent my desire to get out of the strife without inflicting wrong upon friend or foe.

That is the language I used. I hope that is satisfactory to the Senator and that he regards that as an answer to his question.

It has been said that we have expressed sympathy time and again with the Filipinos, but that we have never expressed any sympathy with our soldiers. I will read again from what I said in the humble speech which I made upon the Philippine tariff.

In that speech I was discussing a Senate document, from which I will read again presently, in which the Secretary of War sent certain documents selected by him to make out the case that there were no "water cures" administered to the Filipinos in the Philippine Islands. He took up a number of cases where American soldiers were writing to their mothers or brothers or fathers or some kindred at home and where they had given accounts of transactions that were not considered by the Secretary of War, if he clearly expressed himself in the order from which I have read to General Chaffee of the 15th of April, to reflect any credit upon our Government.

In this document the Secretary of War calls attention to a number of soldiers who had explained or qualified or modified the letters which they had written home to their friends and the statements they had made in regard to the conduct of our officials in the Philippine Islands; and I noticed this, which seemed to me to be a remarkable coincidence, that in every case where the American soldier was still in the Philippine Islands or was still in the American Army and the officers could if they saw proper bring to bear upon him the power and authority which an officer in the Army can exercise over a private soldier, these modifications, qualifications, and retractions came. I say where the American soldier was still in the Army that is what occurred; but where the American soldier's term had expired and he was mustered out of the service and had returned to the United States there was not an instance found where there was any modification, qualification, or retraction of what had been said by the American soldier.

It was a singular thing to me, and in respect to that I said this:

I do not charge any officer with obtaining those modifications and explanations by duress, but the practical unanimity with which they come from soldiers still in the service and with which they do not come from any out of the service is calculated to create a suspicion that the soldier did not feel as free to act when he was writing the quasi retract as he did when he was writing to his mother. I will say, however, that if any officer did use his rank to extort from a soldier such an explanation or modification, he was guilty of infamous conduct. I go further; I recognize that in order to have an army every soldier or officer must yield implicit obedience to every lawful order of his superior officer, but the officer, I do not care what his rank, who uses the opportunities afforded by his position to compel a private soldier to do menial service or to obey any order not necessary to proper discipline is a living, animate mass of infamy. The soldier who endures all the hardships of camp life and the dangers of the field in the service of his country is entitled to the respect due to a gentleman as long as he conducts himself as a gentleman.

I said that in view of the fact that these soldiers ought not to have been subjected to anything except legitimate orders, necessary for the preservation of proper discipline and necessary for the performance of the duties that devolve upon a soldier and upon the Army composed of soldiers, I condemned them and I condemn now, and deprecate any act of any officer that requires

a private soldier to do menial service or to obey any order not necessary for proper discipline.

If the Senators who engage in the most eulogistic panegyrics upon the officers of the Army, and defending the officers of the Army against imaginary slander against them, would take some little time in speaking for the private soldier, who does the drudgery of camp work, who goes in the forefront, in the imminent deadly breach, who is exposed more than the generals, as a rule, to the dangers of battle, if they would defend and protect him against, not the proper discipline of the Army, but against the mastery of the officers who command him, they would do a great service to the American Army and a service which would be appreciated more by the common soldiers in the Army than the eulogiums that are pronounced in defense of imaginary slanders against the Army.

It is not a slander of the American Army to point out the wrongs that are done by specific officers and their commands or by specific soldiers, as shown by the facts, and undertake to prevent the repetition of such outrages. It is not a slander of the Army to undertake to correct these any more than it is a slander of the country to punish the man who in civil life is guilty of violation of the law.

But there have been wholesale slanders of the soldiers in the Army; slanders that I call upon Senators on the other side of this Chamber to refute or to give us their judgment in respect to them. There have been slanders against the soldiers of the Army that ought not to have been uttered, and these slanders are made by those who are enabled by the bravery, the drudgery, the hardship, the courage, and the patriotism of the soldiers to wear their epaulettes.

Now, let me read you something and see what Senators have to say with reference to it. I am not here to attack General Funston. I am here to deny the charge that he makes against the soldiers. It was charged that there had been water cures practiced; that there had been tortures practiced in the Philippine Islands, from which some of the Filipinos had died. It was denied by the Secretary of War, and denied upon the testimony that he selected from all the documents he had and sent to the chairman of the Committee on the Philippines, who had the information published as a public document. He, the Secretary of War, selected his evidence. The rule of law is that when you select a witness and put him upon the stand you vouch for his veracity; that when you select a document and send it before the courts and before the jury, you vouch for its accuracy and you adopt it as your own.

Here is the document that was selected by the Secretary of War. Here are the writings that were selected by him and sent here as a part of his case; indeed, as his whole case.

And I want to say while it is in my mind just now, that it does not matter so far as the responsibility is concerned whether they are crimes inflicted by the Filipinos or crimes inflicted by the natives upon our soldiers, the policy of the Republican party is responsible for it. When the policy of the Republican party consisted in embarking upon empire, when they started upon an imperialistic policy, whatever that policy involved, they are responsible for and they can not shift it before the people, before the country, and before their Maker. There seems to be some question upon the evidence as to how O'Hearn was killed, by whom he was killed, whether he was tortured or not. The evidence was not sufficient for the Philippine government to put upon trial for four or five or six months the natives charged with his murder, until they could escape, those of them who were not killed.

I say there is some difference of opinion as to how he was killed, but whether it was by treachery, whether it was by torture, or however it was, the policy of the Republican party, as adopted in this imperialistic system upon which they have embarked, is responsible for it.

If there was a young soldier from Tennessee barbarously or in any other way killed by the Filipinos, as stated by the chairman of the committee who has this bill in charge, the policy of the Republican party is responsible for it. If at Balangiga our soldiers took possession of the town and, having taken possession of the town, took 90 natives at one time and 75 at another and put them under duress and compelled them to do work for the soldiers or for the Government, and those natives afterwards arose when they had an opportunity and massacred those who had them in custody, the imperialistic policy of the Republican party is responsible for it, and the blood of our massacred soldiers is upon that policy. If our people, in return, being exasperated to desperation over the massacre of their comrades, turned and burned the town and tortured the natives, guilty and innocent alike, then the imperialistic policy of the Republican party is responsible for it.

As was said by the Senator from Massachusetts [Mr. LODGE] when he was discussing this bill, and he was speaking of retaliation and extenuation in the tortures that were inflicted upon the

Filipinos because they had inflicted torture upon some of our soldiers, I can understand how there was human nature sufficient to make them resent it and to inflict torture for torture. I sympathize with the expression of the Senator from Massachusetts when he said that there is human nature in soldiers just like there is in anybody else; and hereafter when our people are denounced because of lynching, which we deprecate, I entreat you to remember that wherever you find human beings you will find human nature.

I remember in the State of Mississippi, in Lawrence County, some four or five or six years ago, a farmer who had finished working his crop, and, before harvest time came, went four or five miles and worked in a sawmill to supplement his crop. He worked until Saturday night and when he came home he saw no light in his house—a log house with two rooms and a hall between them. When he went in he struck a light and his little 5-year-old girl, under the cover, seeing that there was a light in the room, raised the cover and said, "Papa, is them niggers gone?" He says, "What niggers?" She said, "Them that killed mamma and the children."

He went out in the hall and found his wife and four or five of his children dead, and one, an infant 10 or 12 months old, lying dead on the mother's breast. The little girl showed the bloody stick with which her mother and brothers and sisters had been killed and told the names of the men who had killed them; and when the neighbors went and found blood on the men and brought them back and she identified them and they confessed it, those neighbors took out, not some of the race, not some of the kindred, but took out the cruel assassins of the wife and children of their neighbor, a farmer in that neighborhood, and strung them up. It is to be deprecated. We all deprecate it, but can there not be some allowance for human nature in the bosoms of the farmers in the neighborhood who have seen the effects of this cruel murder of their neighbor's wife and children? Can there not be some allowance made for human nature in the breasts of these farmers? Yet in some quarters, because of that lynching, the entire people of the State of Mississippi were denounced as bloodthirsty savages.

I say I can understand how it is that there is human nature in our soldiers seven or eight thousand miles from home who see some of their comrades slaughtered treacherously without an opportunity to protect themselves, at a time when they are probably naked of arms and defenseless, and how they may take, not the guilty parties, but if they can not find the guilty, some of their kindred, and if they can not find their kindred, some of their race, and torture them. If it is human nature to take some of the race and torture them in that case, there certainly should be some allowance for human nature in the neighbors taking out the assassins themselves who perpetrate the cruel deed.

Pardon this digression from the slander of our American troops. Listen to what General Funston says:

Statements of this kind made by returned soldiers are simply braggadocio and a desire to attract attention to themselves.

Of course, it is only the soldiers who are guilty of any braggadocio. There is no braggadocio on the part of the man who wants to hang hundreds of people because they differ from him. There is no braggadocio on the part of the man who would shut up the mouth of every American citizen who does not take the same opinion he takes in reference to the Philippine policy or the policy of empire. If others think it would have been better never to have embarked upon this policy of empire; if others think that having embarked upon the imperialistic policy it would now be better to withdraw before more of our soldiers shall be slain, they are told they can not utter such an opinion against the opinion of the man who swam a river—the man who took Aguinaldo. That is no braggadocio when he returns to this country and gives out a written statement of his exploits; but whenever the returned American soldier makes a statement of this kind, which has since proved to be true, it is "simply braggadocio and a desire to attract attention to themselves."

But that is not all. Let us go a little further and see what another soldier said; and this is a part of the case that is sent in by the Secretary of War. Here is what the Secretary of War says:

You will perceive that in substantially every case the report has proved to be either unfounded or grossly exaggerated. The particular report which was called to the attention of the Senate last week, viz, that the "water cure" is the favorite torture of the American, and especially of the Macabebe scouts, to force the natives to give information, and that a soldier who was with General Funston had stated that he had helped to administer the "water cure" to 160 natives, all but 26 of whom died, was already under investigation, which is still in progress.

I inclose a copy of a letter received from General Funston, dated February 2, 1902, in which he declares the statement to be an "atrocious lie without the slightest foundation in fact," and a letter from Lieutenant Batson, the commander of the Macabebe scouts, to the same effect.

There is more of this that I will not take the time to read.

Let us see what another soldier, another general, General Otis, says about our troops. Understand, it is all right as long as the

officer is not affected, as long as nothing is said that reflects upon an officer in the Army. It is all right to say anything you please against a private soldier. Mark you, this is what the officer whose epaulets are worn because the soldiers, who, with pay altogether out of proportion, do the drudgery of camp life, are ready to risk their lives at any time in defense of their country, and do so, says:

While there is little truth in letters written by soldiers to their homes—

Who is slandering the American Army? That must be certainly one of the minority of this Philippine Committee, one would say, from all we have heard about the slanders of the American Army. But, no; it is General Otis.

This is May 29, 1899, and here is his entire letter:

The inclosed newspaper clipping professes to report actions of the Washington volunteers. While there is very little truth in letters written by soldiers to their homes, especially—

He emphasizes—

by those who wish to impress their friends by their individual prowess—the conduct of the Washington volunteers has been the subject of special investigations for some time. They deny wanton burning and cruelties, and still there are strong indications that they practiced those infractions to some extent. However, the number of prisoners captured on February 5 and during later engagements and the care they have received from the United States authorities show that the Army is practicing humane sentiments. We still hold a large number of prisoners and are releasing them gradually as their friends and acquaintances vouch for their future good conduct. Those now captured are turned loose unless they be officers of rank and importance.

E. S. OTIS,

Major General, U. S. V., Commanding.

That emphasizes a certain set of soldiers, but it takes in all the soldiers in the American Army who write home to their mothers, their brothers, their friends, their kindred of any kind. They were not writing letters home for publication to create political effect. They were writing letters home to their kindred, and here is a major-general, who wears his epaulets, as I have said before, because of these very soldiers, who speaks in these terms:

While there is little truth in letters written by soldiers to their homes—

Not letters written for political effect to newspapers or to newspaper correspondents, but letters written by soldiers to their homes—taking in all the scope of soldiers. He makes no exception. It is true that in his desire to use strong language he emphasizes certain soldiers, but he makes no exception. He applies it to all soldiers writing "letters to their homes."

Now, who is slandering the American Army? Who, I say? Is it the American Senator who rises in his seat and calls the attention of the Senate to the facts which he has ascertained in the committee room when witness after witness has been examined for the purpose of throwing light upon the question upon which it is their business and their duty to have light and the business and duty of every Senator to have light? Is he the slanderer? No. Here is the man who slanders the entire Army, or at least all the soldiers of the Army; and he is a general in the Army, and his slander is sent to the chairman by the Secretary of War to prove that the water cure has not been practiced.

What effect has that had upon our soldiers in the Army? Why, an officer, I am told, can make a private soldier black his shoes, rub his sword, catch his horse and saddle it, or do any other menial service. The Army regulations ought to be made so that no such requirements can be made of a soldier. He does not go to war to be a servant. He goes to war to fight in defense of his country, impelled thereto by patriotism.

Let us see some of the effects of this kind of an idea upon the Army. Let us see who has an idea of protecting the Army and who has not.

I find here in a document which was sent to the Senate some days ago and published—I believe it is in the testimony that was taken by the Philippine Committee—an account of a number of trials that are given by courts-martial in the Philippine Islands. I am just going to read you the first two cases. Let us see how the officers are treated when they are tried and how the American soldier is treated when he is tried. Here comes an officer. This is General Orders, No. 12, on page 2097 of the testimony that is taken on affairs in the Philippine Islands:

GENERAL ORDERS, } HEADQUARTERS OF THE ARMY,
No. 12. } ADJUTANT-GENERAL'S OFFICE,
Washington, February 6, 1902.

Before a general court-martial, which convened at Manila, P. I., pursuant to Special Orders, No. 173, Department of Southern Luzon, June 22, 1901, and of which Lieut. Col. Louis H. Rucker, Sixth Cavalry, was president, and Capt. Palmer E. Pierce, Thirteenth Infantry, was judge-advocate, was arraigned and tried—

First Lieut. Preston Brown, Second United States Infantry.

Here is the charge:

CHARGE.—"Murder, in violation of the fifty-eighth article of war."
Specification.—"In that First Lieut. Preston Brown, Second Infantry, did willfully, feloniously, and with malice aforethought, murder and kill by shooting with a pistol an unarmed, unresisting native Filipino, name unknown, a prisoner of war in his charge, and as a result of said shooting, the native did then and there die. This at a time of insurrection in the Philippine Islands, under the military government of the United States, at or near Binangonan, Infanta Province, Luzon, P. I., on or about December 22, 1900."

To which charge and specification the accused, First Lieut. Preston Brown, Second United States Infantry, pleaded as follows:

"To the specification, 'Not guilty.'"

"To the charge, 'Not guilty.'"

FINDING.

Of the specification, "Guilty, except the words, 'feloniously and with malice aforethought murder and,' and of the excepted words not guilty."

Of the charge, "Guilty, except the word 'murder,' substituting therefor the word 'manslaughter,' of the excepted word not guilty and of the substituted word guilty."

Let us see what the sentence was:

SENTENCE.

And the court does therefore sentence him, First Lieut. Preston Brown, Second United States Infantry, "To be dismissed from the service of the United States and then to be confined at hard labor in the United States penitentiary as the reviewing authority may direct for the period of five years."

The record of the proceedings of the general court-martial in the foregoing case of First Lieut. Preston Brown, Second United States Infantry, having been submitted to the President, the following are his orders thereon:

WHITE HOUSE, January 27, 1902.

So much of the sentence in this case as imposes imprisonment is disapproved, and so much of the sentence as imposes dismissal is confirmed and commuted to a reduction of thirty files in lineal rank on the list of first lieutenants of infantry and a forfeiture of one-half of the officer's monthly pay for a period of nine months.

THEODORE ROOSEVELT.

By direction of the Secretary of War, First Lieut. Preston Brown, Second United States Infantry, will be released from arrest and restored to duty.

By command of Lieutenant-General Miles:

H. C. CORBIN,

Adjutant-General, Major-General U. S. A.

Now, let us see of what they convicted him. Mark you, they did not convict him of the entire specification. They did not convict him of the charge. The charge was murder. They struck that out. They acquitted him of murder. They inserted "manslaughter" and convicted him of manslaughter; and then the sentence that was imposed upon him was commuted. He was reduced some thirty files in rank and then released from arrest and restored to his command as a first lieutenant in the Army.

Let us see of what they did convict him. Striking out that which was stricken out of the specification, here is that of which they convicted him:

Did willfully kill—

Listen—

by shooting with a pistol an unarmed, unresisting native Filipino, name unknown, a prisoner of war in his charge, and as a result of said shooting the native did then and there die.

Here is a man charged with murder, and they find that he willfully shot and killed a prisoner of war, who was unarmed and unresisting at the time.

I will put the question to any man who knows anything in the world about criminal law and can take the definition in any law volume of criminal law, how on earth can you say a man is not guilty of murder when he willfully kills an unresisting prisoner, unarmed, by shooting him? If it had been said that he accidentally killed him, that the man was guilty of some criminal conduct and he killed him, or that, not taking all the precaution and care he could have taken, he was only guilty of death by reason of his negligence, that might have been manslaughter, but when he willfully killed him, willfully killed him when he was unarmed, willfully killed him when he was unresisting, and willfully killed him when he was a prisoner, how can it be said that such a man is not guilty of murder?

I should not probably find any fault with that, because that seems to be a part of the necessities of the imperialistic policy that is being pursued by the Republicans, and I wish to say just here that all that has been done, I am going to assume for the purpose of this argument, was necessary; that the Smith burning order was necessary; that the Bell order was necessary, and that the killing of the natives at Balangiga was necessary.

Mr. BEVERIDGE. That is just a small inaccuracy. It was not the natives who were killed at Balangiga; it was American soldiers who were killed.

Mr. McLAURIN of Mississippi. The inaccuracy is on the part of the Senator from Indiana.

Mr. BEVERIDGE. No.

Mr. McLAURIN of Mississippi. The natives massacred the soldiers?

Mr. BEVERIDGE. Yes.

Mr. McLAURIN of Mississippi. And then the Americans killed the natives for it.

Now, I am going to assume that all that was done in the killing of Filipinos and in the torturing of Filipinos was necessary and proper for the American officers to command to be done; that it is a part of the Philippine policy; that it is a part of this imperialistic policy, and it is a part of the policy for which the Republican Administration is responsible. That can not be denied. Is it possible that you can avoid assuming a responsibility of that kind? You can not evade it, I say; and what awful, heart-sickening necessities they are.

I probably would not have found any fault with this if it had not been for the very next court-martial. I wish to call attention to the discrimination which was made between the court-martial and the conduct of the court-martial I have just read, in the case

of an officer, and the result of the court-martial of a private soldier. Listen to this. Here is General Orders, No. 105:

GENERAL ORDERS, }
No. 105. }

HEADQUARTERS OF THE ARMY,
ADJUTANT-GENERAL'S OFFICE,

Washington, August 7, 1901.

Before a general court-martial which convened at Cebu, Cebu, P. I., pursuant to Special Orders, No. 2, Department of the Visayas, April 20, 1900, and of which Maj. John G. Leefe, Nineteenth Infantry, was president, and Capt. Edward A. Stuart, adjutant Forty-fourth Infantry, United States Volunteers, was judge-advocate, was arraigned and tried—

Private Phineas Foutz, Company K, Nineteenth United States Infantry.

Let us see what became of him:

CHARGE.—"Murder, in violation of the fifty-eighth article of war."

Specification.—"In that private Phineas Foutz, Company K, Nineteenth Infantry, did enter the house of one Florentina Cenza, a native, and did then and there willfully, feloniously, and with malice aforethought kill and murder Geneviva Torres, a native girl, by stabbing the said Geneviva Torres with a sword cane held in the hands of the said Phineas Foutz, private, Company K, Nineteenth Infantry, inflicting wounds whereof the said Geneviva Torres then and there died. This in the house of the aforesaid Florentina Cenza, at Mandaue, province of Cebu, P. I., about 5.30 p. m., November 15, 1900, then as now a time of insurrection against the United States."

Notice the character of the crimes. One is the willful killing of an unarmed man, who was a prisoner, unresisting, helpless, and defenseless, and the other is the murder of a woman. I admit it would be as bad to kill a woman who was not a prisoner as to kill a man who was a prisoner, and who was unarmed and unresisting. Here is the plea:

PLEA.

To the specification: "Not guilty."

To the charge: "Not guilty."

FINDING.

Of the specification: "Guilty."

Of the charge: "Guilty."

There is no evasion about the finding as to this private soldier. Every lawyer who is entitled to his license to practice law in the civil courts of the country knows that upon the findings of fact in the case of the officer he was guilty of murder anywhere in this country. But they found this soldier guilty. There was no subterfuge about that. There was no amelioration for this private, but he was found guilty.

SENTENCE.

And the court does therefore sentence him, Private Phineas Foutz, Company K, Nineteenth Infantry, "To be hanged by the neck until he is dead, at such time and place as the proper authority may direct, two-thirds of the members of the court concurring therein."

The sentence in the foregoing case of Private Phineas Foutz, Company K, Nineteenth Infantry, having been approved by the proper reviewing authority and the record of the proceedings forwarded to the President, the following are his orders thereon:

EXECUTIVE MANSION, July 30, 1901.

In the foregoing case of Private Phineas Foutz, Company K, Nineteenth Infantry, the sentence is confirmed and will be duly carried into execution at such time and place as may be designated by the commanding-general, Department of the Visayas, Philippine Islands.

WILLIAM MCKINLEY.

By command of Lieutenant-General Miles:

THOMAS WARD,

Acting Adjutant-General.

This doctrine that there seems to be such a distinction made between the officers of the American Army and the soldiers of the American Army is not only found in the Senate of the United States, but it is found in the courts-martial; and I defy any man, I do not care whom, so that he is a fair and candid man, to say that it is right and just that such a distinction as that should be made between two men who were equally guilty. No man can say that that lieutenant was any less guilty of felonious murder than was the private soldier. One is released from arrest, with the penalty put upon him of a reduction of 30 files in rank, his sword and commission are put back into his possession, and he goes forth unwhipped of justice; while the other, a private soldier, is executed for a crime of exactly the same kind, not one whit more revolting in its details than the crime of which the officer was convicted.

Now, that is not the only result of this policy. I hear Republican Senators say that a Senator is impeaching and slandering the American Army simply because he invokes the power of the Senate and the power of Congress and the power of the executive department of the Government for the protection of the American Army against such imputations as come not as whispering, not as slander, not as aspersions upon the Army, but as come from the sworn testimony of soldiers themselves who have served in the Army and have seen these things.

Ah, Mr. President, it is the intention of the American people to force the probing of this matter to the very bottom. I do not charge Senators, but it will not do for anybody in authority to undertake to shield and shelter the facts from the people. We want an investigation, whether it may be done by bringing witnesses from the Philippine Islands to the American continent before the Committee on the Philippines, or whether it must be done by sending an impartial committee to the Philippine Islands, where they can get the people of all classes and shades and distinctions before them and get their testimony, so that we can pass upon it, whether it be good or bad. It will not do for us to shut

out an investigation. I have always understood that when men inside begin to pull down the curtains and plug up the keyholes there is some disposition to shut out from the outside world transactions within. There must be no disposition to shut out the light from the Senate of the United States and from the people of America upon these transactions.

But let us see what is said of an American soldier. It is an outcome of this very doctrine. It is the outcome of the doctrine that the American soldier is entitled to no consideration, to no respect, to no regard, but that whenever you say anything against an American officer or whenever you bring to light the conduct of an American officer, whether you say anything against him or not, if you put it before the world you are guilty of slandering the Army. Here is a dispatch from New York dated March 29, 1902:

NEW YORK, March 29, 1902.

The following account of the death of Private Edward Richter in the Philippines while undergoing punishment is taken from the Manila American of February 13.

You must remember that the Manila American is a paper that supports the Administration. It supports the Administration and is ready to make any allowance in the world for the Administration. It hardly makes any difference what the Administration does, the Manila American is ready to uphold it. Indeed, under the censorship which I understand is there, it would be difficult for it to do anything else, and under the law, which, as the senior Senator from Massachusetts [Mr. HOAR] said, would not allow the reading of the Declaration of Independence there on the Fourth of July, they would not dare to say anything in derogation of the Administration. Here is what the Manila American says:

Private Edward Richter was in the guardhouse awaiting trial for some petty infraction of Army regulations. The men in the guardhouse were noisy, and a few minutes after taps sounded a lieutenant of the Twenty-eighth Infantry went to the guardhouse and ordered the men to keep quiet. For the time being the order was obeyed, but almost as soon as he left the room several of the men began talking, though they did not raise their voices above an ordinary tone.

ICE WATER TORTURE.

When the officer heard the men talking and recognized Richter's voice he ordered the guard to bring the arch offender outside. He then ordered the sergeant of the guard to tie the prisoner's hands and legs. The sergeant obeyed the command of his superior officer.

When the poor wretch's voice had been silenced forever, as it proved, the officer ordered one of the members of the guard to bring a big can of ice water out of the guardroom. Again were his commands obeyed. The can contained 5 gallons of freezing water. The entire contents of the can were emptied upon the face of poor, bound, helpless Richter.

The water, 5 gallons of it, as cold as ice could make it, was taken from the receptacle a dipperful at a time and slowly dropped on Richter's face. He suffered the agonies of the damned. He twisted and squirmed his poor tortured frame as much as the cords which bound him would allow.

COULD NOT CRY OUT.

He would probably have cried out in his anguish had he not been gagged. When the man's struggles ceased, the cords which bound him were cut and an attempt made at resuscitation. No sign of life was apparent and the post surgeon was sent for. When the surgeon arrived, he pronounced the man dead.

Now, what became of that? Right here, while I think about it, I want to put this question to Senators: Suppose when the Democratic minority were appealing to the Government not to go into this imperialistic business, to let empire alone, to be satisfied with the Government here in our own country—a government that gives every law-abiding American citizen freedom, that allows freedom of speech, freedom of thought, freedom of the press, and freedom of action—when they were appealing to you and telling you the dangers of empire upon which you were embarking, and when you were answering that with a proposition that there was money in it, I put the question, if it had been known at that time that this one torture would have been committed upon this man—a soldier—is there a Senator who would still have voted for that policy? If so, then I want to put another question to that Senator. Suppose it had been your son, would you then have voted for it? And let the Senator answer.

Let us see a little further on. Shortly after that the following dispatch appeared in the press:

ST. LOUIS, April 3, 1902.

Published accounts of the torturing to death of Edward C. Richter, a private soldier in the Philippines, are confirmed in a letter written by Corp. Henry W. Perry, Company C, Thirtieth Infantry, and received by Miss Emma Carter, of 4328 Hunt avenue, this city.

In his letter, which was written more than a month ago, before the story of the torturing and death of Richter had been published, Corporal Perry tells the story of the splashing of water on the face of the soldier, drop by drop, which caused his death from strangulation and intense pain.

CORPORAL'S STORY OF TORTURE.

Before entering the Philippine service Corporal Perry was employed by a St. Louis coal firm and boarded at Miss Carter's home. Her request in a recent letter for information about the treatment of soldiers was answered by his description of the Richter case, which follows:

"Last week in one of the southern provinces"—

I want to say right here that that word "province" sounds harsh to my ears, and it ought to sound harsh to the ears of any American citizen who loves our form of government, where we believe in a government of the people, by the people, and for the people—"a young soldier was killed by his company's commander."

It seems that this lieutenant was a commander of the company—"It was pay day, and the young man was in the prison with some other boys. They were talking in a loud manner, having been drinking something or other."

"The lieutenant heard them and told them to be quiet, but this order they disobeyed, whereupon the lieutenant returned and ordered the sergeant of the guard to bring one of the young men outside and bind and gag him."

"Not satisfied with this, he ordered the sergeant to bring him a bucket of water, ice cold. This done, the lieutenant began to drop the water on the helpless soldier drop by drop."

bled at ears, nostrils, and mouth.

"This finally choked the boy, but the lieutenant continued his barbarous treatment until the boy began to bleed at ears, nostrils, and mouth. The lieutenant then began to realize that things were coming to a crisis, so he ordered the boy released from the ropes and gag, but it was too late. He had gone to another land and had passed all earthly torments."

"A day or so afterwards his comrades bore him to his last resting place, where the last rites of a soldier were administered and 'taps,' the sweetest of all bugle notes, were sounded. This call always puts me in mind of that song, 'When the roll is called up yonder I'll be there.'"

"This will give you an insight into some of the punishments a soldier has to undergo. Of course, few cases are as barbarous as the one I have described."

We would like to know, would we not, what became of that lieutenant? Here is the description given by papers in Manila supporting the Administration, supporting its policy of empire, and a letter written from the Philippines to a lady—I do not think she was his sister, but a friend of this man Richter. Now, let us see what became of the lieutenant:

Copies of Manila newspapers received here yesterday give some interesting details of the court-martial over a month ago of Lieutenant Sinclair on a charge of having caused the death of Private Edward Richter, of his company, by torture. A cable from General Chaffee, some three weeks since, announced that Sinclair had been acquitted—

That was the lieutenant. Of course he was acquitted—

but that Richter died after being gagged under Sinclair's orders, the private having been drunk and very abusive.

Of course he was drunk and abusive.

The case has attracted wide attention.

According to the testimony as printed in the Manila newspapers, Dr. R. M. Bonar was asked whether the entrance of stomach contents into the air passages of the lungs during vomiting was the most probable cause of death.

"I say it was the most probable cause of death," he answered. "That could cause the condition I found in Richter's lungs. I could not account for death in any other way."

Lieutenant Sinclair, testifying in his own behalf—

"Testifying in his own behalf!" The mouth of Richter was closed. He could not testify in his behalf, but Sinclair could, and what does he say—

said that Richter called him vile names and was ordered out of the guardhouse. Richter tried to kick soldiers near him and was tied hand and foot. He continued his abusive language, being very drunk, whereupon Sinclair ordered a private to throw water upon the prisoner. The private held the dipper some 10 feet away, and only part of the water fell upon Richter.

That is, the whole five gallons of ice water did not fall upon this poor bound and gagged soldier.

This performance continued not more than ten minutes. It failed to quiet Richter, and Sinclair then left for his quarters, after ordering Richter to be gagged.

"Did you hear any noise that Richter was trying to vomit?" Sinclair was asked.

"I did."

"Had you ordered the gag removed?"

"No, but it could have been done in the discretion of the sergeant of the guard."

Furthermore, Sinclair said he wanted Richter thoroughly quieted, and therefore continued his disciplinary measures.

The testimony tended to show that the soldiers with whom Richter associated were a very tough class and that Sinclair had been a considerate officer.

The War Department yesterday received from Manila the report of the inspector who ordered the court-martial of Sinclair. Judge-Advocate-General Davis was directed to prepare a brief of the report for Secretary Root. It has not been decided yet whether portions of the report will be made public.

"Whether portions of the report will be made public." Now, the minority of the Philippines Committee are trying to get testimony before the committee to ascertain the true facts in the Philippines and in the Army. We are told to let it alone; that the War Department will get that information; that the War Department is investigating these matters; that the War Department is trying these men who are charged with a breach of law, or of order, or of Army regulations in the Philippines. We are asked to let the matter alone, and told that the War Department will ascertain what are the facts, to give ourselves no concern about it; and here we are told that it has not been decided whether a portion of the report is to be made public.

The testimony of the court martial is expected here in a few days.

Now, there is the case of Richter.

Here is a man who had been very drunk. Here is the Government of the United States providing laws for commerce between the United States and Manila, and when we begin to look into the records to ascertain the true state of facts there we find that more than half of the exports from this country into Manila are composed of whisky, wine, and beer. Yet when we find that an American soldier, exposed to such temptations, happens to so far forget himself, happens to have so much human nature as to love this drink, and goes out and drinks enough of the accursed stuff to become very drunk, and applies, according to the testimony of

Lieutenant Sinclair, vile epithets to him, without a trial, without a court-martial, without law, without authority, that lieutenant has him gagged and bound and ice water poured upon him as cold as it can be made until the soldier is tortured to death, and when the lieutenant is tried the verdict is not guilty; he goes unwhipped of justice entirely. That is the state of the case to which imperialism brings us. Is it any wonder that we find, just following down along the same column of this paper, the report of Major Gardener?

But, Mr. President, we are told that all these horrors in the Philippine Islands are nothing more than what might have been expected; that in all wars there are cruelties; that in all wars there are outrages; that in all wars there are tortures and burnings; so that the torch and the sword go hand in hand in war. If that be so, it ought to have been known to the Republican party before they started out upon this policy; and, if we may judge from what they say, what has occurred is what they expected.

We are also told that there have been tortures in North Carolina; that there have been tortures in other sections of the South; that during the war between the States great wrongs and great outrages were inflicted; and I suppose that statement would not have been made unless it was intended to follow it with the corollary that therefore it was necessary to carry on the war as it has been carried on in the Philippines.

If that be true, if because of outrages—and we will assume for the sake of the argument that it has been shown that outrages were committed during the war of 1861—and if it is conceded that it is shown conclusively that there were great horrors and great outrages committed, and that therefore it is necessary to kill the Filipinos, have there not been enough Filipinos killed, has there not been enough torture inflicted in the Philippines to compensate for all the crimes that were committed by the soldiers of both armies in the war of 1861? What is the use to proceed further?

But we are told by the Senator from Ohio [Mr. FORAKER] that the order of General Smith was not nearly as bad as the order that was given to Joshua, because that order was given to kill men, women, and children, to leave nobody alive, and that Joshua, under the orders he received from the Almighty, did not leave anybody alive. It occurred to me then as to that, that if the Almighty, who created the universe and all that it contains, and whose we are, as are all the inhabitants of the earth, saw fit to give orders for the destruction of all the people, it does not follow that Gen. Jacob H. Smith ought to have as much authority as the Almighty in giving orders for the destruction of a people and the burning of towns and villages.

What Senator will believe that if it is true that Joshua had orders from the Almighty to exterminate the Amalekites, the Amorites, and the Moabites, that that will authorize Gen. Jacob H. Smith to exterminate a whole people, and that he had authority to give orders to slay everybody over 10 years of age, and to burn and destroy all their property? It certainly does not follow as a legitimate consequence; it is not a legitimate deduction. Here the Almighty gave His orders, and He had a right to give them; and if He gave His orders to kill everybody on the face of the earth, we are all of His creation, and He can do with us as He pleases. He laid the foundation of the earth; He covered the deep as with a garment; He unrolled the heavens as a scroll; He created the universe. He can do as He pleases in the armies of the Lord; He can do what He pleases in the earth or in heaven, but it does not follow that we have a right to be cruel because the Almighty gave those orders. He gave in that dispensation this injunction for our guidance, "Whoso sheddeth man's blood, by man shall his blood be shed."

Does not the Senator remember that there came another time and another dispensation, and that there came another who was the true representative and the true personification of the Deity to whom we are erecting and have been erecting all over this country churches whose spires reach almost into the very dome of the skies, and whom we have been worshiping now for nineteen hundred years, and He said when He came—talk about war and the sword—He did not say to go out and kill all who are in the cities, burn the cities, and leave them desolate; but He said, "Put up again thy sword into his place; for all they that take the sword shall perish with the sword." He also said, through the prisoner of Patmos, "He that leadeth into captivity shall go into captivity; he that killeth with the sword must be killed with the sword. Here is the patience and the faith of the saints."

So that it is not for the Senator from Ohio to justify Smith because the Almighty saw proper to give an order that he wanted executed. The Almighty, in the dispensation of His providence, the other day permitted the destruction of thirty or forty thousand people in the island of Martinique, but it does not follow because that was done by the eruption of a volcano—which is in the hollow of the hand of the Almighty—that Smith would have a right to go there and destroy and burn and slay. There is no argument in it at all.

I want to discuss the situation of this Philippine matter, and

answer some of the statements which have been made by the Senator from Ohio, before I conclude the observations that I have started out to make to the Senate. If you will notice, the treaty with Spain was ratified by the Senate on the 6th day of February, 1899; it was ratified by the Spanish Cortes on the 19th day of March, 1899, and it was proclaimed on the 11th day of April, 1899. It is said that certain obligations grew out of this treaty between the United States and Spain which we are called upon to discharge. I am in favor of the American Government carrying out in good faith and discharging every obligation which it has assumed in its spirit as well as in its letter.

The Senator from Ohio says that out of necessity our people went to the Philippine Islands with the fleet of Dewey; that he was in Hongkong, and that after the declaration of war it was necessary for him to seek some other shelter, because by the laws of war and by the laws of nations he was not allowed to remain longer than a certain period in the harbor of a friendly power; that neither of the belligerents could retain their men-of-war there, and therefore he had nowhere to go except Manila. Grant that. I am not sufficiently familiar with the rules of war or with the law of nations to say whether that be true or not, and I am going to accept that as being correct as an exposition of the law of nations and the rules of war—that it was necessary for our Navy to go somewhere else; if we could not stay in the harbors of China we must go somewhere else, and that the most eligible place for Dewey to locate was in Manila Bay. When he went to Manila Bay, he went to an island that nominally was a Spanish island that, in fact, was in revolt against the Spanish Government. He went with his fleet to the destruction of the Spanish fleet there, which he so gloriously destroyed on the 1st of May, 1898. When he went there he recognized the fact that that government was in rebellion; that the Spanish Government had no actual authority there, that they had no assertable title to the Philippine Islands, that they had no authority and could exercise no authority outside of Manila itself.

Dewey formed a coalition with Aguinaldo, who purported to be and was treated as the head of the Philippine government. It makes no difference, so far as the justice of the case is concerned, whether the Philippine government was in name recognized as a government by our Government or not. It makes no difference in point of justice and morality and right between nation and nation or between man and man or in the sight of God whether he said to Aguinaldo, "I will take you as an ally and treat you as an ally," or whether the acts of the American Government, represented by its Navy and by its Army, were such as to assert that fact by acts instead of by words. It is a fact undisputed and indisputable that our people cooperated with Aguinaldo in the attack upon the Spanish Government; furnished them arms and munitions of war; furnished them means for carrying on the war for the independence of the Philippine Archipelago against Spain, and not only so, but turned over Spanish prisoners who had been taken by the Americans to the Philippine government, and treated the Filipinos in every respect as allies.

Now, one thing is true, that at that time the Filipinos were in the control and under the authority of the Spanish Government or they were not. If they were not in rebellion against the Government of Spain, then our people provoked the rebellion; if they were in rebellion, then our people cooperated with them and made them our allies.

After the war was over the necessity for remaining in the Bay of Manila did not longer exist. If it did, the Philippine government would have permitted the retention of the port of Manila, or it could have been retained by force, and we should then have had a place of shelter in Manila Bay. So that if it had been held until the actual declaration of peace on the 11th of April, 1899—and it was against the law of nations and against the rules of war for our Navy to be permitted by any foreign nation to take shelter with an American fleet in one of their harbors—we would have had a place for our fleet; and there was no necessity, simply because there was a necessity for going to Manila Bay, and simply because there was a necessity at that time for taking Manila in order to hold possession of Manila Bay—there was no necessity after the proclamation of peace for the holding of it.

Mr. President, the war went on; the two armies fought as allies—the American Army and the Philippine army. Their relations to each other were friendly; they were fighting a common foe. They had in one respect, at least, a common purpose and were seeking a common end, and that was the defeat of that foe. The result of it was that Manila was taken. The Spanish army was defeated in the Philippines, and the Spanish army was defeated in Cuba. The Spanish Government was compelled to sue for peace, and did sue for peace. A commission was appointed by the United States Government, without consulting its allies, to meet in Paris a commission appointed by the Spanish Government, who did not consult the people of the Philippine Archipelago. A treaty of peace was made and agreed upon between the commissioners of the United States and the commissioners of Spain.

If I recollect aright, that was on the 10th day of December, 1898. In that treaty of peace with the Spanish Government it agreed to sell the Philippine Archipelago to the United States for \$20,000,000, and the United States agreed to buy for this sum their then allies. In other words, those people up to that very time were allies of the American soldiers; they were allies of the American Government; they were looked upon as such by the American soldiers and by the Philippine soldiers, because of the common expression of the American Army at that time, "We are fighting to free you; to give you your freedom." It was known by our people that the Filipinos were fighting for their freedom, for their independence; it was so asserted by their commander, the man who was at the head of their government. It was asserted by our people time and time again that it was the intention of the American Government to give them freedom.

I recognize the fact that the American soldier had no right, or authority at least, to bind the American Government by such expressions, but the officers who were there with the knowledge of the American Government were constantly consulting the authorities of the Philippine government and receiving official visits from officers of the Philippine government, and that certainly, when it was not protested against by the American Government, was sufficient to bind the Government to whatever they did. When this treaty of purchase was made, without consulting our allies—for they were allies on the battlefield, as was very properly said by the senior Senator from Massachusetts [Mr. HOAR]—that was itself equivalent to a declaration of war against them.

But we are told by the Senator from Ohio that the war against the Filipinos commenced on the 4th day of February, 1899. As I said, I am not familiar with the rules of war and I am not familiar enough with the laws of nations to speak authoritatively on this point. I did not know when the declaration of war was made by our Government against the Philippines, but it occurred to me that at that time the Philippines were not a part of the United States; at that time they had not been ceded to the United States; at that time the United States had no lawful jurisdiction over the Philippine Islands, and had no right to require them to submit to the jurisdiction of the United States or United States officers or soldiers in the Philippines. At that time, and up to the 11th day of April, 1899, the Philippine Archipelago belonged to Spain or the Filipinos were an independent people—one or the other.

If our people had received any indignities from a lot of Filipinos firing on our soldiers the Spanish Government would be responsible for that, because the Philippines were one of her provinces on the 4th of February, 1899; and to-day, if American soldiers should be fired upon by some of the subjects of the King of Great Britain in the West Indies, the American people would not make war upon the West Indies, but the American people would call the King of Great Britain to account for it. So if these people, who were the subjects of the King of Spain on the 4th day of February, 1899, were guilty of firing upon the American soldiers, then the American Government should have demanded satisfaction of Spain for that. As the American Government did not demand satisfaction of Spain and went on and made a treaty of peace we had no right to complain any further.

Now, let us see the attitude in which you put us. You put us in the attitude of treating with Spain, agreeing upon the terms of a treaty, and negotiating with them up to the 11th of April, 1899, and at the same time carrying on hostilities with one of her provinces. That is the proposition you make, or else, if you recognize the right of the Filipino people to act for themselves, that they were acting for themselves, and that they were an independent government that had been set up, then we received no pretense of title from Spain. But if you say there was an independent government set up by the Filipinos themselves for the purpose of governing themselves, then whenever we made war upon them we made war upon an independent government for the purpose of conquest and not for the purpose of reducing to submission a province which belonged to us by the right of purchase.

Why, sir, the law will not allow the purchase of a lawsuit. What would you say if a client were to come to you and tell you that he had purchased from A a lawsuit which A had against someone? You would tell him that he could not lawfully purchase a lawsuit. Neither does the law of nations or the law of right or the law of conscience justify you in purchasing a people who were in rebellion against their lawful sovereign; and when you do it you are purchasing, as you knew at the time, a war, and when Spain is turning them over to you for \$20,000,000, she is turning them over to you at "range delivery." No one can claim that the Spanish Government had the power to deliver the islands to us. They may have had some nominal authority, but there is not a Senator here who will say that they had the power to turn those people over to the United States. They did not turn them over to the United States. If they had no power to turn them over to the United States when they were purchased, it was be-

cause they were in war against that sovereignty which claimed the right to rule them, and, being at war with them and having set up a government which that power could not pull down, they were practically and virtually independent of that Government; and when you bought them you bought no legitimate title to them, and you only got the right of "criminal aggression," a right to conquer a heterogeneous people.

I believe, as I said in the outset—and what I say regarding this matter must necessarily be desultory and cursory, because I have not reduced to writing a note—

Mr. SPOONER. Will the Senator allow me to ask him a question, as I wish to understand him?

Mr. McLAURIN of Mississippi. Certainly.

Mr. SPOONER. If I understand the Senator correctly, he says that when the troops of Aguinaldo attacked the American army on the 4th of February that was an offense against us by Spain, for which we should have demanded reparation from Spain.

Mr. McLAURIN of Mississippi. The troops of Aguinaldo did not attack our army. There was a fight between some of the soldiers of Aguinaldo and some of the soldiers of the United States, but they did not make any attack upon us. If, however, they had done so it would have been the Spanish Government that was doing it, because the Spanish Government was responsible. Will the Senator say that the Spanish Government was not responsible for what they did up to the time the Philippines were transferred to the United States?

Mr. SPOONER. I am only trying to get at the Senator's position.

Mr. McLAURIN of Mississippi. I am trying to get at the position of the Senator from Wisconsin. Let me see if the Senator and I agree upon that. Does the Senator deny that the Spanish Government was responsible for the acts of the Filipinos up to the time they were transferred to the United States?

Mr. SPOONER. The Spanish Government claimed that after the protocol and before the ratification of the treaty we were liable for the Philippines and obliged to take care of the peace.

Mr. McLAURIN of Mississippi. I am not asking the Senator what the Spanish Government claimed. I am asking what he claims.

Mr. SPOONER. I think we acquired perfect title from Spain to the Philippine Archipelago.

Mr. McLAURIN of Mississippi. When?

Mr. SPOONER. By the treaty.

Mr. McLAURIN of Mississippi. When did we get that title?

Mr. SPOONER. We got it from the treaty.

Mr. McLAURIN of Mississippi. But when did we get it?

Mr. SPOONER. When the treaty became effective and consummated by the exchange of ratifications.

Mr. McLAURIN of Mississippi. Yes, sir.

Mr. SPOONER. And I think that related back.

Mr. McLAURIN of Mississippi. Now let me ask the Senator a question. Did we, on the 4th of February, 1899, have a perfect title to the Philippine Islands?

Mr. SPOONER. We had a perfect title to whip any body of troops that attacked our men anywhere under God's heaven. That is all I care to say about that.

Mr. McLAURIN of Mississippi. The Senator can, of course, answer or not. I can not force the Senator to answer; but I should like to have a direct answer, as I am willing to answer any question that any Senator may propound to me. I have asked the Senator a question, if we had any title of any kind to the Philippine Islands on the 4th of February, 1899, and if so what was that title?

Mr. SPOONER. We had a perfect right to occupy the suburbs of Manila under the protocol. I have never claimed that we acquired a legal title to the Philippine Archipelago except by the treaty.

Mr. McLAURIN of Mississippi. Then the Senator does not claim that we had any title to the archipelago on the 4th of February, 1899?

Mr. SPOONER. I do not.

Mr. McLAURIN of Mississippi. Then we agree on that point, that the United States had no title of any kind to the Philippine Islands on the 4th of February, 1899. That being so, I have asked the Senator, and I repeat it, if the title was not then in Spain, and, that being so, if Spain was not liable for the acts of the inhabitants of the Philippine Archipelago on the 4th day of February, 1899?

That being so, what was the necessity for rushing into war with those people? We were treating with their sovereign. If it is contended that the Spanish King was their sovereign, we were treating with their sovereign at that time. When a little difficulty occurred between our soldiers and the soldiers of Russia in China our Government did not declare war against Russia. Time and time again there has been trouble between the soldiers of the United States and the soldiers of other governments. It

has not been considered sufficient to declare war. Only a few days ago in Italy some of our naval officers were arrested and put in prison, and it was claimed that they were erroneously tried, erroneously fined, and erroneously compelled to submit to indignities, and yet nobody thought of declaring war against Italy because of that. It was sought to accommodate that by some kind of treaty or some sort of explanation or some kind of apology that would be made by one government and accepted by the other.

Can any Senator or anybody else say why it was the United States Government was ready to fight when there was a difficulty gotten up between some of Aguinaldo's soldiers and some American soldiers, not a battle between two armies, not a clash between two governments, nothing that should provoke a war between two governments, but an act which occurs time and again between two governments and for which reparation is made and which is not considered sufficient to provoke a declaration of war?

No; my opinion about it is that anything in the world would have been seized at that time to justify the taking possession of those islands; anything in the world would be seized as a justification for subjugating them, and the policy was embarked upon of subjugating them. I repeat, if Spain was not responsible for their acts and if they were not subject to the King of Spain at that time they were an independent government, and being an independent government they had been virtually recognized by us.

They had been cooperated with by us in a fight against Spain, and that is the practical solution of the whole matter. Spain was not regarded by the United States Government as being responsible for the acts of Aguinaldo's soldiers, because it was considered at that time that the Philippine Archipelago was not within the power, control, or jurisdiction of Spain, and it was known it was not. We had been cooperating with them, and this was not called to the attention of the Spanish Government. It was two days, as I say, before the ratification of the treaty of the Senate of the United States and more than two months before the proclamation of peace between the two governments, the exchange of ratifications, which was on the 11th day of April. It was not called to the attention of the Spanish Government for the reason that the Spanish Government was known to have no jurisdiction over the islands, no authority there in fact, and no authority in law, because a government had been set up in opposition to the Spanish Government which we had recognized as being sufficient to carry on the affairs in the Philippine Archipelago, and it was sufficient for us to cooperate with and treat with them, because we did treat with them when we furnished the government arms for their soldiers to fight for their independence, and we did cooperate with them when our soldiers went side by side with them into battle for the cause of the allies, and we did cooperate with them and recognize them when our Government turned Spanish prisoners over to them to the number of 3,000, committing them to their care and charge.

That is the reason it was not done. If it had been at that time that the American Army and the British army had been close to each other and some of the British soldiers had fired upon some of the American soldiers, the Government of the United States would never have thought of rushing into war with Great Britain on that account. The Government of the United States would have sent its ministers to see the ministers of the Government of Great Britain. It would have gone to the ambassador of Great Britain and laid the case before him. The Secretary of State would have laid the case before the ambassador of Great Britain here and there would have been some explanation. The British Government would have had an opportunity to disavow the acts of their soldiers. Is it possible the American Government, which is a world power—and that is a fact that we hear so much about now—would demand more of a weak, puny, powerless republic than it would of a powerful monarch?

Talk about world power! This country has been a world power ever since the Monroe doctrine was proclaimed by President Monroe. It has been a world power sufficient to command the respect of all the governments of the earth. The least violation of the courtesies, obligations, and duties that other governments were under to the Government of the United States has been called to account by the United States, and there is not a government which refuses to recognize the power of the United States Government to command their respect. It has commanded their respect ever since the Monroe doctrine was proclaimed. It is not recently that the United States has become a world power. It did not make the United States a world power to conquer a country like Spain. It could have conquered half a dozen governments like Spain. It was strong enough to stand and defy the powers and the armies not only of Spain, but of any government on the face of the earth, the navies and armies of the Government of Great Britain and the Empire of India. The navies and armies of Austria, of Russia, or of any other power are not sufficient to make the United States Government trouble or to permit an

insult or indignity to be offered to the United States and not be called to account for it.

Is it possible, then, I say, that this power, this great Government that can command its soldiers by the million, that can command a navy which can take possession of all the waters of the ocean if it sees proper to do so, will demand of the Philippine republic, a republic that has just been born into existence, that which it would not demand of Great Britain, of Russia, or any other great power? Is it possible that this Government would not treat with the same courtesy that young republic that was springing into existence as it would treat the Kingdom of Great Britain? And yet that is the complexion to which it comes, because there was nothing there except a collision between some Philippine soldiers and some American soldiers.

Now, as to some of our obligations. On the same day this treaty was ratified, the 6th of February, 1899, the following resolution was introduced:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled. That by the ratification of the treaty of peace with Spain it is not intended to incorporate the inhabitants of the Philippine Islands into citizenship of the United States, nor is it intended to permanently annex said islands as an integral part of the territory of the United States; but it is the intention of the United States to establish on said islands a government suitable to the wants and conditions of the inhabitants of said islands to prepare them for local self-government, and in due time to make such disposition of said islands as will best promote the interests of the citizens of the United States and the inhabitants of said islands.

That was not satisfactory to all the Senate, and the following was offered as an amendment:

Resolved further. That the United States hereby disclaim any disposition or intention to exercise permanent sovereignty, jurisdiction, or control over said islands, and assert their determination, when a stable and independent government shall have been erected therein entitled, in the judgment of the Government of the United States, to recognition as such, to transfer to said government, upon terms which shall be reasonable and just, all rights secured under the cession by Spain, and to thereupon leave the government and control of the islands of their people.

On a vote on that amendment there was a tie—29 to 29—and the Vice-President, having the casting vote, voted in the negative, so that it came within one vote of being adopted as the sense of the Senate of the United States.

This resolution was voted on the 14th, eight days after it was introduced in the House and eight days after the ratification of the treaty. On the adoption of this resolution I have read, on February 14, there were 26 yeas and 22 nays. That was a month and five days before the Spanish Cortes acted upon the treaty. When they acted on it they had this before them: They knew the intention of the American Government was not to retain these islands—that is, that that was the policy expressed at that time. Mark you, these 22 nays were not because they objected to the policy of disposing of the islands, but because they wanted it understood—and they put it upon record—they wanted it put in language that every man could read as he runs—that they were opposed to exercising any sovereignty at all over the islands except so far as to establish an independent government there.

When the Spanish Cortes ratified the treaty, when the exchange of the ratifications of the treaty was made on the 11th of April, 1899, this was before the Government, and there were two things clearly stated there that the Government of the United States did not intend to do. One was that it did not intend to incorporate the inhabitants of the Philippine Islands into citizenship of the United States. So that we have it settled as a statement of the same Senate that ratified the treaty that it was not the intention of the Government of the United States to incorporate the Filipinos into citizenship of the United States.

What then? Is it possible—it will be asked of every Senator who advocates the permanent retention of these islands—is it possible that you are going to retain provinces and retain the control of subjects to whom you never intend to give any right of self-government, whom you never intend to make citizens of the United States, but to whom you say, "You shall always be under the control and jurisdiction of the Government and sovereignty of the United States without ever having any opportunity to become citizens of the United States?" That can not be. Why? Because there is not a man who believes in the American form of government who can rise and say that that would not be absolutely in contravention of every doctrine, of every teaching, of every principle of this Government from the Declaration of Independence up until now—aye, from the first gun that was fired at Lexington, Mass., in April, 1775.

Then what? They were not to be incorporated as citizens, and further than that was another thing that was not intended to be done.

Nor is it intended to permanently annex said islands as an integral part of the territory of the United States.

What does that imply? It implies that it was not intended to retain them. We speak of this as an annexation because we are getting possession of them; and there could be but one interpretation of that in the mind of any fair-minded legislator, and that is that

in speaking of not permanently annexing them we do not intend to permanently retain the control of them, because in the sense of annexing them and making them part of our territory, and making them a part of our citizenship, that has been negated by the party in power in the resolution just read. The party who supported the Administration at that time negated the proposition that we intended to incorporate them into citizenship and annexation according to the idea of the American people, and it had a fixed definite signification by the American people.

There was not an American lawyer or an American citizen who understood anything about our Government who did not know what annexation meant. We annexed Texas. We annexed the Louisiana purchase; we annexed Alaska. It was all annexed because it was intended to make it a part of our Government, but it had a different signification in this case. It was not intended to permanently annex it. That is, it was not intended to permanently retain it. It was not intended that these islands should be put in the category of New Mexico, or Arizona, or Alaska, the Mississippi territory, the Louisiana territory, or any other territory.

But we were getting possession of it at that time, and it was as much as to say that the possession we are getting now is not intended to be retained, and that is all that is meant by annexation in that resolution. It does not mean what annexation meant with reference to Texas, Louisiana, or any other territory that had ever been annexed by the Government of the United States, because when we annexed Texas or Louisiana, or purchased California or any other territory that came to us, we annexed it permanently, and we voted its citizenship into the citizenship of the United States. You can not find anywhere that territory has been annexed in the United States, by treaty with a republic, as was the case with Texas, or by purchase, as in the case of Alaska or Louisiana, but what at the same time the citizenship of the annexed territory was adopted into the citizenship of the United States. But here that was excluded, and it had the meaning that we were taking temporary possession of it.

It does not mean it was to be permanently done, because this implies some kind of annexation. When you say we do not intend to permanently annex, you speak of some kind of annexation, because if you did not intend to annex it at all, then there would be no necessity for using the word "permanent;" but "it is not the intention to permanently annex said islands as an integral part of the territory of the United States." It was as much as to have said to the Spanish Government, "We do not intend to retain the control and sovereignty over this territory. What we intend to do is to take them now. We intend to dispose of them." These are negatives. "We do not intend to incorporate the citizenship into the citizenship of the United States. We do not intend to permanently annex them to the territory of the United States." Then what do we intend?

Here it is:

But it is the intention of the United States to establish on said islands a government suitable to the wants and conditions of the inhabitants of said islands to prepare them for local self-government—

Then what?—

and in due time to make such disposition of said islands as will best promote the interests of the citizens of the United States and the inhabitants of said islands.

Not to permanently annex—that is, retain—them, but after a while to make a disposition of them; and we do intend to make a disposition of them. How are you going to dispose of them? Get rid of them. That is the only meaning the words "disposition of them" could have in that sense.

I have given my idea upon this because Senators seem to think we must keep the possession of these islands in order to carry out our obligations to Spain and to the Spanish subjects who elect to retain their fealty to the Spanish King. Senators are very solicitous of the obligations of the United States. They are very solicitous of the honor of the United States when, according to their interpretation, it would retain the sovereignty and control of the Philippine Islands; but when they are called upon to put down barbarities in the Philippine Islands, when they are called upon to examine and investigate the conduct of our civil and military government there, then they are not so solicitous and sensitive of the obligations and duties of the United States Government, but they fly to the charge that we are slandering the American Army, and they come to the defense of the American Army and say the people will sustain the American Army.

Yes; the people of the United States will sustain the American Army when the American Army is doing its duty, and the American Army, with exceptions shown in evidence, does its duty; but that does not mean that the people of the United States will sustain those officers of the American Army who are violating all the rules and regulations of war any more than, when it is said the American Government and the American people will protect all American citizens everywhere, it means that they

will therefore not punish the criminals who commit murder and robbery and larceny and burglary, and otherwise violate the law. The American Government will protect its citizens, but that does not mean the American Government will protect robbery and murder and assassination. The American Government will protect and sustain its Army, but that does not mean it will protect and uphold those officers of the American Army in the Philippine Islands who are violating the rules and regulations of war.

What is the result of all this? We said, "Do not embark on this policy; it is a dangerous policy. The people of the United States have been taught to love liberty. The people of the United States have been taught that all men have an equal right to govern themselves, that government must come from the consent of the governed, and that every government ought to receive its authority from the consent of the governed; that no man or set of men are born good enough to rule other men and other sets of men; that no people are good enough to rule another people thousands of miles away." We said, "Whenever you do this you bring reflections upon the very doctrines and the very principles upon which our Government was established." They said, "Oh, there is money in it; there is commerce in it. We want to get the commerce of these islands." We are leading in the commerce of Japan. We are leading in the commerce of the Orient, where we have no control over the people. It ought not to follow, however, that therefore we ought to go and conquer people in order to trade with them. If I had the time I think I could show conclusively by documentary evidence that we are doing better in those places where we have no army, where we have no war, where we claim no sovereignty in the Orient, than we are in the Philippine Islands.

But on this policy they embarked. What has been the result of it? They say our soldiers have been murdered. It is a result of the imperialistic policy. They say the natives are treacherous; that, besides those who fell in battle, fifty or sixty of our soldiers were destroyed by treachery in addition to the friendly natives who were killed and destroyed by treachery. It is a result of the imperialistic policy.

Let us see some of the policy. I find here that on the 26th of February, 1901—I want you to mark that; that was before the Balangiga massacre—a letter was written to General MacArthur, as follows:

FEBRUARY 26, 1901.

General MACARTHUR:

SIR: It is simply horrible what the Macabebe soldiers are doing in some of the towns.

Wherever these men go there ought to be two or three American officers to watch them, and these officers ought to know Spanish so that they may listen to the complaints of the people, for the Macabebe officers pay no attention to their remonstrances, but on the contrary assist the soldiers in their rascality.

Yesterday the American officer commanding the town of Montalban came to Manila, and that night Macabebe soldiers went through the streets firing their guns, ill treating the neighbors, and putting people in jail after having beaten them. They stole clothes, jewelry, and money from the house of Captain Tino, a poor old man, who was beaten so severely that he is at the point of death.

They would not allow the local presidente to go out on the street; they fired at him and killed several citizens. The people of San Mateo know this because many of the residents of Montalban fled to the woods and to San Mateo.

The Macabebes are committing the most horrible outrages in the towns and the officers say nothing, but on the contrary punish and threaten any persons who make complaint.

If you, General, would send some confidential agent to Montalban at once to investigate these statements, you will see that I am telling the truth.

Some twelve days ago some Macabebes went into a house and four soldiers raped a married woman, one after the other, in the presence of her husband, and threatened to kill him if he dared to say anything.

The war will never come to an end this way, nor will the country be pacified. The people are compelled to take to the woods. The American soldiers and the Spanish soldiers do not do these things, but the native soldiers are rascally thieves.

Mark you, this "outraged citizen," as he signs himself, exonerates the American soldiers, exonerates the Spanish soldiers from this, but charges it to the Macabebe soldiers whom we took into our service over there, similar—not as bad—to the way George III took the Indians into his service to kill and scalp American men, women, and children, and to burn and destroy their property.

If you will have these outrages investigated, you will see that I am telling the truth. If you direct the punishment of those who have merited it, it would be appreciated by all the peaceful and honest citizens of the towns.

For God's sake do justice, and the people will bless you.

AN OUTRAGED CITIZEN.

This man writes like a man who is telling the truth. There is a good deal of truth in what he says. That was on February 26, 1901. This was referred by General MacArthur to the commanding general of the Department of Northern Luzon, Manila, P. I., and General Wheaton referred it to the inspector-general of the department. Then it was finally returned to the adjutant-general, Department of Northern Luzon, and on March 5 he made his report.

Mark you, now; it will not do to say our Army is being slandered. There is no escape from the predicament into which the

party in power has put itself by its policy, by charging when these reports are read that the Army is being slandered, because this is all the result and the outcome of that policy.

Listen, now. Here is a report of the inspector-general, Maj. Frank B. McKenna:

OFFICE OF THE INSPECTOR-GENERAL,
DEPARTMENT OF NORTHERN LUZON,
Manila, P. I., March 5, 1901.

The ADJUTANT-GENERAL DEPARTMENT NORTHERN LUZON.

SIR: I have the honor to report that pursuant to instructions contained in the second indorsement on the within communication I proceeded, on March 1, 1901, to San Mateo and Montalban to investigate the truth of the statements contained therein.

Upon arrival at San Mateo—3 miles from Montalban, the station of the Philippine cavalry whose conduct was complained of—I ascertained that a large part of the inhabitants of Montalban were then in San Mateo, having deserted the former place. In consequence I began my investigation at San Mateo, and subsequently went to Montalban. I requested the commanding officer at San Mateo to cause the prominent men of the town to come before me. In this way the presidente local appeared. At first he was very loath to say much, but upon assurance that his statements would be regarded as confidential he was induced to recite a list of the occurrences, some of which he knows, some which he has heard as having taken place since the arrival of the Macabebe soldiers at Montalban. The sworn statement is herewith appended, and I have translated the important parts of it. I then requested him to let it be known in town that I was willing to hear complaints that any citizen had to make. The result was that a large number of voluntary witnesses offered themselves, each of whom was sworn. The following is some of the testimony:

Martin Anastacio, 20 years of age, lives in barrio Montalban; was in his house 10 o'clock Monday night, February 25, when two Macabebe soldiers, with guns and in uniform, asked him from without how many men were inside and for him to come out. Four men were inside, and as they descended the steps the Macabebes commenced to beat them with their guns; then they tied the four men, and one of the soldiers went back into the house. The soldier inside searched the house and not finding anything took the four men off down the road, taking a peseta from one and some cents from the other. All were taken to the calaboose, strung up by the thumbs, and the witness struck in back with revolver (saw the marks of alleged bruise from revolver).

Policipio Cristi, age 45, laborer, lives in barrio San Jose Montalban. On Sunday, February 17, at 7 p. m., four soldiers entered his house and demanded money. Money was not given, and he and his brother were beaten and then taken to the calaboose.

Paul Concepcion, age about 60, lives in barrio San Jose. Party of soldiers took him and his daughter, age 18, out of the house and into the woods and tried to separate them—he believes to violate his daughter. His cries and pleadings made them desist, and he and his daughter were brought back. This on night of February 25.

It has been a good while since I have read Roman history, but I believe there was one Roman who, to prevent his daughter from being violated, took his dagger out and stabbed it into her breast and killed her. Who would not do that?

And who was responsible for all this policy? I am assuming for the sake of the argument that all this was necessary and proper and right, because I hear the policy defended, and this is a result of the policy. I am assuming that it is all right and proper, but is it not horrible? Is not the policy horrible which produces such horrible results? Can it be a good policy? Can it be a policy that will promote the welfare of the American people which produces such results? Can it be a policy that will redound to the honor and glory of the American Government which produces such results? Can any amount of money that can be made out of it, of commerce that can be acquired, compensate for such results? That is the only justification I have ever heard for it. Would it not be far better that the islands should be independent and, with our superior means of manufacturing, with our superior facilities for commerce, and with our superior commercial intelligence and industry and energy, take our chances to secure what we desire in the way of trade and commerce than to follow a policy which produces such abhorrent results? Let us see, now:

Dauraniao de la Cruz, age, 35, vice-presidente, Montalban: Taken from his house night of February 25 by 4 soldiers; \$110 taken from him; kept in calaboose over night and released next morning. This man bears a certificate of loyalty and excellent services rendered to the United States Government from the district commander.

I wish to dwell just a minute on that. There has been a great deal said in justification of the conduct of some of our officers in torturing with this horrid water cure some of the Filipinos, because natives who were friendly to the American people had been killed, assassinated, murdered, by some of these insurrectos, and sometimes they pleaded guilty and sometimes they did not. Sometimes the torture was inflicted upon guilty ones, possibly, and sometimes not, because sometimes those who were tortured confessed. Whether they confessed because they were guilty or whether they confessed because they thought it the safest means to obtain some surcease of suffering and torture God only knows.

While in some instances they confessed, still there were some of them who endured the torture, protesting to the death their innocence. Whether they are Filipinos or what they are, you may say that they went to their long account martyrs—I will not say martyrs to liberty, but martyrs to truth and martyrs to innocence—because they were unwilling in the very presence of the Jehovah to condemn themselves to the crime of which they felt perfectly innocent. He is a martyr who is willing to suffer any

torture, any pain, whether by fire or flood, whether it is by ice or heat, rather than to give up his conviction of truth, of innocence, and of right.

Here is a man who had from the district commander a certificate of loyalty and excellent services rendered to the United States Government, who was not only a loyal man, not only a man who had been in the service of the United States Government, but a man who had rendered excellent service to the United States Government, and he had a certificate to that effect from the district commander. He is subjected to these tortures, all of which it must be assumed were necessary under the policy of imperialism; all of which it is to be assumed were proper to support imperialism. I am not saying that any of these tortures were improper. I am saying that a policy which perpetrates such acts ought to be abandoned. A policy that produces such results as these ought never to have been entered upon.

When we said, "Do not enter upon this policy because it will provoke just such acts as these," we were told that there was money in it. You can not say that you did not expect this, because you tell us now that you always knew what war meant; that war meant rapine, plunder, and bloodshed. Senators refer us to the wars of Rome; they refer us to Nero; they refer us to the Tartar candles; they refer us to tortures all along down in the line of history to show us that it was known by them when they entered upon this policy that just such a result as this would come. They did not enter upon it blindly, and they cite us to the very history that shows that this must have been expected when war came. They were quick to precipitate war when there was the least provocation for it. When there was a little difficulty between the soldiers of the Philippine Islands, who had lately been our allies, and the soldiers of the American Army, it was seized upon as a pretext to precipitate a war which they tell us they knew would produce just such results. Oh, the horrors! And they knew that the policy upon which they were entering would produce them.

I am not saying that it is not necessary, because it is a necessary incident to war, as they tell us. I do not impeach the Administration or Senators on the other side because these acts are going on, but I plead with you to stop it, and to stop it now.

You accuse us of speaking of these things for the purpose of making political capital in the coming campaign this year. We plead with you to stop this policy, and to give to those people assurances of an independent government. Treat with them as people who are entitled to be heard in their defense and give them assurances of an independent government, as the Democratic minority here asks you to do, and there will be no campaign thunder for us in that. You are giving us campaign thunder when you refuse to do it. When we appeal to you to take this course we are appealing to you to do that which will benefit you in the coming campaign, because the people will say that there is in your conduct a spirit that commends itself to all magnanimous people and to magnanimity itself, and that is the spirit which, when you embark upon an enterprise that can not be justified, and when it is ascertained that it is such, causes you to recant what you have done so far as you can and abandon the policy that is producing all these abhorrent and horrible results.

Such a course as that would be of no benefit to the Democratic party in the coming campaign. It would be a benefit to the Republican party, and that is what we appeal to you to do. For the sake of humanity, for the sake of the lives and health of the American soldiers and the happiness of their families and homes, for the sake of the good name of the American people, for the sake of the good name of the American Government we appeal to you to abandon this imperialism even though its abandonment will benefit the Republican party in the coming campaign.

Ah, it is not necessary for us to have anything that is said in this debate in order to get campaign material against the Republican party. There has been enough done in this Congress to condemn the Republican party before the people of the United States in the coming election. When we begin to look over and find the kind of a report I hold in my hand, and when the Republican party has pursued a policy that has made it possible, the Republican party will have to answer, and it will be compelled to answer, in the coming campaign. When it is found that in the last five years the exports of beef cattle from this country have increased until they have been very much larger the last year than in 1897, and when it is found that the price of cattle has gone down \$10.88 a head, and yet by the policy of the Republican party a beef trust is enabled to raise the price of beef to the consumer day after day a cent a pound each day, running it up constantly, the Republican party will be asked how that came about.

Let me read from a report that came out on the 10th of April. I do not say that it was held back until the beef trust could get in its work, but it seems that it ought to have been presented to

Congress by the 1st of January. However, it did not come until the 10th of April, and here is what it shows:

In 1897 the quantity of beef cattle exported was 392,190 head, and its value \$36,357,451. In 1898 the quantity was 439,255, and the value \$37,827,500. In 1899 the quantity was 389,490, and the value \$30,516,833. In 1900 the quantity was 397,286, and the value \$30,635,153, and in 1901 the quantity was 459,218, and the value \$37,566,980, showing that the value of these cattle exported in 1901 was \$10 a head less than in 1897. There were nearly 100,000 more exported in 1901 than in 1897. Yet we find that in some way the price of beef to the consumer is constantly going up by the operations of the beef trust.

Oh, but it is said the Republican party is not responsible for it. If there is a good crop made, the Republican party claims the credit for it. If the price of wheat goes up, the Republican party claims the credit for it. If the price of cotton goes up, the Republican party claims the credit for it. And I believe the other day one Senator on this floor, a Republican Senator, asserted that the result of the Republican Administration was that the price of cotton went up from 4 or 5 cents a pound to 7 or 8 cents a pound. I think that was the statement of the senior Senator from North Carolina [Mr. PRITCHARD].

Then the Republican party will have to answer for other things. The Republican party will have to answer for the fact that millions upon millions of dollars will be taken out of the Treasury every year as to give a ship subsidy to men who have done nothing to earn it, to men who do not propose to give anything to the Government in return. That is proposed to be given as an actual donation to the capitalists, and then when laboring men get an opportunity to work for it, it is said that they ought to be glad of an opportunity to work for the money. It is all right to give it to the millionaires and the multimillionaires, but when it comes to the laborer he ought to be thankful that he gets an opportunity to work for the money.

Well, that is not all. The people will begin to ask another question when the election comes on next fall, and that will be the question, "Why is it that the Congress of the United States, being Republican in both Houses, with a Republican Executive, refused to pass a permanent Chinese-exclusion law and only passed a temporary makeshift?" That question will be presented to the people next fall and to the Republican party, and you will have it to answer. You will be held responsible for that legislation.

The Senator from Connecticut [Mr. PLATT] introduced the substitute, a temporary makeshift, which was finally adopted by the Congress and finally became the law. The Senator from Connecticut in a speech advocated the admission of Chinese laborers into the Philippine Islands and into our possessions. He advocated their coming in there, and said it ought to satisfy the American laborer if he is protected on this continent.

Is it supposed by the Republican party that the laborers of this country will not know what will be the result when you admit Chinese laborers into the Philippine Islands and they become workers there and laborers engaged in manufacturing articles and engaged in doing work the American laborers here perform and then allow the product of such Chinese labor to come over here with a reduced tariff? Is it supposed that when you have been teaching them these hundred years that the tariff is intended to protect the labor of this country against pauper labor, and that when these articles, the product of foreign labor, come here with a reduced tariff, it is an assault upon the labor of this country, the laborers of this country will not have sense enough to know that articles manufactured in the Philippines by Chinese and admitted at a reduced tariff will make as much competition with their labor as articles manufactured in Europe and admitted at a reduced tariff.

You will have that to answer. Ah, but you tell us that we finally excluded it. Yes; it was excluded not as the result of the efforts of the Senator who introduced the substitute, but it was excluded temporarily. Still we are told by the Senator who is in charge of this bill, the junior Senator from Massachusetts [Mr. LODGE], that these Filipinos are skilled in the handling of machinery; that they are deft with their hands; that they will make splendid skilled laborers. I do not pretend to quote his language, because I have it not here, but that is the substance of it. I have not read his speech, but I heard the speech. It was a very able and very interesting speech, as is every utterance of his, because he is an able Senator and able to present his side as strongly as it can be presented by anyone, and he always does it. But when you tell the laborers of this country that you are intending to retain the Philippine Islands, where they have 12,000,000 of inhabitants who are capable of using machinery, and are deft with their hands, and make skilled laborers, is it supposed they will not know that when you reduce the tariff on the product of the Filipino labor into this country that, as you have taught them, it will compete with their labor? You will have that to answer.

It is not necessary to go further. I could give you a great many other instances. There are a great many other things that will fall upon the shoulders of the Republicans this fall when they come before the people.

So it is not necessary for us to make this argument and get you to make the mistake of refusing to take our advice on it in order to obtain capital to go into the campaign this fall. We beg you, and we plead with you to give some evidence that you intend at an early day to turn over the government of those people to themselves. The Spanish Government knew when the treaty was enacted that it was the avowed intention of the American people not to hold those islands, and that they must look to such government as the American people set up in the Philippine Islands for the protection of their interests and the interests of their subjects.

Now, let me resume the reading of this report. I will read the paragraph preceding the one I last read:

Estaban Samaldi, age 45; Montalban: Claims to have been unwarrantably taken from his house when sick and taken to calaboose because he would not come out of his house when spoken to; maltreated in the guardhouse; half strangled by rope; marks on neck and other bruises on body evident now; released next morning, February 26.

Dauraniao de la Cruz, age 35; vice-presidente, Montalban: Taken from his house night of February 25 by four soldiers; \$10 taken from him; kept in calaboose over night and released next morning. This man bears a certificate of loyalty and excellent services rendered to the United States Government from the district commander.

Saturina de la Cruz, age 18; married; lives in barrio San Rafael, Montalban: Night of February 21, after taps, about 10 o'clock, three Macabebe soldiers armed with guns and one with revolver entered her house; she and her husband were asleep; a man with a revolver forced her husband out of the house; other two took him away first, then returned and at the point of a revolver raped her; she was raped again on night of the 25th.

Roberta Magat, age about 45; widow: Some soldiers entered her house, removed the man sleeping there; one remained and raped her, first struck her on shoulder with revolver (alleged mark visible yet).

Valentino Anesito, age 18; married: On February 25 she was in her house with her husband and a distant relative; four Macabebes entered, took the husband away, and raped the woman; struck her with gun in face; marks still evident.

Francisco Resurestion, the distant relative referred to above, testified she was raped also.

Eceel Memoracion, age 30: Night February 25, about midnight, soldiers in arms entered his house and took him and his brother-in-law to the calaboose; robbed him of 2 pesos, three cocks, and a mat; kicked him and butted him with gun in taking him to the calaboose.

Velerma de la Cruz, age 18; single: lives in barrio San Jose: On night of February 25, about 8 o'clock, raped three times by Macabebe soldiers; could not recognize any of her assailants; was too dark.

Madia de la Cruz, age 30; has a tienda in barrio San Jose, Montalban: On night of February 28 Macabebes came and demanded \$10 gold; not getting it they dragged her into the streets and abused her; she finally gave them 50 cents; next morning came again and demanded the same and were given a dollar; then they threatened to kill her and her family; she fled to San Mateo and afraid to return.

Emiliano de la Cruz, age 26, barrio San Rafael: Soldiers entered his house night of February 25 and struck him and his wife and robbed him of \$6; saw alleged bruise on chest; attempted to outrage his wife, who was pregnant, but she clung to his mother, and they finally desisted.

Maria San Pascual, 18 years of age, testified to truth of the above attempted rape.

Juan Torres, age 60, laborer, barrio Burgos, of Montalban: On Wednesday, February 27, at 10 o'clock at night, two soldiers entered his house, occupied by his wife and his son's wife, took him out a little distance from his house, and, after demanding money, told him to stay there or be killed; then went back, tried to rape the younger woman, desisting in their attempts when discovering she was far advanced in pregnancy.

Petra Mendiola, 12 years of age: Sunday, February 25, she was selling buyo in a gambling house; a detail of the guard came in, arrested all the soldiers, took them out; then four men of the guard came back took her and another woman into the brush, and two raped her in succession; this in barrio San Rafael, Montalban. Mother and father of the girl were examined and said they believed the girl's story true. Mother declared the girl suffered much next day.

Segunda Marcella, age 20: On Thursday, February 28, three soldiers entered her house; raped her, one after another. This woman had child four months old; stated she could recognize one Macabebe soldier, whom she knew as Francisco. Commanding officer Montalban was notified. At retreat that night the woman identified the man, and he was put in the guardhouse.

An old woman complained to me at San Mateo that she had been robbed of 100 pesos by Macabebe soldiers the night before—March 1, 1901—and that she could recognize the man. She was told to appear in Montalban, which she did, and identified a Macabebe corporal on outpost duty near her house as the culprit. The commanding officer was notified and confined the soldier at once.

A great many more witnesses were anxious to be heard, but I ascertained that their testimony was generally of the same character as the above, and consisted of assaults, extortions, rape, and attempted rape, but in no cases except those mentioned could the assailants be identified, but all stated positively they were Macabebe soldiers.

Among other witnesses, seven young women from Montalban appeared before me at San Mateo and said they were afraid to return to their homes in Montalban; that upon the arrival of the Macabebe soldiers propositions were made to them which they declined. Unless they consented, they were told, they would be killed and the houses of their families burned. They were afraid to complain, and in fright fled to San Mateo.

With reference to the alleged beating of the old man, Captain Tino (Catalino Calixtro is the real name), mentioned in the anonymous letter of complaint to the division commander, I found that he was not only robbed and beaten, but subsequently killed and his body found in the cane field. Below is the evidence that I was able to obtain:

Being duly sworn, Angel Domingo, laborer, 20 years old, testified as follows: Lives in Montalban. Monday, February 25, about midnight, saw a party of Macabebe soldiers of more than five—about eight—enter Captain Nino's house, drag the old man, who was about 80, out of the house; saw him abused and struck, and then they disappeared into the cane with him. Soon some soldiers returned and robbed his house of about 100 pesos. He knew they were Macabebes on account of uniforms, guns, and language. The outpost

of 4 men and a corporal was within 100 yards of place. He thinks outpost must have heard the old man's cries, but did not heed them. He was taken toward the outpost.

Macaria San Pascual, wife of Captain Nino, 70 years old, being duly sworn testified as follows: Saw party of Macabebe soldiers enter about midnight house where husband slept—she slept in adjoining house about 30 feet away—heard the cry of her husband when the soldiers entered; upon hearing his cry she attempted to rush to his rescue, but her way was barred by a soldier at the door; then her husband was taken out and beaten and money demanded, and finally taken away. Soon some of the soldiers returned and she could hear them digging with bolos in the earth floor of the house where her husband had slept. They finally found 200 pesos which was taken. Next morning about 10 o'clock the dead body of her husband was found in the cane about one-fourth of a mile from the house. He was badly cut about the head and body.

Francisco Calixtro, daughter of Captain Nino, aged 34, being duly sworn, testified as follows: After midnight, February 25, party of Macabebe soldiers entered father's house—she slept in an adjoining house—started to his rescue upon hearing his cry; found soldiers at the door; she saw them take her father out; then some returned and took 200 pesos concealed in rice bin. Could not recognize any of the assailants as it was too dark; knows they were Macabebe by their voices, uniforms, and arms. Next morning she found her father's body in cane field with throat cut.

I inspected the premises myself and saw the house that the woman and man who have given above testimony occupied, and where the old man slept. From their positions they could easily have seen all they state. The outpost was, as Angel Domingo says, within a hundred yards of the house. It is difficult to avoid the conclusion that this outrage was committed by Macabebe soldiers. Besides the proximity of the outpost to this man's house a skirmish line that night had been thrown out to apprehend certain insurgent officers whose presence in town was suspected. This line was not more than 20 yards in front of the house, and the assault and robbery was either committed by these men or by the outpost. To locate the particular men who were in the skirmish line at this point at a particular time is almost impossible. I ascertained that D Troop, Philippine Cavalry, covered this ground, and called up some of their noncommissioned officers, but could find out nothing. Thereupon I interrogated the outpost which was on duty that night, but they heard or saw nothing. Upon my recommendation the commanding officer now has them all—a corporal and 4 men—in confinement, and the investigation should be pushed vigorously, for if they are not the guilty parties they more than likely were aware of what was going on.

It will be observed that most of these alleged outrages occurred on the night of February 25. This was a night of a "round-up," as stated by the commanding officer at Montalban, and was upon information that General Geronimo was in town securing recruits. As a result, 17 men who claimed to be his recruits were found in one house, but he was not apprehended.

There can be no question that this raid on the town was legitimate if it had been executed under the proper control of officers.

The detachment consisted of about 300 men (Macabebes), First Lieut. Dennis P. Quinlan, Philippine Cavalry, in charge, covering over 2 miles of territory upon opposite sides of the town. Lieutenant Quinlan states that his specific instructions to his men were that no one except noncommissioned officers should enter the houses, and he supposed his orders had been strictly obeyed. For him to superintend the actions of the whole force, scattered as it was, on a dark night, was impossible, and the mistake was in sending such a large number of men with only one officer. Second Lieut. Charles R. Loyd, jr., Sixth Artillery, was out that night with 2 men of the Sixth Artillery, but disclaims any command over the Macabebe detachment, and says he saw no scenes of violence.

Now, let us see what is the concluding part of the report of Major McKenna:

It seems more than likely that the Macabebe soldiers on the night of February 25, under the guise of seeking for General Geronimo and other insurgents, did commit a number of acts of unwarranted assault and aggression. That they fired off their guns in the streets and killed several men, as the anonymous complaints state, could not be corroborated, and is strenuously denied by their officers; nor could anything be ascertained about the rape of the woman by four men in the presence of her husband, but the other cases that I have cited are most probably true.

Capt. F. H. Cameron, Philippine Cavalry, commanding officer at Montalban, believes that the greater part of the complaints on the part of the people are fabricated, by reason of their intense hatred for his soldiers, and because on the night of February 25 a number of the friends and relatives of the principal people were found among the alleged insurgent recruits discovered. There may be something in this, but I hardly think it would cause over 300 families to leave town, as the presidente of San Mateo declared to me was the case. Moreover, the witnesses that I examined impressed me for the most part with their earnestness, and on some were still visible the bruises of alleged assault. At least 200 people desired to make complaints, and I examined over 50, until I found that the evidence was merely cumulative. There can be no doubt, whatever the cause, that the utmost dislike and hatred is felt on the part of the people toward the present Macabebe garrison at Montalban. It probably had its origin in the fierce tribal rancor that exists between Tagalo and Macabebe, but has unquestionably been largely increased by the conduct of the soldiers themselves.

He is speaking here of the Macabebe soldiers—

and unless the sternest discipline is imposed upon these native troops by the American officers their usefulness as a pacifying agent for the United States in the vicinity of Montalban or San Mateo is gone.

Major Batson, of the Philippine Cavalry, has been the commanding officer at Montalban until within a week ago, when he went away on leave. He was not there the night of the 25th of February, nor was Capt. F. H. Cameron present—the second in command—the command of the station and the detachment which made the search of the town devolving upon First Lieut. Dennis P. Quinlan, Philippine Cavalry, upon whom must fall the blame for the unlicensed conduct of the soldiers that night. He should have had more officers with him and exercised a better supervision over the operations of his men.

Captain Cameron returned next morning, and the killing of the old man (Captain Nino) was reported to him. He does not seem to have made a very searching inquiry into the circumstances of his death, and was too readily content to believe that it was impossible to locate the guilty parties. Even after complaint had been made to the district commander, and the letter directed to him to investigate thoroughly, does he seem to have made vigorous inquiry. (See telegram appended, marked "I.") He now has in custody four men and a corporal, who, my investigation developed, if not the guilty parties, must know something of the killing of the old man, Captain Nino.

Captain Cameron asserts in his statement, herewith appended, that no complaints had been made to him, and he knew of none that have ever been made, except two or three which he recites were made to Major Batson; yet a great number were made to me, and, in two cases, one of theft and one of rape, I was unable to get the witness to identify men whom they say were guilty.

I desire to respectfully invite attention to the sworn statement of the presidente of San Mateo and Montalban, marked "A" and "B," as to the condition of affairs in the vicinity of those two towns. I likewise herewith append the statements of Captain Cameron, marked "C"; Lieutenant Quinlan, marked "D"; Lieutenant Lloyd, of the Sixth Artillery, marked "E," and those of two noncommissioned officers of artillery, marked "F" and "G"; also that of the commanding officer at San Mateo, marked "H." In conclusion, I find, if the almost unanimous testimony of the natives is to be considered, that the Macabebe garrison at Montalban has committed numerous outrages against them; that these acts of violence commenced almost with the arrival of the Macabebes, and occurred at intervals until the night of February 25, when on that night they must have indulged themselves in a saturnalia, almost, of rapine and violence under the guise of looking for insurgents; that the responsibility for the acts on the night of February 25 belongs to First Lieut. Dennis P. Quinlan; that the subsequent responsibility for not making searching investigation and bringing to punishment the guilty is due to Captain Cameron, Philippine Cavalry.

The sternest discipline should henceforth be imposed upon the Macabebe soldiers to prevent repetition of the acts that have been related.

Very respectfully,

FRANK B. MCKENNA,
Major and Inspector-General, U. S. Volunteers.

No one can read this without being impressed with the candor and fairness of this man. It impressed me, and it seems to me that anyone who reads will be impressed with the intelligence of the man and the searching investigation that he made.

Now, let us see what General Wheaton says about it. He was the brigadier-general commanding. The report was made to him on the 5th of March, and on the 14th of March, after he had time to carefully examine and consider it, he makes the following report:

HEADQUARTERS DEPARTMENT NORTHERN LUZON,
Manila, March 14, 1901.

Respectfully returned to the adjutant-general, Division of the Philippines, and attention invited to inclosed report of Maj. Frank B. McKenna, inspector-general, and report of Col. J. M. Thompson, commanding sixth district, from which it appears that aggravated crimes were committed by Macabebe soldiers of the squadron of Philippine cavalry on the night of February 25, at Montalban. As a result of these investigations all the native soldiers concerned in the commission of these crimes have been placed in confinement and will be speedily brought to trial. I do not agree with the district commander in the opinion that these crimes are the result of the bitter feeling between Macabebes and Tagalos. All native troops, when they can escape the immediate control of their officers, are liable to commit murders, and many will rob and ravish whenever they will have the opportunity.

The squadron of Philippine cavalry was sent to Montalban, San Mateo, and vicinity to replace the Twenty-seventh Infantry, United States Volunteers, when withdrawn to be sent home for muster out. No other troops were available for duty there. The necessity of affairs here obliges us to employ native troops, and these Malay savages will always be liable to commit crime alike disgraceful to our service and an outrage upon humanity.

That is part of the policy you have gotten into. We beg you to desist. We appeal to you to abandon a policy which compels the employment of savages as troops of the United States. Can there be anything wrong in an appeal to quit a policy, to desist from a policy, to abandon a policy that requires the employment of savages, who will commit all the crimes that are alluded to here and which have been proved in the investigation, and proved in this investigation by Major McKenna and by the report of General Wheaton?

I commend that to the careful and candid consideration of Senators. Is not a policy reprehensible that leads to just such a result as that, and in order to defend it that must be the conclusion reached? General Wheaton was not defending the outrages, but he was stating, as a witness, a fact in his report as to what was the necessary consequence of this policy, which necessitated the employment of troops who are savages, who have no respect for the rights of age, sex, or condition; and when you read the entire report of Major McKenna in the RECORD you will see what it contains, you will see the crimes that were committed, as were found to be true by Major McKenna, by these Macabebe soldiers, by these savages, as General Wheaton denominates them.

When you read that you will see the awful consequences of the policy which has been pursued and is being pursued by the Administration. It ought to be abandoned. It will be a credit to the party in power to abandon it. It would redound to the advantage of that party in the coming elections to abandon it. If that party should see proper to abandon a policy which has led to such awful and abhorrent results as these, it would gratify me, not because it would benefit the party of which I am a member, but because it would redound to the benefit and to the honor and to the glory of the American Government to proclaim to the world that when it finds that it is in the pursuit of a policy that must be pronounced not only horrible but damnable, and which ought to merit the condemnation of every civilized man and woman in the world—that when the American Government finds it is pursuing such a policy as that, it has the honor and the manhood to stand up before the world and say: "Let others say what they please, we intend to abandon that policy, whatever you may charge against us." The American people would commend and applaud the party that would do that. I appeal to you in the name of humanity to do it.

All engaged in the crimes related in these reports will be punished to the full extent of military law, after due trial and conviction.

In this connection I desire to call attention to the necessity for the greatest care and caution in the organization of native troops. We can rely in some measure upon the loyalty of the Macabebes. There are, so far as I

know, no other tribes that would not be liable to turn against us whenever they imagined that there was any prospect of successful treachery or treason.

LOYD WHEATON,
Brigadier-General, Commanding.

It must be seen that whatever the number and character of the trials it will be impossible to convict all those people who have been engaged in those crimes, it will be impossible to ascertain who they were. Some who are guilty of these awful crimes it will be impossible to fasten suspicion upon.

Mr. CARMACK. Mr. President—

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Tennessee?

Mr. McLAURIN of Mississippi. Certainly.

Mr. CARMACK. If the Senator from Mississippi would rather suspend his remarks now and go on to-morrow, with his consent I will ask permission of the Senate that he may be allowed to do so.

Mr. LODGE. Of course, if the Senator desires to suspend his remarks, I shall be glad to accommodate him.

Mr. McLAURIN of Mississippi. I shall be glad to do so at this point.

Mr. LODGE. But if the Senator would like to finish—

Mr. McLAURIN of Mississippi. I have not very much more to say, but I have a number of documents which I desire to read and which will take a considerable time to read, and as I am getting somewhat tired, physically, I shall be glad to yield now.

Mr. LODGE. Very well. Then the Senator will continue in the morning?

Mr. McLAURIN of Mississippi. Yes, sir.

Mr. LODGE. In pursuance of the notice which I gave, I shall call the bill up immediately after the routine morning business to-morrow.

INDIAN AGRICULTURAL SCHOOL AT WAHPETON, N. DAK.

Mr. McCUMBER. I ask unanimous consent for the present consideration of the bill (S. 5356) to establish an Indian agricultural school at or near the city of Wahpeton, in the State of North Dakota. It is a very brief bill, and I desire it considered at this time, especially as we are going to consider the Philippine bill hereafter immediately after the conclusion of the routine morning business each day.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes that for the purpose of establishing an Indian agricultural school at or near the city of Wahpeton, in the State of North Dakota, for the purchase of a suitable site and necessary farming land, to be selected by the Commissioner of Indian Affairs, with the approval of the Secretary of the Interior, for the erection of buildings and other improvements to adapt said school to the purposes of an Indian agricultural farm and stock-raising school, \$100,000 be appropriated; and provides that only eligible Indian boys shall be admitted to the school, and that the course of instruction shall include principally practical instruction in farming, stock raising, and kindred pursuits.

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

EXECUTIVE SESSION.

Mr. LODGE. 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 eight minutes spent in executive session the doors were reopened, and (at 5 o'clock and 20 minutes p. m.) the Senate adjourned until to-morrow, Friday, May 16, 1902, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate May 15, 1902.

UNITED STATES ATTORNEY.

George Randolph, of Tennessee, to be United States attorney for the western district of Tennessee. A reappointment, his term expiring June 7, 1902.

POSTMASTERS.

Newton L. Wilson, to be postmaster at Blocton, in the county of Bibb and State of Alabama, in place of Newton L. Wilson. Incumbent's commission expired March 31, 1902.

Thomas E. Campbell, to be postmaster at Jerome, in the county of Yavapai and Territory of Arizona, in place of Frank E. Jordan. Incumbent's commission expires May 24, 1902.

John W. Magee, to be postmaster at Chico, in the county of Butte and State of California, in place of William W. Wilson. Incumbent's commission expired May 11, 1902.

Lilian W. Thomas, to be postmaster at Sausalito, in the county of Marion and State of California, in place of Lilian W. Thomas. Incumbent's commission expired May 5, 1902.

John W. Wilson, to be postmaster at Del Norte, in the county of Rio Grande and State of Colorado, in place of John W. Wilson. Incumbent's commission expires May 28, 1902.

Willis H. Letts, to be postmaster at Columbus Junction, in the county of Louisa and State of Iowa, in place of Willis H. Letts. Incumbent's commission expired February 1, 1902.

Zachary Taylor, to be postmaster at Colfax, in the county of McLean and State of Illinois, in place of Harvey L. Henline. Incumbent's commission expired February 23, 1902.

James H. Lincoln, to be postmaster at Franklin Grove, in the county of Lee and State of Illinois, in place of James H. Lincoln. Incumbent's commission expired May 6, 1902.

Holly C. Clark, to be postmaster at Mount Morris, in the county of Ogle and State of Illinois, in place of Holly C. Clark. Incumbent's commission expired March 9, 1902.

George W. Dicus, to be postmaster at Rochelle, in the county of Ogle and State of Illinois, in place of George W. Dicus. Incumbent's commission expires May 19, 1902.

Richard Waring, to be postmaster at Abilene, in the county of Dickinson and State of Kansas, in place of Richard Waring. Incumbent's commission expires June 14, 1902.

William H. Mackey, jr., to be postmaster at Junction City, in the county of Geary and State of Kansas, in place of William H. Mackey, jr. Incumbent's commission expired May 5, 1902.

Ewing Herbert, to be postmaster at Hiawatha, in the county of Brown and State of Kansas, in place of Ewing Herbert. Incumbent's commission expired May 4, 1902.

James A. Tomlinson, to be postmaster at Harrodsburg, in the county of Mercer and State of Kentucky, in place of James A. Tomlinson. Incumbent's commission expires June 14, 1902.

Winthrop C. Fogg, to be postmaster at Freeport, in the county of Cumberland and State of Maine, in place of Henry C. Brewer. Incumbent's commission expired May 5, 1902.

Henry C. Connaway, to be postmaster at Berlin, in the county of Worcester and State of Maryland, in place of Henry C. Connaway. Incumbent's commission expired May 4, 1902.

Charles W. Farrow, to be postmaster at Snow Hill, in the county of Worcester and State of Maryland, in place of Charles W. Farrow. Incumbent's commission expired March 9, 1902.

Loomis K. Bishop, to be postmaster at Grand Rapids, in the county of Kent and State of Michigan, in place of Loomis K. Bishop. Incumbent's commission expired May 5, 1902.

William W. Robey, to be postmaster at Pipestone, in the county of Pipestone and State of Minnesota, in place of William W. Robey. Incumbent's commission expired March 22, 1902.

Howard C. Miller, to be postmaster at Grand Island, in the county of Hall and State of Nebraska, in place of William H. Harrison. Incumbent's commission expired May 5, 1902.

John R. Hays, to be postmaster at Norfolk, in the county of Madison and State of Nebraska, in place of Philip F. Sprecher. Incumbent's commission expires May 16, 1902.

John G. Wallenmeier, jr., to be postmaster at Tonawanda, in the county of Erie and State of New York, in place of John G. Wallenmeier, jr. Incumbent's commission expires May 28, 1902.

Christopher T. Bailey, to be postmaster at Raleigh, in the county of Wake and State of North Carolina, in place of Christopher T. Bailey. Incumbent's commission expired May 2, 1902.

Conrey M. Ingman, to be postmaster at Marysville, in the county of Union and State of Ohio, in place of Conrey M. Ingman. Incumbent's commission expired May 5, 1902.

Allan Graham, jr., to be postmaster at Ottawa, in the county of Putnam and State of Ohio, in place of Allan Graham, jr. Incumbent's commission expired March 30, 1902.

John S. Buchanan, to be postmaster at Ambler, in the county of Montgomery and State of Pennsylvania, in place of John S. Buchanan. Incumbent's commission expired May 12, 1902.

John Grein, to be postmaster at Homestead, in the county of Allegheny and State of Pennsylvania, in place of John Grein. Incumbent's commission expires May 28, 1902.

R. H. Armstrong, to be postmaster at Kaufman, in the county of Kaufman and State of Texas, in place of H. F. Peery. Incumbent's commission expires May 16, 1902.

John Bell, to be postmaster at Spearfish, in the county of Lawrence and State of South Dakota, in place of John Bell. Incumbent's commission expired January 10, 1902.

George T. Childs, to be postmaster at St. Albans, in the county of Franklin and State of Vermont, in place of George T. Childs. Incumbent's commission expires May 16, 1902.

Ezra M. Rogers, to be postmaster at Hartford, in the county of Washington and State of Wisconsin, in place of Ezra M. Rogers. Incumbent's commission expires May 24, 1902.

Robert A. Marks, to be postmaster at Oberlin, in the county of Decatur and State of Kansas, in place of Henry F. Leib, resigned.

Charles A. Crow, to be postmaster at Caruthersville, in the county of Pemiscot and State of Missouri, in place of Fred T. Jackson, resigned.

Holt F. Butt, jr., to be postmaster at Portsmouth, in the county of Norfolk and State of Virginia, in place of Samuel L. Burroughs, removed.

CONFIRMATIONS.

Executive nominations confirmed by the Senate May 15, 1902.

CONSULS-GENERAL.

Thomas Nast, of New Jersey, to be consul-general of the United States at Guayaquil, Ecuador.

Soren Listoe, of Minnesota, now consul at that place, to be consul-general of the United States at Rotterdam, Netherlands, from July 1, 1902.

CONSULS.

Henry H. Morgan, of Louisiana, now consul at Aarau, to be consul of the United States at Lucerne, Switzerland, from July 1, 1902.

Benjamin Johnston, of Iowa, now consul at Utila, to be consul of the United States at Ceiba, Honduras, from July 1, 1902.

PROMOTIONS IN THE REVENUE-CUTTER SERVICE.

First Lieut. Frank G. F. Wadsworth, of Massachusetts, to be a captain in the Revenue-Cutter Service of the United States.

First Lieut. Walter S. Howland, of Massachusetts, to be a captain in the Revenue-Cutter Service of the United States.

POSTMASTERS.

Frank M. Fisher, to be postmaster at Paducah, in the county of McCracken and State of Kentucky.

Fielding C. Elkin, to be postmaster at Lexington, in the county of Fayette and State of Kentucky.

William H. Harrison, to be postmaster at Flemingsburg, in the county of Fleming and State of Kentucky.

Willie E. Harp, to be postmaster at Jackson, in the county of Butts and State of Georgia.

John A. Wallace, to be postmaster at Chester, in the county of Delaware and State of Pennsylvania.

Sherman H. Eagle, to be postmaster at Gallipolis, in the county of Gallia and State of Ohio.

George W. Huffaker, to be postmaster at Helena, in the county of Lewis and Clarke and State of Montana.

HOUSE OF REPRESENTATIVES.

THURSDAY, May 15, 1902.

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

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

AGRICULTURAL APPROPRIATION BILL.

Mr. WADSWORTH. Mr. Speaker, the agricultural appropriation bill has been returned from the Senate. I ask unanimous consent that the House disagree to the amendments of the Senate and ask for a conference.

The SPEAKER. The gentleman from New Jersey, chairman of the Committee on Agriculture, asks unanimous consent to take from the Speaker's table the agricultural appropriation bill, disagree to all the amendments of the Senate, and ask for a conference. Is there objection? [After a pause.] The Chair hears none, and it is so ordered. The Chair announces the appointment of the following conferees: Mr. WADSWORTH, Mr. HENRY of Connecticut, and Mr. WILLIAMS of Mississippi.

CATHERINE F. EDMUNDS.

The SPEAKER laid before the House the bill (S. 1172) grant, in a pension to Catherine F. Edmunds, with House amendment-disagreed to by the Senate.

Mr. LOUDENSLAGER. Mr. Speaker, I move that the House insist on its amendment to the Senate bill and agree to the conference requested by the Senate.

The motion was agreed to.

The SPEAKER announced the following conferees:

Mr. LOUDENSLAGER, Mr. BROMWELL, and Mr. RICHARDSON of Alabama.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows: To Mr. BURGESS, for two weeks, on account of important business.

To Mr. TOMPKINS of Ohio, until next Monday, on account of important business.

FURTHER DISTRIBUTION OF REPORTS OF SUPREME COURT.

Mr. LITTLEFIELD. Mr. Speaker, I ask unanimous consent for the present consideration of the bill which I send to the desk. The Clerk read as follows:

A bill (H. R. 5800) for the further distribution of the Reports of the Supreme Court.

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to distribute to each of the following-named officers of the United States, additional to those named in section 683 of the Revised Statutes, namely: Each Assistant Attorney-General; the Solicitor of the Department of State; the Comptroller of the Currency; the Commissioner of

Internal Revenue; the Judge-Advocate-General, Navy Department; the Interstate Commerce Commission; the clerk of the Supreme Court of the United States; the marshal of the Supreme Court of the United States, and the attorney for the District of Columbia, one copy of each volume of the Official Reports of the Supreme Court of the United States, including those already published and those hereafter to be published, or a reprint of the same, or so many of said volumes as with those already in the possession of any of those officers will make a complete set; and he shall also distribute of the same reports to the law library of the Department of the Interior and the library of the Department of Justice each two sets, and to the marshal of said court, as custodian of public property used by same, three copies of said reports hereafter printed, for use in the conference room, the robing room, and the court room of said court for the use of the justices thereof, and to each United States circuit and district judge who has not already been supplied, one set; and he shall also distribute to each additional United States judge hereafter appointed one complete set of said reports, which shall in all cases be transmitted to their successors in office, and to the Clerk of the House of Representatives, to be distributed to and for the use of the committees of said House, ten complete sets of said reports.

Sec. 2. That the Secretary of the Interior shall likewise distribute to each of the places where circuit and district courts of the United States are now held, including the Indian Territory, to which they have not already been supplied under the provisions of the act of Congress approved February 12, 1883, one complete set of the Official Reports of the Supreme Court, including those already published and those hereafter to be published, or an exact reprint of the same, or such volumes as with those already furnished will make one complete set; and he shall also distribute to each and every place where a new circuit and district court may be hereafter established one complete set of said reports; and the clerks of said courts shall, in all cases, keep these reports for the use of the courts and the officers thereof: *Provided, however,* That no distribution of reports under this section shall be made to any place where the court is not held in a building owned by the United States, or where there is no United States officer to whose responsible custody they can be committed.

Sec. 3. That, beginning with volume 183, the publishers of the Decisions of the Supreme Court shall deliver to the Secretary of the Interior, in addition to the number heretofore supplied by law, 74 copies of each and every volume of such decisions, and they shall also deliver the 78 additional copies provided for in the act of February 12, 1883, heretofore delivered by the reporter of the Supreme Court, 25 copies of which shall be deposited in the law library of the Supreme Court.

Sec. 4. That the Secretary of the Interior shall likewise distribute to each United States judge to whom and to each place to which the Decisions of the Supreme Court are sent under the provisions of this act or of prior laws a copy of Digest of Supreme Court Reports brought as nearly as practicable to date.

Sec. 5. That such sum of money as is required to pay for the reports of the Supreme Court and for the digest, the delivery and distribution of which are provided for in this act, is hereby appropriated, out of any money in the Treasury not otherwise appropriated: *Provided,* That not to exceed \$2 per volume shall be paid for such reports and \$20 per set for such digest, the said moneys to be disbursed under the direction of the Secretary of the Interior, and the Secretary of the Interior shall include in his annual estimates submitted to Congress an estimate for both the current volumes of reports and the additional sets of reports and digest, the distribution of which is provided for in this act.

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

Page 2, line 24, strike out the word "official."

Page 2, line 25, strike out the words "an exact" and insert in lieu thereof the word "a."

Page 3, line 2, after the word "set," insert "the judges holding such courts to select the edition of such reports to be supplied for such courts."

Page 4, lines 1 and 2, strike out all after "Reports," line 1, and insert in lieu thereof the following: "In four volumes, covering the decisions of said court to the end of the October term, 1898, such digest to cost not more than \$20 per set."

The SPEAKER. Is there objection?

Mr. RICHARDSON of Tennessee. It is a long bill. It is almost impossible for us to know the particulars, and before consent is given I want to ask the gentleman if the Judiciary Committee have unanimously reported the bill?

Mr. LITTLEFIELD. The committee have unanimously reported the bill both at this and the last session. It simply provides for the completion of the distribution of the reports of the Supreme Court of the United States with digests.

Mr. RICHARDSON of Tennessee. I think we ought to have a full explanation of it. I do not want to object to unanimous consent, however, provided the gentleman can tell us what is in the bill.

Mr. LITTLEFIELD. It provides for the completion of the distribution of the reports of the Supreme Court of the United States to such courts as are not now provided with them and to be accompanied also by the digest; and it authorizes the judges of the court to select either the official edition or any other edition that they like of the Supreme Court reports. It also authorizes them to select either digest that they like of the Supreme Court reports. It furnishes about 75 new sets. The bill was rendered necessary by reason of the fact that there are a great many courts unprovided with them, and there are also various departments unprovided with them. The bill was unanimously reported in the last session and unanimously reported at this session.

Mr. RAY of New York. May I suggest to my colleague that it also provides sets for the various committees of the House that need them.

Mr. LITTLEFIELD. Yes.

Mr. RICHARDSON of Tennessee. I notice, if the gentleman will permit me, that this makes an open appropriation. I would be glad if the gentleman would explain that. The amount appropriated for the purposes of the bill is not set out. How much is it supposed it will cost? It is simply an open appropriation and no amount specified.

Mr. LITTLEFIELD. There is no appropriation in the bill, if I remember aright.

Mr. RICHARDSON of Tennessee. The language of the bill is "and an amount sufficient is hereby appropriated out of any money in the Treasury not otherwise appropriated" for the purposes of the bill.

Mr. LITTLEFIELD. About \$40,000 covers the whole expense.

Mr. RICHARDSON of Tennessee. Forty thousand dollars?

Mr. SULZER. Mr. Speaker—

The SPEAKER. Does the gentleman from Maine yield to the gentleman from New York?

Mr. LITTLEFIELD. Yes, sir.

Mr. SULZER. I simply desire—

Mr. LITTLEFIELD. Just a moment. I desire to submit another amendment in lieu of the last amendment offered by the committee.

The SPEAKER. The first question is, Is unanimous consent given to the consideration of the bill? [After a pause.] The Chair hears no objection.

Mr. MADDOX. May I ask the gentleman a question?

Mr. LITTLEFIELD. Yes.

Mr. MADDOX. Does this provide for furnishing a copy, for instance, to the judge who presides at two or three different places? Do you propose to furnish it to the different divisions where the courts are held?

Mr. LITTLEFIELD. Yes. I will read the portion of the bill which covers that:

SEC. 2. That the Secretary of the Interior shall likewise distribute to each of the places where circuit and district courts of the United States are now holden.

To each place.

Mr. MADDOX. Well.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The gentleman from New York desires to ask the gentleman from Maine a question.

Mr. SULZER. Mr. Speaker, I ask to have the amendment reported.

The SPEAKER. The Clerk will report the amendment just sent to the desk.

The Clerk read as follows:

Strike out all on page 4, lines 4, 5, 6, 7, 8, 9, after "laws," on line 4, and insert in lieu thereof: "a copy of such digest now published, or in course of publication, of the Supreme Court Reports, in four volumes, covering the decisions of said court to the end of the October term, 1898, or a later period, and to cost not more than \$26, as the several judges and officials shall select respectively."

In section 5, page 4, line 16, insert the word "six" between the words "twenty" and "dollars."

Mr. LITTLEFIELD. I will state to the gentleman from New York that this amendment is introduced to enable the judges and the various officials to select the digest they prefer. One digest, published by the Lawyers' Cooperative Association, provided for in the original amendment, costs \$20, and another recently issued by another concern costs something like \$26. The maximum is made \$26, so that the judges can select the digest that they prefer.

Mr. SULZER. Mr. Speaker, I am in favor of this bill as amended, and I trust it will pass. I understand this amendment perfects the bill and meets with the approval of the judges of the Federal courts, and that they are in favor of this bill with this amendment. I hope the amendment will be adopted, and as amended that the bill will pass without division.

Mr. SMALL. Mr. Speaker, I desire to ask the gentleman from Maine a question.

The SPEAKER. Does the gentleman from Maine yield to the gentleman from North Carolina?

Mr. LITTLEFIELD. Certainly.

Mr. SMALL. At present, as I understand it, the reports of the courts of appeals of the several States are furnished to the Congressional Library and are in the law library. I desire to know if this bill under consideration provides for furnishing current copies of the United States Supreme Court Reports to the various State libraries in the several States?

Mr. SULZER. The law, I believe, substantially does that now.

Mr. LITTLEFIELD. It does not in terms refer to the State libraries of the various States. It only provides for the courts of the United States and the officials of the United States. This bill does not disturb the existing provisions of the law in that respect.

Mr. SMALL. The gentleman from New York says that the law does that now. I think he is in error as to that. The several libraries of the States are maintained usually in the capitals of the States and are a part of the library of the court of appeals, but they have to purchase the United States Supreme Court Reports. There is no existing provision of law for the distribution of those reports to the various State libraries.

Mr. SULZER. That is so—not all the State libraries.

Mr. LITTLEFIELD. This bill does not undertake to accomplish that. We only go so far as to provide for the United States courts and the United States officials.

The SPEAKER. The Chair will state that the committee amendments will have to be passed upon first, and then the amendment submitted by the gentleman from Maine.

Mr. LITTLEFIELD. I am authorized, Mr. Speaker, by the committee to submit this last amendment.

The SPEAKER. The question is on agreeing to the amendments recommended by the committee.

The question was considered and the amendments were agreed to.

The SPEAKER. The question now is on agreeing to the amendment offered by the gentleman from Maine by direction of the committee.

The amendment was considered and agreed to.

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

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

HOMESTEADS IN THE UTE RESERVATION.

Mr. BELL. Mr. Speaker, I ask unanimous consent for the present consideration of the bill H. R. 12796, providing for free homesteads in the Ute Indian Reservation, in Colorado.

The Clerk read the bill, as follows:

Be it enacted, etc., That the provisions of the homestead laws be, and are hereby, extended over and shall apply to the lands included within the limits of the former Ute Indian Reservation in Colorado, in addition to the provisions of existing laws relating to cash entries thereon: *Provided,* That no selection or entry of lands in lieu of land included within a forest reservation or of soldiers' or sailors' additional homesteads shall be allowed within said limits.

SEC. 2. That all sums of money that may be lost to the Ute Indian fund by reason of the passage of this act shall be paid into the fund by the United States, and all moneys received by reason of the commutation of any homestead entry shall be credited to said Ute Indian fund.

SEC. 3. That no lands shall be included in any location or settlement under the provisions of this act on which the United States Government has valuable improvements.

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

Mr. CANNON. What does this bill propose to do?

Mr. BELL. Mr. Speaker, I would be glad to explain to the gentleman. When we passed the free-home bill, this and two or three reservations were supposed to come under the provisions of the act. The land offices took cases for almost a year, and then the General Land Office or Attorney-General decided that, this being set apart by special act, the general act did not reach it. A like bill from Washington has already been passed, and I believe this is the last one. The only thing this does is to permit homestead as well as cash entries on the Ute Indian Reservation, and while there is quite a little land in the reservation there are probably forty-nine fiftieths of it a part of a great range of mountains. There are some little parks, and there will be probably fifty or a hundred thousand acres taken under the homestead act.

Mr. CANNON. What is the size of the reservation?

Mr. BELL. The size of the reservation originally was about 12,000,000 acres, but this reservation is not in the plain part of Colorado, but in what is called the park and mountain chain region. Pretty nearly all of it is mountain, as it is in what is called the park system. There will be a million acres of mountain to 100 acres of park. Now, the most of this land that has been taken and will be taken is taken under the mining law and under the preemption, arid-land, stone, and timber acts. None of the cash-entry acts are disturbed. It simply gives the right of homestead on this domain which has never enjoyed homestead privileges.

Mr. CANNON. The United States bought this land from the Ute Indians?

Mr. BELL. Yes, sir.

Mr. CANNON. Has the United States paid for it?

Mr. BELL. The United States has paid for it, as the lands have been sold.

Mr. CANNON. Now, this legislation covers between one and two million acres of land—

Mr. BELL. Oh, no—

Mr. LACEY. Over 10,000,000 acres are involved.

Mr. BELL. There are 10,000,000 acres in the whole tract; but there is not one acre in a thousand that could be taken.

Mr. CANNON. But, as I understand, this legislation throws open 10,000,000 acres of land heretofore belonging to the Ute Indians, and under treaty, as the lands are disposed of, those Indians are to be paid. Now, this takes the whole 10,000,000 acres belonging to the Ute Indians and throws them open to homestead settlement, and makes the Government liable at once—

Mr. BELL. Oh, no; the gentleman is entirely mistaken.

Mr. CANNON. Well, how is it then?

Mr. BELL. The mineral lands and the lode claims are now entered at \$5 an acre, while the Government pays only \$1.25; and the coal lands, embracing many square miles—all of the coal lands of the Grand Junction, the Delta, the Gunnison, and the Durango countries—sell from \$10 to \$20 an acre, while the Government pays only \$1.50. There will probably be ten claims taken in the future

under the stone and timber act, and possibly the preemption act, to 100 taken under the homestead act. There are only a few places where land can be taken as homesteads, by reason of the lack of water. It must be borne in mind that two great timber reserves, amounting to millions of acres, have already been taken out of this vast tract.

Mr. LACEY. About seventeen hundred thousand acres.

Mr. BELL. Yes. The lands taken by the Government as timber reserves are to be paid for at \$1.25 an acre. The valleys where watered are now well settled and in the highest state of cultivation—land having already been taken under the preemption laws, under the desert-land act, and under the stone and timber acts. And there is no question that from five to six claims will be taken under the other acts, outside of the mining act, to one taken under the homestead act. The decision of the Government is that it has to pay nothing until the claim is actually proved up, I believe, and the Government will doubly recoup itself out of the mineral lands that are now selling from \$5 to \$20 an acre.

Mr. SHAFROTH. Let me make a suggestion in relation to the homestead entries. Not half of the homesteads that will be taken up under the provisions of this act will be free homesteads. The custom in that country is (and it pays the settler to do it) to live upon the land for fourteen months and then commute by paying \$1.25 an acre. This has been almost invariably done in that part of the country up to the present time under the preemption act. There is hardly a chance that half of this land will be taken up at all, and not more than a twentieth part of it can be taken for homesteads. Not more than a half will be obtained from the Government free of charge.

Mr. BELL. Not one acre in a thousand.

Mr. SHAFROTH. Perhaps not that much.

Mr. CANNON. Under the treaty with these Indians, and as the law now stands, these lands are taken under the desert-land act and the stone and mineral land laws which the gentleman from Colorado [Mr. BELL] speaks of; and as the Government is paid for them, it pays the Indian—

Mr. BELL. One dollar and twenty-five cents an acre.

Mr. CANNON. And the Government does not pay the Indians until that is done.

Mr. SHAFROTH. And it will not under this bill, as I understand, until the land is located.

Mr. CANNON. Now, I want the attention of the gentlemen to this point. This bill proposes to make the homestead laws apply to lands in the reservations. Those laws do not now apply. Am I correct about that?

Mr. BELL. That is right.

Mr. LACEY. In answer to the gentleman from Illinois [Mr. CANNON], I will say that the free-home policy, which was in controversy in this House for so many years, was practically decided upon as to all or nearly all of the reservations, with the exception of this one, which would undoubtedly have been included at the time but for the fact that it was overlooked—not because of its size, because it was big enough to have been seen (for there are about 9,000,000 acres of it left), but it was overlooked because of the fact that there was a comparatively small amount of the land that anybody could live on as homestead land, and therefore it was not directly included in the free-home bill, and consequently under the terms of the original Ute act it was open to cash entry only; it was not included in the general free-home bill.

So, Mr. Speaker, the House will be surprised to learn that there are 9,000,000 acres of land there that could not be settled on under the homestead law at all, owing to the old Ute treaty. Now, by passing this law, placing those in the same category with the Sioux Reservation and with the forest reservations, to which the free-home law has heretofore applied, it will open this land. Although there are 9,000,000 acres of it in amount to be settled on, I do not believe the amount to be settled on will be very large. I wish the whole 9,000,000 acres could be settled, but only a small proportion of it can possibly be settled on as homesteads, because of the fact that it lies in the roughest part of Colorado.

Mr. BELL. Yes; it is right among the high mountain ranges.

Mr. CANNON. Then I understand of the 9,000,000 acres which is to be opened to homestead settlement the moment that is done by the homesteaders the United States is bound under treaty—

Mr. BELL. It pays for it when it is proved up on. Let me suggest to the gentleman, if he will allow—

Mr. CANNON. Certainly.

Mr. BELL. They will take 10 acres under the coal acts to 1 acre under the homestead act. Now, we know that, because there are the greatest coal fields in Colorado or in the West in Gunnison, Montrose, Delta, Mesa, Montezuma, Garfield, Pitkin, Routt, Rio Blanco, and other counties.

Mr. LACEY. They can do that.

Mr. SHAFROTH. That is \$20 an acre.

Mr. BELL. The Government sells that at from \$10 to \$20 an acre and it keeps out all but \$1.25. The great San Juan mines

are in this region, the greatest in the West, and the Gunnison mines and the Aspen mines are all in this locality, but they sell all those lode claims at \$5 an acre. All of the placer claims are sold at \$2.50 an acre, and it only pays them \$1.25. Now, we simply take it out of that, and I can guarantee there is not over 50,000 to 100,000 acres at the outside that can possibly be taken under homestead laws under present conditions. It is among mountain ranges.

The great Black Canyon and the Great Uncompahgre, San Juan, and other mountain ranges are there, and all of that mountain region comprising two parallel mountain ranges, with many short cross ranges with peaks going up among the clouds—the highest in the entire Rocky Mountains. There is just a little park here and there. I want to say, further, to the gentleman that nine-tenths of all the land that can be settled is now under a high state of cultivation under the preemption law, and most of our settlers who can be benefited are a lot of old men in there who have taken their preemption claims heretofore and would like to take homesteads. The poor fellows can take a few cows and go up in the mountains, get a homestead at some little stream, and they can live there and can make a living. This constitutes the demand for this act. The ordinary citizen will still take his land under the timber act and under the stone act, preemption, or arid-land act, because there is no water except just in the little stream here and there high up in the mountain, where homesteaders can graze their stock and grow a little hay and vegetables.

Mr. CANNON. Let me ask the gentleman another question. The gentleman admits that of these 9,000,000 acres now thrown open to homesteads there will be proved up a hundred thousand?

Mr. BELL. From fifty to one hundred thousand.

Mr. CANNON. And the title will go to the homesteader free?

Mr. BELL. Yes, sir.

Mr. CANNON. And the moment it does, the Government must pay the Indian under the treaty?

Mr. BELL. Yes, sir.

Mr. CANNON. A dollar and a quarter an acre?

Mr. BELL. Yes, sir; but from \$2.50 to \$20 per acre have already been obtained from these mineral and coal lands, out of which to repay it.

Mr. CANNON. Now, you have the whole thing in a forest reservation, have you not?

Mr. BELL. No; they have taken out a couple of million acres for forest reserves, against our protest—we did not want them; the Government wanted them.

Mr. CANNON. Now, in those forest reserves, these lands of the homesteader go into the forest reserve.

Mr. BELL. No; he can not touch it at all. The forest reserves are ten or twelve thousand feet above sea level.

Mr. LACEY. The gentleman will find, in line 6, an amendment offered by the committee: "not included in any forest reservation."

Mr. BELL. It does not touch the forest reservation. It is hard to get up to the Battlement Mesa Forest Reserve, on north side, horseback, and from south side by light wagons. Those are away up at the head of the stream, on top of the mountain ranges.

Mr. CANNON. Does this meet the unanimous approval of the Committee on Public Lands?

Mr. LACEY. I will say that it did.

Mr. CANNON. Is there not some other reservation we can get?

Mr. LACEY. I would be glad to find another one or two.

Mr. BELL. We have passed one already this session.

Mr. CANNON. I do not see my golden-haired friend from Nevada on the floor at this minute. If I did, I would ask him to sound a trumpet call in favor of the irrigation bill. [Laughter.]

Mr. BELL. He did that yesterday.

Mr. CANNON. I will say to my friend, for whom I have very great regard, that if I had understood what this was, I think I should have interposed an objection; but it was not interposed, and I am ready for the House to dispose of it.

Mr. BELL. We will reciprocate in the future.

Mr. CANNON. I want to say right here that the truth is we are engaged in making treaties with the Indians. I fancy that some legislation is now pending to extinguish Indian titles, and to buy 1 acre of good land, and in buying it to get half a dozen acres of that which is of no account, and to pay two or three prices for it, the land to be thrown open to free homes; and in ninety-nine cases out of a hundred the result will be that the free home will go to the man who wants a great range and has his access to water. The Treasury is heavily burdened, and the multitude in whose name all this is done are not accommodated. Sometimes when I see these things come trooping along, I am reminded of that exclamation of the celebrated French woman, "O Liberty, what crimes are committed in thy name!" And I think,

"O people, poor people, what crimes are committed in your name." [Laughter and applause.]

The SPEAKER. The question is on agreeing to the amendments.

The amendments were agreed to.

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

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

SUNDRY PAYMENTS FROM THE CONTINGENT FUND.

Mr. BULL. Mr. Speaker, by direction of the Committee on Accounts, I submit several resolutions, and ask that they be agreed to.

The SPEAKER. The gentleman from Rhode Island [Mr. BULL], chairman of the Committee on Accounts, by authority of that committee, calls up the following resolution:

The resolution was read, as follows:

Resolved, That the Sergeant-at-Arms of the House be, and hereby is, authorized to purchase and retain in his care an emergency case of medicine and suitable instruments for minor operations, for use in case of illness or accident to persons in attendance at the House, same to be paid out of the contingent fund of the House, in an amount not to exceed \$500.

With the following amendment:

Provided, That said case and instruments shall be examined and approved by Representatives WILSON of New York, SHOWALTER of Pennsylvania, and BALL of Delaware.

The amendment was agreed to.

The resolution as amended was agreed to.

Also the following:

Resolved, That the Clerk of the House is hereby authorized and directed to pay out of the contingent fund of the House to Mrs. Jessie A. Glenn, widow of William J. Glenn, late Doorkeeper of the House of Representatives, the sum of \$2,514.93, being the balance of one year's salary, from December 1, 1901, and also the expenses connected with the funeral of said Glenn upon vouchers approved by the Committee on Accounts.

The resolution was agreed to.

Also the following:

Resolved, That the Clerk of the House is hereby directed to pay, out of the contingent fund of the House, the sum of \$375 to such person or persons as may be designated by the chairman of the Committee on Rivers and Harbors for clerical services rendered to said committee during the present session.

The resolution was agreed to.

Also the following:

Resolved, That the Committee on Accounts be, and hereby is, authorized and directed to provide for the payment to the following conductors of the House elevator in the House wing of the Capitol, to wit, L. B. Cook, George Winters, M. F. O'Donnell, and S. A. Barnes the difference between \$1,100 and \$1,200 per annum from July 1, 1899 to July 1, 1902, as has been customary in the past under the deficiency bill.

In lieu of which the committee recommend the following substitute:

Resolved, That the Committee on Appropriations is hereby authorized to make provision in the general deficiency appropriation bill as follows:

To pay to the conductors of the elevators in the House wing of the Capitol the difference between the amounts received by them and the rate of \$1,200 per annum, from July 1, 1900 to June 30, 1902, inclusive, each as follows:
L. B. Cook, \$200; George Winters, \$200; M. F. O'Donnell, \$200; S. A. Barnes, \$200; in all \$800.

The SPEAKER. The question will be upon the substitute resolution.

The substitute was agreed to.

NAVAL APPROPRIATION BILL.

Mr. FOSS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the naval appropriation bill (H. R. 14046), and pending that motion I ask unanimous consent that the time for general debate be extended one hour. I do so upon the request of my colleague upon the committee [Mr. MEYER of Louisiana], who has charge of the time upon the other side of the House, in view of the fact that the House has already occupied a large portion of one hour in unanimous consents, which time we expected to occupy in general debate upon the bill.

The SPEAKER. The gentleman from Illinois moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 14046, and pending that motion he asks unanimous consent of the House to extend the general debate until 4 o'clock to-day. Is there objection?

Mr. SHATTUC. Pending that question, I would like to ask the gentleman what time will that close general debate?

Mr. FOSS. At 4 o'clock this afternoon.

The SPEAKER. Is there objection to the request? [After a pause.] The Chair hears none, and it is so ordered.

The question now is on the motion of the gentleman that the House resolve itself into Committee of the Whole House on the state of the Union.

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

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. SHERMAN in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 14046, the title of which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 14946) making appropriations for the naval service for the fiscal year ending June 30, 1903, and for other purposes.

Mr. FOSS. Now, Mr. Chairman, I desire to ask what is the situation as to time?

The CHAIRMAN. The Chair will inform the gentleman in a moment. [After a pause.] The gentleman from Illinois has two hours and twenty minutes remaining, and the gentleman from Louisiana one hour and eight minutes.

Mr. FOSS. I yield five minutes to the gentleman from Ohio.

Mr. GROSVENOR. Mr. Chairman, I want to speak for a moment upon a question to which I presume the attention of every member of the House has been called, not only by the able arguments made on the floor on yesterday, but by the continuous appeal to members through the medium of the post-office, touching the question of the construction of battle ships and other ships of the Government in the navy-yards of the country. The matter has assumed such a shape that while I do not feel inclined to go to the full extent that was insisted upon by the gentleman from North Carolina [Mr. WILLIAM W. KITCHIN], I do believe that the time has come when there ought to be a careful investigation of the subject-matter of this controversy made in order that the exact facts can be obtained.

I do not believe—and indeed I was gratified to hear the position of the gentleman from North Carolina—I do not believe that the members of this House would be carried away by any appeals that might be made to them to undertake to build the future Navy of the United States in the navy-yards if it was to cost a material and considerable sum greater, after the permanent establishment of the work in the navy-yards, as compared with the work under contract. Indeed, I understood the gentleman from North Carolina to say that if upon full investigation it became satisfactorily established that the cost to the Government was much greater—I do not know that he made any percentage—he would not favor the proposition. Now, my proposition is that we do not take all the ships at this time and undertake to construct them in the navy-yards, because I recognize that sort of thing would not be a satisfactory test of the relative cost under the one system or the other system.

What I would like to see would be such authority given to the Secretary of the Navy as would enable him to construct in a navy-yard—and I assume it would be in the best navy-yard fitted for the purpose—one battle ship, one armored cruiser, and one or more gunboats, and let by contract to the best bidder in the United States an equal number of the same class of vessels, and thus ascertain by the best method possible the relative cost of the two propositions. I did not listen to the whole debate, but I have heard it stated very often that the Secretary of the Navy would not be able to ascertain these facts. I do not believe that. I believe that a condition of facts sufficient to guide the future action of the Government can readily be ascertained through the Navy Department, and I assume that there will be no discrimination or any attempt by unfair reports to prevent the ascertainment of the cost. I take it that the Navy Department will be very willing to build ships themselves if they can do it as cheaply and as well in all respects as if it were done by private contract.

Now, it is said that there are some elements that enter into the building of a ship by the Government that do not enter into the cost of a ship constructed by a contractor, and that those elements can not be ascertained and measured. I admit that that can not be done to an absolute mathematical demonstration to a dollar, but I believe it can be told near enough. The question of administration ought necessarily to enter into the construction of a ship by the Government in a navy-yard. The salaries and expenditure of money for inspectors and constructors and whatever else there may be, and if there is a greater expenditure of money in the Government navy-yards than in a private shipbuilding yard, that is a question for ascertainment by the Secretary of the Navy.

Now, Mr. Chairman, if I estimate the character of the new Secretary of the Navy correctly, and I think I do, after the time that he has been a distinguished member of this House, I do not believe that the problem that would thus be submitted to him would be one difficult of accomplishment. I think I know enough of the mind of Mr. Moody to know that he would not fail in the ascertainment of this question. He is a man of the highest character, full of true ambition, clear-headed, and thoroughly capable. Those of us who know him well feel the greatest confidence in his ability to give us the facts we need for the correct solution of this problem.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GROSVENOR. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

Mr. FOSS. I yield the gentleman more time.

Mr. GROSVENOR. I do not care to occupy it.

Mr. TAYLER of Ohio. I merely would like to ask the gentleman a question.

Mr. FOSS. I yield five minutes more to the gentleman from Ohio.

Mr. TAYLER of Ohio. If I understood the gentleman, he said that he favored in this bill a provision for the building of one battle ship or one armored cruiser and one gunboat in the navy-yards.

Mr. GROSVENOR. One or more gunboats as would make as complete and as perfect a test as the genius of the Department could bring about.

Mr. TAYLER of Ohio. The gentleman understands that this bill provides that one battle ship or one cruiser only shall be built in the Government yards, and that as for the other five the Secretary of the Navy shall have the discretion whether they shall be built there or by contract.

Mr. GROSVENOR. Certainly, I am aware of that. But I would provide that this test should be made; I would stipulate it in the bill. I do not propose to offer an amendment to the bill, because I never do anything of the kind when a bill of this character has been prepared at the expenditure of so much time and study by so able a committee as this. I only rose to impress upon the committee that, in my judgment, there ought to be a test; and if the bill already provides sufficiently to justify the Secretary of the Navy in making this ascertainment, why that is quite sufficient for my purpose. I want to have the question tested once and forever, or as near forever as it is possible to get results to project themselves forward in the knowledge and judgment of the people of the country.

Mr. TAYLER of Ohio. But I do not understand the gentleman to set his face in favor of saying that the bill shall provide that one-half of these vessels shall be built in the navy-yards?

Mr. GROSVENOR. Not at all. I only want to provide that a test shall be made, and a fair one, and that the ascertainment shall be complete. Now, Mr. Chairman, I desire to renew my request to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none. The Chair desires to state that in the hasty computation of time a slight mistake was made. The gentleman from Louisiana has fifty-five minutes, instead of an hour and eight minutes, and the gentleman from Illinois has one minute more.

Mr. FOSS. Mr. Chairman, I yield fifteen minutes to the gentleman from Washington [Mr. JONES].

Mr. JONES of Washington. Mr. Chairman, the liberal provision the committee has made for Puget Sound Navy-Yard and its development is very gratifying to our people. We have felt heretofore that we have been neglected by the committee. We have felt that the neglect was due to lack of information, probably, relative to the conditions in our country, and it is rather amazing to us to find out the lack of information, or rather the misinformation, that individuals have with reference to the Puget Sound country.

This is not confined to any particular class. The ideas of many high in authority are really surprising and, in many cases, ridiculous. Many members of Congress seem to have erroneous ideas as to the State of Washington, its climate, and productions. What shall we say of a great statesman, who had traveled all over the world, who, at Seattle, looking out on Puget Sound, which stretches away to the sea through a channel from 3 to 20 miles wide and from 800 to 1,500 feet deep, asked, "Can large vessels get from here to the sea?" How amusing it is to have a Congressman ask, "How can you stand the cold out there?" when the thermometer never gets in sight of zero. I was urging upon one of our high naval officers some matters in relation to the Puget Sound Navy-Yard, and he innocently asked, "Have you any dry dock there?" Such a question seemed to me hardly excusable, when the fact is that we have the only dry dock on the Pacific coast in which a battle ship has ever been docked. To the members of this committee who care to listen I shall try to give some little information relative to our navy-yard and Puget Sound.

Puget Sound is the term or name given to the tree-like projection of the Strait of Fuca within the limits of the State of Washington. It applies to no single body of water, but includes all the bays, gulfs, straits, sounds, and inlets into which the strait divides. Its shore line, including all its windings and circlings, is almost 2,000 miles in length. Its channels are deep enough to float the largest battle ships. Its harbors are almost countless in number, spacious in extent, of sufficient depth for the largest

ships, and in many cases landlocked. It is destined to become the greatest commercial port on the Pacific and probably in the world. Upon its bosom might float the vessels of the world's commerce and all the naval armaments of earth without crowding. It is near Alaska. It is on the nearest route to the Orient. Upon its shores are the terminals of three great transcontinental railway lines connecting with great ocean steamships to China and Japan, and the time is not far distant when, under proper encouragement, the greyhounds of commerce will leave here for all ports of the world.

Bordering its shores are the greatest lumber forests in the United States. In the near-by mountains are inexhaustible stores of coal and iron awaiting the touch of our civilization. Fish of all kinds sport and glisten in its limpid waters, and the "lordly salmon" delights the fisherman and feeds the world.

Its surface is like liquid glass or, when the sun is low in the west, molten gold. Seldom is it ruffled by the passing wind, save in its main channels. Its arms and channels encircle emerald isles of surpassing productiveness and beauty. Its shores are fringed with evergreen forests or rise abruptly in towering cliffs crowned with lofty fir and majestic cedar. In its limped depths are photographed the God-throned Olympics and the towering Cascades, whose lofty crests are frosted with the snows of the eternal ages and around whose cloud-piercing summits the mists of the sky lovingly linger as if to catch the first kiss of the early morning or to hold in loving embrace the halting rays of fading twilight.

The Puget Sound Navy-Yard is located on Sinclair Inlet, one of the bays of this beautiful body of water. It is about 125 miles inland from the mouth of the Strait of Fuca and about 15 miles from Seattle. There are two entrances from the main channel of the sound or from what is called Elliott Bay, the harbor in front of Seattle—Agate passage to the north and west of Bainbridge Island and Richs passage to the south. Agate passage is quite narrow and more than 11 miles in length. Richs passage is about 3 miles long and nowhere more than 1,500 yards wide, and at the throat, for a distance of about a mile, it is only about 700 yards wide.

The selection for a site for a navy-yard on the North Pacific coast was provided for in an act of Congress passed in 1888. A commission was appointed, consisting of Capt. A. Mahan, Commander C. M. Chester, and Lieut. C. A. Stockton. After a careful investigation they selected the present site of the yard, Port Orchard, or Bremerton. In 1890 another act of Congress was passed providing for another commission, this one being composed of Capt. T. O. Selfridge, Col. George H. Mendell, Corps of Engineers; Hon. F. C. Platt, Hon. R. W. Thompson, and Lieut. A. B. Wyckoff. This commission, after a very careful investigation, selected the same site.

Secretary W. C. Whitney, in his instructions to the first commission, gave them the requirements of a good site for a navy-yard, and to these I want to call your attention in detail.

First. A situation upon a good harbor of sufficient depth and accessibility for vessels of the largest size and heaviest draft.

This requirement could not be met better than by the harbor at the Puget Sound Navy-Yard. The channels leading to it are deep enough to float vessels of double the draft of our greatest battle ships at any and all times. In the harbor itself there is room enough to float the entire Navy in water ranging in depth from 5 to 10 fathoms at mean low tide.

In this connection I want to notice a statement made by Admiral Melville in his testimony before the Naval Committee which is susceptible of misconstruction. Referring to the depth of the channels at Mare Island and at Puget Sound, he was asked by Mr. DAYTON: "Do you have any idea of the depth of the channel there?" meaning Puget Sound. Admiral Melville: "No, sir; there is difficulty at Puget Sound because they can not anchor there. It is too deep. It is not safe to anchor in more than 25 fathoms of water. A modern sailor does not like to anchor in more than 10 fathoms or 60 feet."

This is true to a great extent of the main channels of Puget Sound. Sinclair Inlet, the harbor of our navy-yard, however, complies exactly with Admiral Melville's specification. An examination of the Coast Survey chart shows, as I stated above, that the depth of the water in front of the navy-yard clear across the channel does not exceed 10 fathoms. The harbor is almost absolutely landlocked, and shipping in the harbor is never disturbed, even during the most violent gales. I have no doubt but that each member of Congress has received a card upon which is printed an editorial from the San Francisco Chronicle of Friday, February 7, 1902, entitled "Puget Sound bamboozling Congress." This editorial charges that we are endeavoring to build up Bremerton Navy-Yard at the expense of Mare Island. This is absolutely untrue. We are not making a fight upon any place. We depend upon our own advantages, and do not desire to build up by tearing down others. As a matter of fact, the fight has been waged by the other fellow, and I have no doubt but that he is stimulated

by the progress we are making and from the fact that our advantages and superiority are becoming known to members of Congress. In this editorial the following appears:

The superiority of Mare Island Navy-Yard over any point of Puget Sound can not be questioned. Whoever heard of a ship being wrecked in Mare Island waters during any kind of weather? It would not be prudent to ask that question as to Puget Sound. Seattle and other Sound ports furnished the country very recently with the spectacle of ships wrecking themselves at their wharves during one of those gales which they are liable to experience at almost any season of the year. They have, in fact, not yet recovered from the effects of the late storm which swept the waters of the Sound.

Right here we recall the old saying that "those who live in glass houses should not throw stones," for the ink had hardly dried on this editorial when the following appeared in the Washington Post of February 26, not as an editorial, but as an item of news, and no doubt sent out by the Associated Press:

SAN FRANCISCO, February 25.

One of the heaviest southwest storms that has been experienced in many years struck this city this morning. The wind attained great velocity, blowing 45 miles an hour in the city, while at Point Reyes it reached 60 miles at 7:30 o'clock. Ships dragged their anchors or broke their moorings at their docks, a fishing boat was capsized, the telephone and electric wires were down, and awnings, shade trees, and fences were wrecked, and pedestrians were greatly inconvenienced.

Telegraphic communication with the outside world was cut off. The full force of the storm was felt on the bay, and the bar was so rough that vessels were unable to leave port.

North of the ferries craft of all sorts were tossed about like egg shells. The violent south wind stirred the bay into a rolling, tempestuous sea, against which anchors were almost futile. Swell after swell, each apparently heavier than the one preceding, pounded the vessels from the southerly direction and sent them drifting in dangerous proximity to one another, drove them close to the piers and to the islands, and kept the towboats busily engaged in efforts to prevent disaster.

TRANSPORT AT STORM'S MERCY.

The transport *Solace*, with nothing but 800 tons of coal to keep her down, broke from her anchorage off Beale street and careened about the bay like a drunken sailor. She drifted broadside on until a collision with the Government steamer *Albatross* seemed imminent, but she veered off in the nick of time. The wind and the swell caused her to drift helplessly, sending her finally toward the transport wharf at Folsom street. The officers of the service gathered on the pier, fully expecting the *Solace* to crash into the wharf. Fortunately, the direction of the swell carried the transport around until she just cleared the buffer and swung out into the stream.

The transports *Hancock* and *Rosecrans*, which arrived from Manila last night, remained in the stream. No effort was made to land their passengers.

The San Francisco light-ship, No. 70, located 7 miles from Point Lobos, parted her moorings during the height of the storm and was soon drifting toward the harbor, which she finally made. At the time she went astray the wind was blowing at the rate of 70 miles an hour. Three three-story houses were blown down in the Mission district.

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

Mr. JONES of Washington. Certainly.

Mr. DAYTON. I would like to ask the gentleman if he has any idea where this vast amount of misinformation comes from with reference to Puget Sound and Mare Island?

Mr. JONES of Washington. Well, I could not say about that. This card, I think, was sent out by the Vallejo Chamber of Commerce.

Mr. DAYTON. Does the gentleman know what that organization is; of what it is composed?

Mr. JONES of Washington. Now, I do not say that this wind-storm touched the Mare Island Navy-Yard, or affected the shipping there, but I have just as much right to say it as the San Francisco Chronicle had to conclude that any storm we might have on Puget Sound would affect our navy-yard. We do not deny that we have storms on Puget Sound. I doubt, however, if we have them as often as they do on San Francisco Bay. We do not have them at all seasons of the year, as charged in this editorial. In fact, we have them but seldom. We did have a severe storm there the 1st of January, but its severity was felt only along the main channels of the sound and did not affect the harbor at our navy-yard, as will be seen from this simple statement from a letter received by me from the commandant of that yard under date of January 28, 1902, and before this editorial was written. This is the statement:

I suppose you have seen in the papers about the blizzard here. A good deal of damage was done in all the sound cities except here, where not a cent's worth of damage was done to any vessel or anything else on the water front. Small rowboats took men from the yard in smooth water, and the harbor was smooth, being sheltered by the surrounding hills. It was a strong illustration of what a perfect harbor is.

This is certainly a very complete answer to this charge.

There is abundance of room on the Pacific coast for two navy-yards, the distance being from eight to nine hundred miles between Puget Sound and San Francisco. There is and should be no fight between us and Mare Island, and there will be none, unless they begin it. We will not misrepresent them; we will not even refer to some matters of truth, if they stop misrepresenting us. We will present our advantages without any reflection upon them. Let them present theirs. We invite and welcome personal investigation upon the part of the officers of the Government and visits from members of Congress, feeling that every

visit will make us warm and enthusiastic friends in the future as in the past.

Second. A favorable position with regard to the principal lines of defense.

No more favorable position could be found than ours. The principal line of defense is at Port Townsend, 50 or 60 miles down the sound from our location, and is almost impregnable.

Third. A local security from water attack, due to position and natural surroundings.

This yard is absolutely impregnable. It can not be attacked with any degree of success by dash or bombardment. As I have said, the entrances to it are narrow and can be easily mined. The outer defense is almost impregnable, but even if this should be passed by an enemy's vessels, the fortifications at the entrance to the channels leading directly to Sinclair Inlet, together with mines, would render their passage impossible, and without entering the harbor vessels could not approach nearer than 7 or 8 miles to the harbor. They would then have to bombard it as an unseen object, with high hills intervening, and at the same time be subjected to the plunging fire from batteries on the surrounding hills, not more than 2 miles away.

As the commission states in its report, Port Orchard, or Sinclair Inlet "is the citadel of Puget Sound. More favorable conditions of position and natural surroundings against naval attack under the supposition that the principal line of defense to Puget Sound being forced can rarely be found."

Fourth. Ample water frontage of sufficient depth and permanence, and with currents of moderate rapidity.

The frontage on Sinclair Inlet is a mile and a half long, with sufficient depth for the largest vessels afloat. This, with the water front on the entrance to Dyes Inlet—which can be used for lighter vessels—gives a water frontage of 6½ miles. In Sinclair Inlet there is practically no current. Instead of an ebb and flow tidal current there is simply a rise and fall of the water.

Fifth. A favorable position with respect to the lines of interior communication (by rail or otherwise) with the principal sources of supplies.

The position of the yard in this respect is not at the present time as good as desired. It is on the west shore of the sound and communication with the principal sources of supplies must be by water. This is a very slight inconvenience, the distance from Seattle being only about 15 miles, and boats ply regularly between the yard and Seattle. This inconvenience is common to many other yards. The yard is on the mainland, however, and the prospects of railroad communication in the near future are most excellent.

Sixth. That the character of the ground shall be suitable for the construction of excavated docks and basins and for heavy structures.

Experience has demonstrated that this yard possesses this requirement in a remarkable degree. Since the completion of its dry dock there have been docked the battle ships *Oregon*, *Iowa*, and *Wisconsin*, together with many other smaller vessels, and the dock has not varied in depth the one-thousandth part of an inch. I doubt if this record can be equaled by any other dock in the country. The *Oregon* has been docked here two or three times, and the *Iowa* has been in the dock an equal number of times. These trials have demonstrated beyond cavil or question the perfection of our site in these particulars.

Seventh. Proximity to centers of labor and supplies of material.

Within 30 miles there is a population of about 250,000 people from which labor can be drawn. Seattle, with her 100,000 people, is within an hour's ride, and Tacoma, with 50,000 people, is within two hours' ride. We have no trouble about securing labor, and that too, of the very highest order.

I notice that Admiral Melville, in his testimony, says: "Mare Island has one great advantage, however; it is near a great city where you can get mechanics." There are almost 200,000 people as near our yard as the city of San Francisco is to Mare Island. When I visited our yard last summer there were over 3,000 applications for work on file. There is, and will be, no trouble whatever about labor. So far as supplies of material are concerned, we probably are better located than any other point on the Pacific coast. The yard is in the very heart of the largest and best lumber forests in the United States. Coal is found in abundance in near-by mines. Three transcontinental lines have access to Puget Sound, so that our communication with Eastern points is first class.

Eighth. Healthfulness of the climate and its suitability for out-of-door labor.

Our climate can not be surpassed in the world either for healthfulness or outdoor work. Many think that our climate is very severe. No greater mistake than this, however, could be made. The warm Japan current tempers our winters and the ocean breezes temper our summers. Comparing Seattle—and this will apply to our navy-yard—with Washington City, we find that last

year the minimum temperature at Seattle was 28° above zero, while the minimum temperature for Washington City was 7° above zero. The maximum temperature last year at Seattle was 87° above zero, while the maximum for Washington City was 102° above zero. I will submit with my remarks a statement showing the maximum and minimum temperatures of Seattle and Washington City during each month of the year 1901, from which will appear at a glance the character of our climate, summer and winter. Many, too, have the idea that we have a great deal of rain on the sound. I shall submit a statement showing the amount of rainfall at Seattle from 1892 to 1901, inclusive, giving the monthly rainfall and the total yearly rainfall, which is much less than that of Washington City.

The total number of cloudy days at Seattle in 1901 was 119; at Washington City, 148. The cloudy days at Seattle were 150 and at Washington City 121; partly cloudy at Seattle 96, and at Washington City 96. Days on which it rained at Seattle, 152; Washington City, 110.

In the summer men can labor all day long without any inconvenience, and the nights are cool, thus insuring refreshing sleep, "tired nature's sweet restorer." It is the general opinion that the winter months are really the most healthful of the year. It therefore would appear that the Government can get more for its money by way of labor than at any of its navy-yards on the Atlantic coast.

Ninth. The existence in the vicinity of an ample supply of good, potable water.

This requirement is well met at this yard. An official measurement shows the supply of water to be over 800,000 gallons per day. In addition to the present supply, Lake Kitsap is located about 3 miles away and its waters can be brought to the yard at very slight expense. I venture the assertion that there is no yard in the United States that comes more nearly complying fully with the many requirements for a suitable site for a navy-yard than does that on Puget Sound. I desire to submit some of the testimony given before the Naval Committee.

Admiral Kenney was asked this question by Mr. Dayton:

What is your opinion in regard to Puget Sound? Is it not calculated as the best station on the coast?

Admiral KENNEY. It is the best station in the world, and has every natural advantage.

Mr. LOUDENSLAGER. It has splendid water?

Admiral KENNEY. Magnificent water, and is perfectly protected. Everybody who has been out there is delighted with the place, and they say that the Almighty Himself could not have planned a better location than that.

Mr. LOUDENSLAGER. Are there any conditions that surround it that are not favorable?

Admiral KENNEY. I never heard of any.

Mr. LOUDENSLAGER. Do those general fogs that occur there interfere in any way?

Admiral KENNEY. I think not.

Mr. LOUDENSLAGER. Some portions of that coast have a regular fog every day?

Admiral KENNEY. I never heard it mentioned.

It will surprise our people to know that "there are portions of our coast where they have regular fogs every day." We certainly have not explored that coast yet, and I believe that it would be very difficult to convince some of the members of Congress who had the pleasure of visiting Puget Sound last year that we even have any rain there. If Mr. LOUDENSLAGER will only visit us this summer we will convince him of his error. We have some fogs, it is true, but none to cause us any trouble or inconvenience. The following statement was given by Admiral Melville, who has personally visited and inspected our navy-yard:

Mr. DAYTON. You visited that plant last year. Would you kindly give us your impression of the conditions of Puget Sound, and the possibilities of that station, and its importance?

Admiral MELVILLE. From a strategic point of view I think it is the most important on the Pacific coast. It is close to the English possessions, and they have a big naval station at Esquimalt. It is well in from the sea, there is deep water in all directions, and it is easily defended. Fortunately, the gulf stream of Japan keeps the water warm. A great many people have a mistaken idea about that. They are under the impression that everything freezes up, but it is not so. It is the shortest line for navigation between the United States, China, Japan, and the East Indies.

Mr. DAYTON. Is it closer to Alaska?

Admiral MELVILLE. Yes; it is right near Alaska.

Mr. DAYTON. What is your impression about the expenditure of money there?

Admiral MELVILLE. I think it is one of the best expenditures of money made anywhere. These works are laid out nicely. No work has been done there which will have to be done over, as has been the case at some places.

Mr. DAYTON. It is economical?

Admiral MELVILLE. For some time to come it will probably be necessary to keep the largest number of our war ships on the Pacific Ocean. There is work for the war ships to do, patrolling the Bering Sea, surveying around the Hawaiian Islands, and patrolling the islands of the Philippines. We should therefore have two navy-yards on the Pacific coast, for an exigency might arise when the ships at both places will be of great military importance. Millions of dollars have been spent at Mare Island, and now the yard is getting in pretty good shape. To keep the Mare Island establishment up to modern requirements more money will have to be spent there. There is an immediate necessity, however, to build up the Puget Sound station. These stations are several hundred miles apart, and each will have a work to do.

The demands of each establishment are independent of the other. By

having two navy-yard plants on the Pacific coast a friendly and spirited rivalry may be created between them, which may result in good to the naval service. I am rather inclined to believe that it would be good policy to send some of our ships from Asia to the Pacific coast whenever they required extensive repairs. The journey across the ocean would accustom the crews to seagoing conditions, and the time would by no means be lost that would be taken in making the journey. If such policy were inaugurated, there would be plenty of work for both dockyards, and the large amount of money now expended at the English dockyards would then be expended at home.

The channel at Mare Island is rather narrow and sometimes you can not turn a ship around. Mare Island has one great advantage, however; it is near a great city, where you can get mechanics.

Mr. LOUDENSLAGER. Vessels can turn around lower down?

Admiral MELVILLE. Yes.

Mr. WATSON. Has not that channel been filling up?

Admiral MELVILLE. Yes; that has been brought about by the hydraulic work in the mines above, at Sacramento.

The CHAIRMAN. What boat did we use when we were going up there?

Admiral MELVILLE. It was the *McCullough*, drawing about 18 feet.

The CHAIRMAN. They were sounding all the way up.

Admiral MELVILLE. They always do that as a matter of protection. Any navigator, whether merchantman or naval, even if he knows the shore, will do that, because if he meets with an accident the question will be asked, "Did you use the lead?" He might strike a rock, and if he did not keep his lead down it would be considered reprehensible.

Mr. DAYTON. That is not the case through Puget Sound.

Admiral MELVILLE. No.

Mr. DAYTON. Do you have any idea of the depth of the channel there?

Admiral MELVILLE. No, sir; there is difficulty at Puget Sound, because they can not anchor there. It is too deep. It is not safe to anchor in more than 25 fathoms of water. A modern sailor does not like to anchor in more than 10 fathoms, or 60 feet.

Mr. DAYTON. Did you examine the dry docks at Puget Sound?

Admiral MELVILLE. They are elegant dry docks.

Mr. DAYTON. They will accommodate the largest vessels?

Admiral MELVILLE. The largest on the Pacific coast.

Mr. DAYTON. Such as the *Wisconsin* and *Oregon*?

Admiral MELVILLE. They were sent there to have their keels put in because there was no other dry dock on the Pacific coast to put them in. That was before we got our shops going. I think it is the consensus of opinion in the Navy, from the Secretary down, that we ought to build up that station. My own opinion about Mare Island is simply to complete our present plans there. It would be a good place to take small ships, but that navy-yard should be put in first-class condition in every respect.

Mr. DAYTON. I was impressed with the advantage of Puget Sound or Bremerton. It impressed itself strongly on my mind because the water ran deep near the shore and there was no necessity for sea walls.

Admiral MELVILLE. That is right; but we must have wharves. We can not lay a ship alongside of the beach.

Mr. DAYTON. You can run out piling?

Admiral MELVILLE. Yes. My idea is that will be one of the greatest stations we have.

Relative to this yard Admiral O'Neil testified as follows:

Mr. DAYTON. Have you any opinion as to the value of that yard?

Admiral O'NEIL. It is a very promising place and likely to become one of great importance.

Mr. BUTLER. Is it desirable?

Admiral O'NEIL. Very.

Mr. BUTLER. Has it good water?

Admiral O'NEIL. Yes; and a very fine site. It has a fine climate. It is well located and requires no dredging. It is an ideal spot for a navy-yard.

Mr. DAYTON. The Puget Sound Navy-Yard will make the finest in the world, although it might be enlarged, because it was started too small.

I am rejoiced that the Naval Committee recognizes the importance and the advantages of our navy-yard, and think they have been most liberal in the present bill in providing for its development. It has been neglected in the past because its importance and advantages were not known and realized. For every dollar expended at this yard the Government will receive a dollar in return. The total appropriations for the yard up to and including 1901 were \$1,643,663.59. This includes the appropriation for the establishment of the yard and the building of the dry dock. From 1890 to 1901, inclusive, there has been expended at the New York Navy-Yard \$15,253,091.33, and the yard was established long before 1890.

At Philadelphia the expenditures for the same period have been \$5,701,481.96. At Norfolk, Va., the expenditures have been \$6,512,763.77; at Boston, \$4,854,038.15, and at Portsmouth, N. H., \$2,747,597.24. At each of these places the expenditures have been many times the total amount appropriated for our yard, including its original cost and the original cost of the dock. It must be remembered that all these yards were provided for long before 1890, and these amounts have been appropriations for their improvement and maintenance alone. The only yard, aside from ours, for which I have secured the total appropriations since, and including the establishment thereof, is Mare Island, and the total appropriations for this yard since its establishment in 1854 have been the sum of \$17,419,805.24. The value of the real estate, chattels, and machinery plant at Mare Island on June 30, 1901, was for real estate and chattels, \$5,387,301.86, and for machinery, \$660,146.49. At our yard the value of the real estate and chattels on said date was \$941,993.80, and of the machinery, \$255,122.21. These figures need no comment from me.

As I have said, our dry dock has proved to be one of the most valuable and successful in the country. It has been tested many times by the heaviest battle ships afloat. These tests have been withstood perfectly, and practically no repairs have been required. Its cost as compared with the cost of most of our other docks is remarkably low, as will appear from the following statement fur-

nished me by the Navy Department, to which I invite the careful attention of the members of this House:

Cost or contract price of docks, United States Navy.

	No. of dock.	Material of construction.	Length.	Cost or contract price.
Portsmouth, N. H.	2	Granite and concrete.	<i>Ft. In.</i> 750 0	\$1,089,000.00
Boston, Mass.	1	Granite	393 2	972,717.29
Do.	2	Granite and concrete.	750 0	1,013,400.00
New York, N. Y.	1	Granite	369 3	2,003,498.05
Do.	2	Concrete.	470 7	595,019.24
Do.	3	Wood	668 7	554,707.08
League Island, Pa.	1	Wood and concrete.	500 0	548,700.00
Do.	2	Granite and concrete.	750 0	1,133,592.77
Norfolk, Va.	1	Granite	332 5	943,676.00
Do.	2	Wood	500 0	504,980.75
Port Royal, S. C.	1	do	495 0	521,590.89
Mare Island, Cal.	1	Granite	517 0½	2,772,332.08
Puget Sound, Wash.	1	Wood body with masonry entrance.	650 5½	632,636.33

* This dock is being reconstructed.

Mr. Chairman, I am in full accord with the policy of this committee. I believe in building up the naval establishment of this country, especially the navy-yards and the Navy itself. The country is in favor of this policy, and any advance will be hailed with delight throughout the nation. We want a strong and powerful navy. In my judgment, and in this I speak for myself alone, we should have a navy the equal, if not the superior, of any nation on earth, England not excepted. Our position in the world's affairs to-day demands this. I do not agree entirely with those who date our being a world power from the Spanish war.

We were a world power before that. Our wonderful growth and development had placed us in the front rank of nations. We held our own immense market and were invading the world's markets in every quarter, and the nations of the earth had begun to recognize us as a factor that must be reckoned with so far as commercial and trade relations were concerned. As a political power and world factor we were not of the first rank; in fact, we were but little considered. From this standpoint we were sneered at, and it was expected in many quarters that we would suffer severe loss in our war with Spain, though our ultimate success was admitted. That war opened the eyes of all nations, and since its conclusion we are considered in the world's politics as never before. We are in the arena of the world's politics whether we will or no. Our flag is respected everywhere. The day of isolation is gone, and in its stead are great and weighty questions to be faced and solved. We must do our part in the world's great battle of progress and civilization.

We hope no war will come to us. The greatest conservator of peace is to be prepared for war. On the land we are ready. We do not need a great standing army. Twenty-five thousand regulars are enough in this country to-day, leaving out the Philippine matter. The bulwark of our defense on the land is that great body of sturdy yeomanry, the volunteers, that has shown itself equal to the greatest trial that can come to any nation. On the land we can defy the world and conquer. On the sea we have no defense except what we may provide. We must not invite attack by our weakness. We have possessions that are most inviting to other nations. They would be the first and probably the only object of attack in case of war, and however much some may desire to get rid of these possessions, there are none who would not resist to the last any attempt of another nation to take them by force. We may wish to give them up, but we will not have them taken from us. To guarantee our own security, to be sure of solving these problems in our own way and in our own time, we should be in a position on the sea that none will dare attack.

It will be money well spent if we do nothing more than place our flag in every port of the world, even though it may be on a warship on a peaceful mission. Every ship flying the Stars and Stripes in a foreign port is an agent for and a promoter of American commerce, civilization, and government. It carries at its masthead the insignia of that virile civilization that has sprung up in the Westland, the product of all that is best and strongest in the Old World; and in the waving folds of its red, white, and blue the poor, oppressed, and liberty loving of every race and clime see a beckoning hand inviting them from poverty to plenty, from distress to happiness, from tyranny to freedom, from despotism to representative government.

A standing army may be the instrument in the hands of a tyrant to oppress, the navy never. It has never endangered nor assailed the rights of a people. In the history of nations it has been their bulwark. From the time that Xerxes sat on the hills overlooking the Hellespont and saw his fleet destroyed by the navy of Greece until the present day navies have been the saviors of their governments instead of their destroyers. Athens' strength was in her navy. Rome conquered Carthage through the superiority of her

tiarmes. England's glory and England's power and England's supremacy have been and are in her navies.

Our own history is emblazoned with the heroic actions and brilliant victories of our Navy. Though small, its achievements have lightened the gloom of defeat and revived the waning fires of national hopes in almost every war in which we have been engaged. John Paul Jones startled the world with his great victory in the English Channel in the very shadow of Flamborough Head and revived the drooping spirits of the American revolutionists. With the gloom of defeat shadowing our land like a pall in the war of 1812, and the ashes of the national capital bespeaking our dire extremity, the unsurpassed heroism and achievements of Hull, Bainbridge, Decatur, Perry, and Lawrence wrested the laurel of supremacy from the "mistress of the seas" and brought an honorable peace and everlasting renown to our flag.

In that fearful struggle, which tested to the utmost the timbers of the ship of state, the Navy on each side maintained its brilliant record, and history records the fact that at the opportune time the little *Monitor* won its victory over the *Merrimac*, the far-reaching effect of which never will be known. Of the war with Spain I need say nothing. Manila and Dewey, Schley and Santiago! These are names written in imperishable light on the pages of our country's history and tell us of victories without a parallel in the world's naval warfare.

I hope to see the day when the American flag shall fly at the masthead of an American ship in every port of the world. [Applause.]

Monthly temperature of Seattle, Wash., and Washington, D. C., during the year 1901.

Date.	Maximum.		Minimum.	
	Seattle.	Washington, D. C.	Seattle.	Washington, D. C.
January	54	66	28	13
February	63	57	28	13
March	66	75	33	11
April	67	87	34	36
May	82	84	39	42
June	86	88	40	45
July	78	102	48	64
August	87	91	50	59
September	83	92	42	43
October	79	85	45	32
November	61	69	38	20
December	54	66	23	7

SEATTLE RAINFALL FOR TEN YEARS.

TABLE I.—Showing monthly precipitation in inches, 1892 to 1901.

Month.	1892.	1893.	1894.	1895.	1896.	1897.	1898.	1899.	1900.	1901.	Average.
January	2.61	2.67	6.01	6.13	7.06	3.74	1.99	6.10	3.04	4.23	4.37
February	1.94	6.30	4.21	1.76	3.87	2.99	5.98	3.20	4.93	4.26	3.89
March	2.36	4.27	6.25	3.90	2.41	3.05	1.39	1.80	4.45	1.62	3.12
April	3.82	5.53	4.21	3.17	3.27	1.53	1.51	3.50	1.55	3.96	3.16
May	1.42	4.26	1.99	3.20	3.60	1.30	0.66	2.09	3.73	1.44	2.36
June	1.35	1.54	2.47	0.29	0.77	1.67	2.13	1.26	2.51	1.90	1.58
July	1.29	0.48	0.14	0.57	-----	2.36	0.22	0.43	0.65	0.35	0.64
August	0.99	0.33	0.04	0.21	0.50	0.24	0.15	2.50	0.70	0.13	0.44
September	2.25	3.04	2.50	1.01	1.78	2.04	2.32	1.52	0.72	0.30	2.01
October	2.73	3.66	3.70	0.02	2.49	1.32	4.69	3.54	4.16	1.44	2.82
November	6.76	8.16	5.81	1.95	9.50	8.89	3.52	7.49	3.50	6.17	6.20
December	3.75	4.92	3.75	7.98	7.58	11.80	4.12	3.90	7.21	2.45	5.74
Total	31.32	45.16	41.08	29.69	42.83	41.53	29.28	37.13	36.48	30.18	36.43

TABLE II.—Showing number of days with 0.01 inch or more rain or melted snow, 1892 to 1901.

Month.	1892.	1893.	1894.	1895.	1896.	1897.	1898.	1899.	1900.	1901.	Average.
January	15	9	23	16	23	21	19	23	21	18	19
February	11	22	20	16	23	21	23	16	19	13	16
March	15	17	22	14	14	19	13	11	15	17	16
April	18	20	17	13	21	9	15	16	6	16	15
May	13	20	14	16	17	7	6	21	16	17	15
June	11	13	14	6	7	10	11	11	13	13	11
July	8	7	3	4	0	9	4	4	7	4	5
August	3	4	2	2	5	1	3	11	4	1	4
September	7	13	17	9	3	11	10	6	6	10	9
October	12	14	20	1	11	7	14	17	19	6	12
November	17	16	20	14	18	22	21	24	13	22	18
December	19	22	15	25	23	20	15	21	19	15	19
Total.	149	177	187	136	165	147	152	181	152	152	159

Mr. FOSS. I suggest that the gentleman on the other side [Mr. MEYER of Louisiana] use some of his time.

Mr. MEYER of Louisiana. I yield one hour to the gentleman from Missouri [Mr. VANDIVER].

The CHAIRMAN. The gentleman has but fifty-five minutes to yield.

Mr. FOSS. I will yield enough additional time to make an hour.

The CHAIRMAN. The gentleman from Louisiana yields fifty-five minutes and the gentleman from Illinois five minutes to the gentleman from Missouri [Mr. VANDIVER], who is recognized for one hour.

Mr. VANDIVER. Mr. Chairman, I do not expect to occupy the entire hour which has been allotted to me. I send to the Clerk's desk and ask to have read the following article.

The CHAIRMAN. Without objection, the article will be read from the Clerk's desk. The Chair hears no objection.

The Clerk read as follows:

NOT EVEN WOMEN, CHILDREN, AND BABES SPARED.

[By Corpl. Richard O'Brien, Company M, Twenty-sixth Volunteers.]

It was on the 27th of December, the anniversary of my birth, and I shall never forget the scenes I witnessed on that day. As we approached the town the word passed along the line that there would be no prisoners taken. It meant that we were to shoot every living thing in sight—man, woman, or child.

The first shot was fired by the then first sergeant of our company. His target was a mere boy, who was coming down the mountain path into the town astride of a carabao. The boy was not struck by the bullet, but that was not the sergeant's fault. The little Filipino boy slid from the back of his carabao and fled in terror up the mountain side. Half a dozen shots were fired after him.

The shooting now had attracted the villagers, who came out of their homes in alarm, wondering what it all meant. They offered no offense, did not display a weapon, made no hostile movement whatsoever, but they were ruthlessly shot down in cold blood, men, women, and children. The poor natives huddled together or fled in terror. Many were pursued and killed on the spot.

Two old men, bearing a white flag and clasping hands like two brothers, approached the lines. Their hair was white. They fairly tottered, they were so feeble under the weight of years. To my horror and that of the other men in the command, the order was given to fire, and the two old men were shot down in their tracks. We entered the village. A man who had been on a sick bed appeared at the doorway of his home. He received a bullet in the abdomen and fell dead in the doorway. Dumdum bullets were used in that massacre, but we were not told the name of the bullets. We didn't have to be told. We knew what they were.

In another part of the village a mother with a babe at her breast and two young children at her side pleaded for mercy. She feared to leave her home which had just been fired—accidentally, I believe. She faced the flames with her children, and not a hand was raised to save her or the little ones. They perished miserably. It was sure death if she left the house—it was sure death if she remained. She feared the American soldiers, however, worse than the devouring flames.

Corpl. RICHARD O'BRIEN.

Mr. VANDIVER. Mr. Chairman, the statements made by Corporal O'Brien are so utterly abhorrent to the sentiments of human nature that, if they be true, they brand with indelible shame the name of our country. I am not able to say whether those statements are true or false, but the author of them ought to be brought here and cross-examined. Considering that the charge there made, together with other similar charges, are of such a serious nature, I wrote to the editor of the Irish World, in whose paper the article is printed, and asked him to inform me whether or not the statements were known to have been made by Corporal O'Brien; in other words, as to the genuineness of the publication. In reply I received this letter from Patrick Ford, editor of the Irish World, one of the largest publications in the United States, a weekly paper having, possibly, as large a circulation as any in the United States, and one of the greatest champions of human liberty on this continent. Mr. Ford wrote me as follows:

NEW YORK, May 12, 1902.

Hon. W. D. VANDIVER, Washington, D. C.

DEAR SIR: Your letter with reference to Mr. O'Brien's statements is received. These statements first appeared in the New York World, and I believe them to be genuine. I have had a private interview with Mr. O'Brien in which he affirmed all that he had charged. He can not well go to Washington, but is quite willing to make a sworn statement regarding those matters and forward the same, if desirable.

Mr. PALMER. To what company and regiment did this man belong?

Mr. VANDIVER. Company M, Twenty-sixth Volunteers.

Now, Mr. Chairman, I make no apology for bringing this matter to the attention of the House at this time. You may say it has nothing to do with the bill pending before the House. So it has not; but we are in Committee of the Whole on the state of the Union, and if matters of this kind may be considered anywhere in the world or at any time, it seems to me that they may be considered under this head.

But, furthermore, I have another reason for bringing them to the attention of this House at this time. It will probably not be three weeks before the Philippine civil government bill will be reported to this House. That bill will be brought into this House and (if we are to judge the future by the past) will be rushed through—railroaded through—without an opportunity of fair discussion, without an opportunity even of stating the facts regarding the situation in the Philippine Islands. I therefore take advantage of this opportunity of mentioning a few of the facts as to what is going on over there.

Now, Mr. Chairman, if there is any member in this House who

assumes to be the champion of this Administration or the apologist for the deeds done by soldiers wearing American uniforms in the Philippine Islands I challenge him to this investigation.

Mr. WM. ALDEN SMITH. Mr. Chairman—

The CHAIRMAN. Does the gentleman from Missouri yield to the gentleman from Michigan?

Mr. VANDIVER. I am glad to yield to the gentleman from Michigan.

Mr. WM. ALDEN SMITH. I do not rise as the special advocate of the Administration, although I am in perfect harmony with its policy in the Philippines, but the purpose for which I rise is simply to inquire if there is anyone on that side of the Chamber who is ready to defend the atrocities committed by the Filipinos upon the American soldiers. [Applause on the Republican side.]

Mr. VANDIVER. No, sir. I shall not defend atrocities on mankind, whether committed by the heathens or the so-called Christians wearing the uniform of the American soldier. But, now, Mr. Chairman—

Mr. GAINES of Tennessee. Mr. Chairman—

The CHAIRMAN. Does the gentleman yield to the gentleman from Tennessee?

Mr. VANDIVER. Certainly.

Mr. GAINES of Tennessee. Does this soldier state that he was obeying orders? When that is done, privates have no right to do so without directions, and if they do that they are obeying their orders. That is my knowledge of war.

Mr. VANDIVER. If the statement is true it must have been done by orders—orders passed down the line he says that no prisoners were to be taken.

Mr. GAINES of Tennessee. Who gave the order?

Mr. VANDIVER. He does not say. I will hand the article in to be printed in my remarks, and the gentleman can read it in full. I think Mr. O'Brien should be put on the stand under oath.

Now, Mr. Chairman, as I said, the statements of facts are so horrible that I am loath to credit them. I am not yet willing to believe that all that is said in that article can be true. But I want to say, furthermore, that if there were no other facts within the range of certain knowledge that have been demonstrated and proven to be true and that are worse than even this enormity I would at once brand the article as a falsehood. But I have before me documentary evidence, official reports, from American soldiers under the direction of the War Department, who have testified to scenes even more horrible than that which this soldier narrates, and I am obliged to admit the shameful truth which they tell. I desire to read, Mr. Chairman, a portion of the report of Cornelius Gardener, major of the Thirteenth Infantry of the United States Army, provincial civil governor of the province of Tayabas, in the Philippine Islands, said report having been made to his superior officer, the civil governor of the Philippine Islands.

Mr. PALMER. What do you read from—what page?

Mr. VANDIVER. I read from page 884.

Mr. PALMER. Of what book?

Mr. VANDIVER. An official document entitled "Affairs in the Philippine Islands," this report having upon it the date of December 16, 1901.

First, Major Gardener proceeds to explain that a very friendly sentiment had existed among many of the inhabitants and better classes of the inhabitants of that province, but that it was fast dying out on account of cruelties of American soldiers, and he says:

Of late, by reason of the conduct of the troops, such as the extensive burning of barrios in trying to lay waste the country so that the insurgents can not occupy it, the torturing of natives by so-called "water cure" and other methods in order to obtain information, the harsh treatment of natives generally, and the failure of inexperienced, lately appointed lieutenants commanding posts to distinguish between those who are friendly and those unfriendly and treating every native as if he were, whether or no, an insurrecto at heart, this favorable sentiment above referred to is being fast destroyed and a deep hatred toward us engendered. If these things need be done they had best be done by native troops, so that the people of the United States will not be credited therewith.

Almost without exception soldiers, and also many officers, refer to the natives in their presence as "niggers," and the natives are beginning to understand what the word "nigger" means.

The course now being pursued in this province and in the provinces of Batangas, Laguna, and Samar is, in my opinion, sowing the seeds for a perpetual revolution, or at least preparing the people of these provinces to rise up in revolution against us hereafter whenever a good opportunity offers.

The attitude of the Army, thereby meaning most of the officers and soldiers—

Officers and soldiers both, mind you—

is, however, decidedly hostile to the provincial and municipal government in this province and to civil government in these islands in general. In Manila especially it is intensely so, even among the higher officers. The work of the Commission in the establishment of provincial governments is ridiculed, even in presence of the natives. It is openly stated that the Army should remain in charge for the next twenty years. Outrages committed by officers and soldiers against natives in an organized municipality and province, when reported by the presidente or governor to the military authorities—

He means the local officer corresponding to our mayor—

are often not punished. This, in my opinion, is unfortunate, because loyal natives begin to fear that local self-government promised them will not last long, and that any slight disturbance in a province may at any time be made the pretext to again place it under military rule, and this is just the thing the insurgents at heart most desire.

It has been stated that a Filipino or any Oriental does not appreciate just or kindly treatment and that he considers it an evidence of weakness, and that severe and harsh measures are the only ones that are permanently effective with Filipinos. I have found that just and kind treatment, uniform and continued, is the only way by which these people can be made permanently our friends and satisfied with United States sovereignty.

Having been stationed six years on the Rio Grande, I am well acquainted with the natives of the State of Tamaulipas, Mexico, and while stationed in the province of Santa Clara, Cuba, I visited every town in that province and was able to observe the intelligence and education there. I believe that the people of Tayabas Province are in every way superior in education, intelligence, morals, and civilization to the people of Tamaulipas or Santa Clara.

But I have not time to read it all. He concludes by saying that, owing to this cruelty and burning of the homes of the natives, even friendly and peaceable natives, the American sentiment in the island is rapidly declining. I commend to the members of the House a careful reading of Major Gardener's report. Remember, he is our own governor of that province and an officer highly commended by his superiors in command. Now, Mr. Chairman—

Mr. WM. ALDEN SMITH. If the gentleman will permit an interruption, I would like to ask him whether he has read the entire statement of Major Gardener.

Mr. VANDIVER. I have read all the parts bearing on that subject, and I am willing, if my time can be extended, to read every word in it. I will give the report to the gentleman from Michigan and ask him to read the whole of it in his own time.

Mr. WM. ALDEN SMITH. Is the gentleman from Missouri familiar with his entire statement?

Mr. VANDIVER. I am.

Mr. WM. ALDEN SMITH. Is not it a fact that he does not specify in but one instance, and that relates to the manner of salutation?

Mr. VANDIVER. No, sir; that is not a fact. I have not time to yield for extended remarks, but I will say that I would be glad if the gentleman from Michigan will take up the subject and explain it the best he can in his own time.

Mr. WM. ALDEN SMITH. The gentleman from Missouri does not wish to misrepresent Major Gardener?

Mr. VANDIVER. I have not misrepresented Major Gardener.

Mr. WM. ALDEN SMITH. The gentleman knows that he makes no general assault on the conduct of the Army there.

Mr. VANDIVER. Does not the gentleman call the paragraph that I have read a pretty severe criticism?

Mr. WM. ALDEN SMITH. I do not.

Mr. VANDIVER. Well, call it no assault or what you please, it seems to me to be a pretty serious criticism of the American soldiers and officers.

Mr. WM. ALDEN SMITH. I will say this, that in no instance except one, so far as I am familiar, does Major Gardener make a specific charge regarding the bad conduct of our soldiers.

Mr. VANDIVER. I want to say to the gentleman from Michigan, as he seems to know something about this case, that he ought to know that minority members of the Senate committee have insisted on bringing Major Gardener before that committee, and the majority do not seem to want him.

Mr. WM. ALDEN SMITH. I do not know that that is the case.

Mr. VANDIVER. The gentleman must know that some members of the Senate committee have insisted on bringing him there in order to testify, and they are expecting to have him there.

Mr. WM. ALDEN SMITH. I am sure the gentleman from Missouri does not wish to make that statement.

Mr. VANDIVER. I have made it and I stand by it.

Mr. WM. ALDEN SMITH. The Senate committee has not asked for the presence of Major Gardener.

Mr. VANDIVER. I said certain members of the Senate committee. The gentleman from Michigan knows very well that the majority has not acted on the suggestion, and the probability is that they do not want him there. He would probably tell too much.

Mr. WM. ALDEN SMITH. I think the Senate committee has concluded not to have him here. I know Major Gardener very well, and I regard him as a brave and gallant soldier, entirely worthy of belief in any matter coming to his personal knowledge; but in this matter he may rely on the statements of others, and yet his honesty can not be questioned by anyone, although I do not think he has intended to criticize our Army or its operations in the Philippines.

Mr. VANDIVER (interrupting). Then the gentleman from Michigan is not able to discover in the paragraph I have read a thing in Major Gardener's remarks that reflects upon the conduct of our soldiers?

Mr. WM. ALDEN SMITH. Does the gentleman charge that?

Mr. VANDIVER. Is not the gentleman from Michigan willing to admit, after all Major Gardener's experience in Mexico and Cuba, and now for more than three years in the Philippine Islands, that he is prepared to make a general statement—a statement of general facts relating to the province of which he is the governor, after he has traveled all over it, he says, with no protection but a native guide?

Mr. WM. ALDEN SMITH. I am willing to admit that Major Gardener is an efficient soldier and entirely worthy of belief, although he may rely upon the imagination of others in some instances.

Mr. VANDIVER. You can put it that way if you please. I have read what he says are the facts. Furthermore, I will put in the RECORD a subsequent statement of Major Gardener, and you will see whether he makes any specifications or not. I have not time to read it, but will print it right here, and the House may see whether or not it is a sufficient answer to the gentleman from Michigan.

ARMY ATROCITIES IN TAYABAS.

WASHINGTON, May 6, 1902.

When the Philippine Committee met to-day Senator LODGE presented a cablegram from General Chaffee giving the charges and specifications of Major Gardener relative to Tayabas Province. The cablegram was received at the War Department May 4, and is as follows:

Reference to cable 3d, Secretary of War, to send the following: Major Cornelius Gardener's first letter contained no specifications on which I could act. From his second letter, however, in order to comply with the present instructions, I submit, in the form of charges, the following data, which are as complete as possible under the conditions in which I am at present situated.

Charge.—The troops that succeeded the Volunteers did not keep up the scouting and patrolling system.

Specifications.—That the troops stationed in the central towns on Tayabas, to wit, in Lucban, Tayabas, Lucena, and Saviayo, did, in the spring of 1901, for about three months fail to scout or patrol the country except as escort to wagon trains on the main roads.

Charge.—Burning of barrios or villages.

Specification.—That troops during the fall of 1901 burned a number of barrios belonging to Dolores and adjacent towns.

Specification 1.—That certain United States troops coming from San Pablo, in or near the town of Dolores, tortured a native by the water cure. This was during the summer of 1901.

Specification 2.—That the commanding officer of Laguanoc during the summer of 1901 tortured or maltreated a native boy.

Specification 3.—That the troops coming from Lucena or Tayabas on several occasions tortured natives belonging to the pueblo of Pagbilao. This during the summer and fall of 1901.

Charge.—Harsh treatment of natives.

Specification 1.—That men belonging to a detachment of soldiers stationed at Candelaria looted a store in that town about the month of November, 1901.

Specification 2.—That a detachment of troops took away from a peaceful citizen of Dolores a pony. This about the month of September, 1901.

Specification 3.—That the house of a native of Candelaria was forcibly taken for a smallpox hospital and afterwards burned by order of the surgeon at Sariaya; that the said native was not remunerated. This in Candelaria in July, 1901.

Specification 4.—That First Lieut. George G. Catlin did strike with his fist natives of Lucena for failing to take off their hats to him, and did forcibly with threats compel a native to deal cards for him. This about September, 1901.

Specification 5.—That First Lieut. George De G. Catlin at Calananan did keep in the guardhouse for three days a native without food or water. This about September, 1901.

Specification 6.—That First Lieut. George De G. Catlin did strike natives in the face for failing to remove their hats. This while he was in command at the post.

Specification 7.—That a party of soldiers attacked with pistols three natives working on the roads near Lucena. This about November, 1901.

Specification 8.—That certain soldiers belonging to a troop of cavalry stationed in Tayabas, Pueblo, did attack five women of that town. This in the month of January or February, 1901.

The dates are approximate, and the facts from complaints made to me, stated to the best of my recollection.

CHAFFEE.

Mr. VANDIVER. Now, Mr. Chairman, I can not yield further, because there are other facts I want to present, and there will be ample time, if gentlemen on the other side want to, to discuss the whole matter. In the documents on my desk there is evidence piling up mountain high of cruelty, torture, murder, robbery, rape, and every other crime known to the calendar, practiced on noncombatants, old men, prisoners, women, and children.

Mr. WM. ALDEN SMITH. Committed by the Filipinos?

Mr. VANDIVER. By men wearing the American soldier's uniform, under control of American officers.

Mr. WM. ALDEN SMITH. I do not believe it, and I hurl the statement back and challenge the gentleman to produce the evidence.

Mr. VANDIVER. I will produce it if you will give me time. I will produce scores and hundreds of cases.

Mr. WM. ALDEN SMITH. The gentleman certainly does not intend to make an assault on the American Army.

Mr. VANDIVER. I make no assault; but wait till I am through and see whether I ought to criticize them or not.

I say that you ought not to justify crime and barbarity, whether committed by the Army or by the people you are trying to conquer.

I say to the gentleman that my pride in the name of America and the American Republic is greater than his, but my pride in the fact that I am a human being and still have sentiments of

human nature in me is greater even than my pride in the American Army.

Mr. WM. ALDEN SMITH. On what do you base your general charge against our Army in the Philippines?

Mr. VANDIVER. On specific and numerous cases amply proven; not against the whole Army, but a large section of it.

Mr. WM. ALDEN SMITH. Name your cases.

Mr. VANDIVER. I will name the cases, if the gentleman will sit down and listen.

Mr. WM. ALDEN SMITH. Just name your case.

Mr. VANDIVER. All right; I will give you cases enough before I get through.

Mr. Chairman, I will read from the investigation of Inspector-General Maj. John S. Mallory, who was ordered by the War Department to investigate the charges made against the officers and men of the Twentieth Kansas Volunteers, who were charged with having cruelly shot down prisoners who had surrendered to them. This testimony was taken before a subcommittee of the Committee on Pensions of the United States Senate, while there was pending in the Senate, as I understand, a nomination of Wilder S. Metcalf, who was a major in that regiment, to be pension agent at Topeka, Kans.

Mr. PALMER. Where is that published? Is it a Senate document?

Mr. VANDIVER. Yes, sir.

Mr. PALMER. Please give us the number, will you?

Mr. HAMILTON. From what document is the gentleman from Missouri reading?

Mr. VANDIVER. I am reading from the hearings before the Senate committee, page 11.

A few days after the Calococan fight—

I am reading now from the testimony of Corpl. Lawrence L. Bradley, Company M, Twentieth Kansas Volunteers, who, being duly sworn, testified as follows:

A few days after the Calococan fight I heard Captain Bishop talking about what should be done with prisoners. He said: "Now, there was Company I with prisoners. It seemed a hard thing to do to shoot them, but there was nothing else to do, and I had to give the order." We had been talking about what should be done with prisoners and I heard some had been shot. I have given the substance of what Captain Bishop said, but may not have given his exact words. On the day of the Calococan fight the word was passed down the line that we were not to take prisoners. The word was passed along our company by privates that the order was we were to take no prisoners.

Mr. WM. ALDEN SMITH. If the gentleman is a lawyer—

Mr. VANDIVER. No; I deny the charge that I am a lawyer. Wait till I get through giving the facts in the case.

Mr. WM. ALDEN SMITH. The gentleman will allow me to ask him whether he regards what he has read as evidence?

Mr. VANDIVER. I decline to yield at present. I am reading the testimony.

Mr. WM. ALDEN SMITH. That is only hearsay.

The CHAIRMAN. The gentleman from Missouri declines to yield.

Mr. VANDIVER. I am reading from the testimony given by soldiers who were there in the battle.

Mr. WM. ALDEN SMITH. The witness said he did not see it.

A MEMBER. He says he heard the order passed down the line.

Mr. VANDIVER. I read now from the testimony of Private F. H. Swearingen, Company I, Twentieth Kansas Volunteers, who being duly sworn, testified as I am about to read. This whole article is the report of the inspector-general, Major Mallory himself, who sent this testimony to the War Department. The witness says:

There were two wounded Filipinos crawled out of a trench, which was about 150 yards from the church toward Manila. They were "kinder" waving their hands and making signs as if they wanted to surrender.

Major Metcalf told some of the men to take them back. They were either not able to go or wouldn't go back, and about eight or ten men were being kept there fooling with them, and finally Major Metcalf gave the order to shoot them, and they were shot.

I read further from the testimony of William H. Putnam, Company I, Twentieth Kansas Volunteers, who testifies as to the same particular instance. He says:

Major Metcalf told two of the men to take the prisoners to the rear. They refused to go even when pricked with bayonets. Finally some officer gave the order to shoot them. I was one of the men who shot, but don't know that I hit one of them.

Mr. HAMILTON. Will the gentleman permit an interruption?

Mr. VANDIVER. Wait until I get through with this evidence.

The CHAIRMAN. The gentleman from Missouri declines to yield.

Mr. VANDIVER. I will now read from the testimony of Capt. Charles S. Flanders, who was captain of the company.

Mr. HAMILTON. How long will it take to read that?

Mr. VANDIVER. Only a few minutes.

Capt. Charles S. Flanders, of the Twentieth Kansas Infantry, who testified as follows. This is from page 13:

Two insurgents in the trench threw up their hands as if to surrender. I told them to come out, and they got out of the trench on the opposite side from me. I told two men to take charge of them and either to take them to the rear or to bring them on. Some men of B Company and some of M Company were mixed in with my men. I don't remember who the men were I ordered to take charge of the prisoners. I then went forward, and when I got about 30 or 40 yards away I heard some one say, "Shoot them," or something like that, and I heard reports of guns, and when I turned round they were shot. I don't know who did the shooting or who told them to shoot. I did not investigate the matter.

Now, Mr. Chairman, in the finding of the Inspector-General, who seems to have tried his best to clear the skirts of the officers, he makes this statement himself:

That Capt. Charles F. Flanders, of the Twentieth Kansas, commanding Company I at the time of the Calucan engagement, having detailed two men to take prisoners to the rear, and knowing that the prisoners were not taken to the rear, but, according to his own statement, were shot, was guilty of gross neglect of duty in not investigating the matter or reporting it to a higher authority or in taking no steps whatever to bring the guilty parties to justice.

Now, observe that the inspector-general himself says the prisoners were shot, and the captain was guilty of gross neglect in not investigating the matter. I suppose this fact will not now be denied.

Now, Mr. Chairman, the colonel of that regiment was the brilliant, river-swimming colonel, since a brigadier-general—Funston. He was on that battlefield, only a few hundred yards from where these scenes were taking place. Has General Funston been brought to account for this infamy practiced by his soldiers and never investigated by him? On the contrary, he has been promoted to a brigadier-generalship.

Mr. WM. ALDEN SMITH. Are you referring to Colonel Metcalf now? He was General Funston's lieutenant-colonel, I suppose.

Mr. VANDIVER. Some of this article refers to Metcalf. But I am referring just now to Colonel Funston.

Mr. WM. ALDEN SMITH. The gentleman knows, does he not, that the Senate Committee on Pensions investigated Mr. Metcalf?

Mr. VANDIVER. What I have just been reading is from the report of that committee.

Mr. WM. ALDEN SMITH. They investigated the matter and exonerated Metcalf and confirmed him unanimously. The gentleman is dealing in ancient history. [Laughter.] There is no doubt about that. The man has been investigated and he has been confirmed as a pension agent, notwithstanding all these general and loose charges.

Mr. VANDIVER. I am simply giving the facts; I am not locating the responsibility. But Colonel Funston was promoted instead of being investigated and Metcalf has been rewarded by being appointed pension agent at Topeka.

Mr. LANDIS rose.

The CHAIRMAN. Does the gentleman from Missouri yield to the gentleman from Indiana?

Mr. VANDIVER. Now, if the gentleman will just be patient a moment, I will give him some more facts.

Mr. LANDIS. I would like to ask the gentleman—this man Funston, this river-swimming general, is the same man that captured your old friend Aguinaldo, is he not? [Laughter on the Republican side.]

Mr. VANDIVER. I have understood, Mr. Chairman, that Emilio Aguinaldo was a great bugbear to certain gentlemen on the other side of this House. Now, I am not saying anything about Emilio. The gentleman from Michigan [Mr. WM. ALDEN SMITH] seems to be fond of talking about him, and I will give him plenty of time after I am through to eulogize him or abuse him, as he pleases.

Mr. WM. ALDEN SMITH. The gentleman from Indiana, the gentleman means.

Mr. LANDIS. The eulogies he has received have come from that side of the House.

Mr. VANDIVER. Mr. Chairman, I decline to be diverted from the straight line of this testimony to discuss matters that have no connection with the facts I am presenting.

Mr. HAMILTON. What was the gentleman reading when he was interrupted?

Mr. VANDIVER. Now, Mr. Chairman, I proceed to read further from the testimony taken before the Senate committee in regard to practices of the American soldiers over there, and lest the gentleman may need not only the testimony of eyewitnesses—the testimony of sworn witnesses—I will read him some of the findings of courts of inquiry and court-martial.

Mr. HAMILTON. Will the gentleman permit an interruption at this point?

Mr. COCHRAN. Mr. Chairman, I make the point of order that if the gentleman from Michigan [Mr. HAMILTON] desires to interrupt he shall address the Chair.

Mr. HAMILTON. I did address the Chair.
 The CHAIRMAN. The Chair sustains the point of order.
 Mr. HAMILTON. Mr. Chairman, I thought I addressed the Chair.
 The CHAIRMAN. The gentleman from Missouri has the floor.
 Mr. HAMILTON. I asked if he would permit an inquiry at this point.
 The CHAIRMAN. Does the gentleman from Missouri yield to the gentleman from Michigan?
 Mr. VANDIVER. Oh, certainly, for a moment.
 Mr. HAMILTON. Now, the party to which you belong—
 Mr. VANDIVER (interrupting). Mr. Chairman, I see by the clock that I have not much more time, and I will ask the gentleman to hurry with his question.
 Mr. HAMILTON. Declares for a stable form of government in the Philippine Islands.
 Mr. VANDIVER. I am not going to discuss that.
 Mr. HAMILTON. Are you not?
 Mr. VANDIVER. Not now.
 Mr. HAMILTON. In order to have a stable form of government in the Philippine Islands, would you not have to have soldiers over there—your party?
 Mr. VANDIVER. Granting all that, I am not going to discuss that.
 Mr. HAMILTON. Is it true that you would have to have soldiers? Answer the question. Is it true? Answer the question I ask you.
 Mr. VANDIVER. I am not discussing the question now.
 Mr. HAMILTON. Have you not declared for a stable form of government in the Philippine Islands?
 Mr. VANDIVER. Suppose I have, what has that got to do with these facts of cruelty and barbarity? Does the gentleman stand here as an apologist for all the inhuman conduct that has been perpetrated over there? [Applause on the Democratic side.]
 Mr. HAMILTON. Oh, no; but could you have a stable form of government without soldiers?
 Mr. VANDIVER. I decline to yield further.
 The CHAIRMAN. The gentleman declines to yield.
 Mr. HAMILTON. Would you expect—
 Mr. VANDIVER. I decline to yield.
 The CHAIRMAN. The gentleman declines to yield.
 Mr. HAMILTON. Would you expect to recruit your soldiers from Sunday school classes?
 Mr. VANDIVER. I am not going to yield for any such purpose as that. But I would not recruit them from savages.
 The CHAIRMAN. The gentleman from Michigan is not in order. The gentleman from Missouri declines to yield.
 Mr. HAMILTON. All right.
 Mr. VANDIVER. I will agree, Mr. Chairman, to yield as often and as long as the gentleman wishes to interrogate me, if I can have my time sufficiently extended. Otherwise I will decline to yield further.
 Mr. HAMILTON. I should like to have the gentleman's time extended, so that we may several of us interrogate him.
 Mr. VANDIVER. Before I get through with these facts you will see other reasons why you would like it, too.
 Mr. HANBURY rose.
 The CHAIRMAN. Does the gentleman from Missouri yield to the gentleman from New York?
 Mr. VANDIVER. Not now.
 Mr. HANBURY. I only desired to know how much time the gentleman had.
 The CHAIRMAN. The gentleman from Missouri declines to yield.
 Mr. LANDIS. The gentleman from New York rose to a point of order.
 The CHAIRMAN. Did the gentleman from New York rise to a point of order? He did not so state.
 Mr. HANBURY. I desired to be informed how much more time the gentleman from Missouri had.
 The CHAIRMAN. The gentleman can not take the gentleman from Missouri off the floor for such a question.
 Mr. VANDIVER. Now, Mr. Chairman, regarding the cruelty of what is spoken of as "the water cure," I want to read just one or two bits of evidence. I read from the testimony of Corp. D. J. Evans before the Senate committee, page 2061. He says he has been in the United States Army for six years, serving in northern Luzon:

In the Regulars?
 Yes, sir.
 Are you a resident of Kansas?
 Yes, sir.
 Concordia, Kans., I believe?
 Yes, sir.

After narrating what took place when a certain native Filipino was being subjected to this torture in order to get him to confess that he knew things that he had said he did not know about and

to make him tell where the insurgents were, one of the members of the Senate committee asked him to describe in detail just what took place when they gave the natives this kind of torture. Here is what he says:

They refused to tell us, and they were given the water cure. The first thing one of the Americans—I mean one of the scouts for the Americans—grabbed one of the men by the head and jerked his head back, and then they took a tomato can and poured water down his throat until he could hold no more. During this time one of the natives had a rattan whip about as large as my finger and struck him on the face with it and on the bare back, and every time they would strike him it would raise a welt and some blood would come, and when this native could hold no more water then they forced a gag into his mouth. They stood him up on his feet, tied his hands behind him, then stood him up with his back against a post, and fastened him so that he could not move. Then one man—

Be it said with shame and disgrace to the American Army, after this man was tortured in this way and then tied to a post with his arms pinioned—

One man, an American soldier, who was 6 feet tall, and who was very strong, struck this native in the pit of the stomach as hard as he could strike him and just as rapidly as he could. It seemed as if he did not get tired of striking him.

Senator ALLISON. With his hand? With his clenched fist. He struck him in the pit of the stomach, and it made him very sick. They kept that operation up for quite a time, and finally I thought the fellow was about to die, but I do not believe that he was quite that bad, because finally he told them he would tell.

That is, he was tortured until he was forced to confess things which probably he never did.

Now, that is just one instance. If I had time I would stand here all day and all night and read you one instance after another, not by the dozen, but by the score, and prove to you by eyewitnesses that these things were perpetrated by American soldiers and with the connivance of American officers, if not by their direct orders.

One witness testifies to more than 20 cases of this torture, all given in one day.

I will here read some of the testimony of Lieut. Grover Flint, of the Thirty-fifth Infantry. He is a grandson of the late Dr. Austin Flint, and a son-in-law of the late Dr. John Fisk, the historian. He spent a year and a half with the Army in the Philippines and witnessed many cases of this torture applied to prisoners in the province of Bulacan, in the island of Luzon. Here are the main points of his evidence, taken under oath:

By Senator PATTERSON:

Q. About how many were subjected to this torture the first night?
 A. I could not say. I should rather think—well, the only answer I could give would be a guess.

Q. Give your best judgment.
 A. According to my best judgment, I should think about 30 were put through it the first evening, because it kept on for a long time until daybreak. I should say 20 the next morning under my personal observation.

By Senator CARMACK:

Q. It kept on until daybreak, you say?
 A. Yes, sir.

* * * * *
 By Senator BURROWS:

Q. In this case where you say the water cure was administered to some 20 persons, I want to ask you what offense these people had committed?
 A. They were supposed to be insurgents. I did not at the time know enough of the language to understand the conversation between them and the Macabebes who were putting them through this ordeal. All I know is that they would take a man and throw him down and work on him for a while, and then he would run off and get a gun or a bolo.

Now, observe what he says about men tortured even to death:

I went over and said to Major Geary that no commissioned officer seemed to be in charge there or seemed to be observing it, and that I would stay there for a while if he wished me to. He said: "All right, if you want to." So in that way I happened to see this performed on about, I would say, something over 20 men. This was on the second morning. The things that I had witnessed the night before I had witnessed only casually here and there. I was not what you might call a spectator.

The CHAIRMAN. Did the men subjected to this torture die?
 The WITNESS. I never saw a man die. But I saw a man who I thought was going to die once, and I had indirect evidence that a man had died in another case; but nothing that I could testify to.

Senator CARMACK. That men have died in other cases, you say?
 The WITNESS. Yes, sir.

By Senator CULBERSON:

Q. Apparently you were about to detail what you actually saw the next morning?
 A. Yes.

Q. You stated the night before you only casually saw it, and then you were going on to state what you saw in the morning?
 A. In the morning I actually witnessed it. I saw men thrown down and heard their groans and that sort of thing.

Q. Please tell the committee what you actually saw?
 A. That is, you want me to describe one individual case of a man being put through the water cure?

Q. Yes; I would like you to do that, sir.
 A. Very good, sir. A man is thrown down on his back and three or four men sit or stand on his arms and legs and hold him down, and either a gun barrel or a rifle barrel or a carbine barrel or a stick as big as a belaying pin—that is, with an inch circumference—

Senator BEVERIDGE. As big in its diameter?
 A. (Continued.) Yes; is simply thrust into his jaws and his jaws are thrust back, and, if possible, a wooden log or stone is put under his head—

Senator PATTERSON. Under his head or neck?
 A. (Continued.) Under his neck, so he can be held firmly.

Senator BURROWS. His jaws are forced open, you say? How do you mean, crosswise?

The WITNESS. Yes, sir; as a gag. In the case of very old men I have seen their teeth fall out—I mean when it was done a little roughly. He is simply held down, and then water is poured onto his face, down his throat and nose from a jar, and that is kept up until the man gives some sign of giving in or becomes unconscious, and when he becomes unconscious he is simply rolled aside and he is allowed to come to. That is as near a description as I think I can give. All the cases were alike I saw on that occasion.

By Senator CULBERSON:

Q. Is the water allowed to remain in the man, or is it anyway expelled from him, by any method?

A. Well, I know that in a great many cases, in almost every case, the men have been a little roughly handled; they were rolled aside rudely, so that water was expelled. A man suffers tremendously; there is no doubt about it. His suffering must be that of a man who is drowning, but who can not drown.

Q. Did you ever see a man place his foot on a man's stomach to force the water out of him?

A. Yes, sir.

The witness then explains that this water cure or torture was the common method used to get the natives to tell where their guns were and give the soldiers information about their neighbors.

They would enter a village or barrio without opposition and simply gather up a bunch of natives and begin on them in this way, and "put them through as a matter of routine," using the language of the witness.

He then explains another instance where 15 more were treated this way and how some of them held out longer than others. Here is his testimony on this point. Those who had no guns to surrender suffered the most. He says:

What I mean to say is that some men would yield almost instantly and would not be put through as brutal methods as I have described, while other men would have more courage or, perhaps, would be more ignorant, and they would be put through the stage, where they were unconscious or almost drowned.

By Senator MCCOMAS:

Q. Did that happen to a few or many of these men?

A. A rather small proportion, because by far the greater part, I should say probably two-thirds, of the people I saw did not get this severest treatment. In those cases it did not get to the point of great brutality. They simply would get up and run off and get their guns; and other men fought it out and would not yield until they had been subjected to severe treatment, and there was one man who absolutely refused.

Senator DIETRICH. You think it was the men who were the most ignorant who resisted the hardest, and those who seemed more intelligent yielded quickly and did not receive such harsh treatment?

The WITNESS. No; I think the men who were more courageous or perhaps did not have any guns suffered the most. By ignorant I mean that they did not really know anything to tell us.

Senator CARMACK. You say you saw one man who never did yield?

The WITNESS. Yes.

Senator BEVERIDGE. How is that?

Senator CARMACK. He said something about one man never yielding.

The WITNESS. One man was pointed out to me as being an alleged insurgent lieutenant, and he was pointed out as being absolutely unyielding.

Senator MCCOMAS. You did not see that?

The WITNESS. I saw his condition. They had worked pretty hard on him.

He was pointed out simply as being a most gallant man—

Senator BEVERIDGE. What was his condition?

Senator CARMACK. He was pointed out as what?

The WITNESS. A man of great courage; that he had been absolutely unyielding and had simply defied us; that is all.

Senator BEVERIDGE. When this man was pointed out, what condition was he in?

The WITNESS. He was almost fainting. I did not see him worked upon, but I simply saw him being led around, and I think Major Geary sent word not to have anything to do with that man any more. I mean to let him pass, not to bother him any more, to let him go.

Also, Mr. Chairman, other kinds of torture have been invented. Observe the following in regard to Captain Ryan's method:

NEW FORMS OF TORTURE.

WASHINGTON, May 8, 1902.

Orders have been issued by Secretary Root for the court-martial of Capt. James A. Ryan, of the Fifteenth Cavalry, who is charged with improper conduct in obtaining information from natives in the Philippines.

Complaints of his actions having reached Manila, William P. Rhode, as special prosecutor, was sent to investigate.

His report to the attorney-general at Manila says that Captain Ryan used the following method to get information: Each individual before being examined had his arms tied to his body in such a manner that he could not protect his head from falling. Then he was stood up erect upon a wooden floor and had his legs knocked from under him.

His body was lifted and his head jolted against the floor once more, whereupon he was stood upon his head in a bucket of water for a certain length of time, and was then examined. This process was employed three times in succession before Ubaldo Abing made his statement.

Altogether about a dozen natives are said to have received this treatment.

Mr. Rhode's report also says that Captain Ryan believes that the Filipino is incorrigible, and that two generations of military government will not put them in condition for civil government. He further, somewhat inconsistently, believes American occupation unjust; that the Filipino can not survive, and that the American can never live in the islands. Drastic measures seem to him absolutely necessary for self-preservation and the inculcation of loyalty toward the United States.

Mr. LESSLER. Mr. Chairman—

The CHAIRMAN. Does the gentleman from Missouri yield to the gentleman from New York?

Mr. VANDIVER. Not till I get through with this statement.

The CHAIRMAN. The gentleman declines to yield at present.

Mr. VANDIVER. Furthermore, I now wish to read a few statements of findings of courts-martial that have investigated some of these cases of cruelty. I will have to read them hurriedly, because my time is nearly out. Here is a list of the trials

and investigations by court-martial. I select only a few of them, but there are dozens and scores of them here. You gentlemen have challenged me to produce cases of cruelty, and I am doing it from the record:

Walter Turnbull, jr., Company I, Fourteenth Infantry, February 18, 1899; charge, assaulting native women with a bayonet. Found guilty; dishonorably discharged, with forfeiture of pay and allowance, and three years' confinement.

Clarence R. Moore, Company H, Thirty-fifth Infantry; charge, looting. Found guilty; fined \$30.

Private Otto R. Conine, Company B, Sixteenth Infantry; charge, rape. Guilty; sentenced to twenty years' imprisonment.

Corporal George Danhoffer, Company B, Sixteenth Infantry, date of trial July 24, 1899; charge, rape; found guilty.

Henry Bruce, Company A, Twenty-fifth Infantry, assault on natives, including a young girl. Fined \$20 and two months' confinement in prison.

Now, you say these were punished. Yes; so they were. But the fact that they were punished does not relieve the people who suffered from their barbarity. Nor does it help the gentleman from Michigan in his denial that the soldiers were guilty of the crimes alleged against them.

But these are only a few of the many I might read.

I will instance a few other cases, as I am forced to do so by the denials of gentlemen on the other side.

Mr. LESSLER. Will not that indicate—

Mr. VANDIVER. I decline to yield at this point.

Alvan S. Gross, Company L, Nineteenth Infantry, charged with looting a church. Dishonorably discharged, and forfeiture of pay.

Arthur B. Butler, Company A, Twenty-fifth Infantry, charged with assault on two native women with intent to commit rape. Fined \$45, and five months' imprisonment.

Now, Mr. Chairman, there are a great number of these cases here in the record, and I have not the time to read them all, nor even one-tenth part of them, but if I may be permitted, there are one or two more that I wish to refer to, because they are unexampled instances of barbarity. Here, for instance, is one Edward M. Boodie, Troop C, Third Cavalry, charged with the murder of a native boy by shooting him with a pistol. He was found guilty, and the court-martial enters this comment opposite his name:

A crime of peculiar atrocity that might be viewed with horror by the most debased savage.

Here is another—Thomas H. McClanahan, Company L, Eighth Infantry—charged with assault and raping a middle-aged native woman, April, 1901; was dishonorably discharged and sentenced to fifteen years' imprisonment.

Harry A. Mooney, Company L, Eighth Infantry, charged with the rape of a native woman, was found guilty and sentenced to twenty years.

There are two other cases of a similar character, charged with rape of native women, found guilty by the court-martial and sentenced to death, and then by the President of the United States the sentence was commuted to twenty years' imprisonment.

Mr. Chairman, if these were simply sporadic cases, if these cases had happened only occasionally, if such crimes as these were only the occasional incident of war, I might be inclined to overlook it as one of the accidental incidents of horrible warfare; but here they stand, one after another, dozens, and scores, and hundreds, as bad as can be imagined, as horrible as ever were committed by savage or civilized man in the whole history of the human race. Now, Mr. Chairman, I have not made and shall not make a general onslaught against the American soldier. I can not believe that all the American soldiers, or a large percentage of them, are guilty of these crimes; but here are the facts. You tell us that this cruelty is an incident to war. You tell us that we must have an army over there. You tell us that these things are incidents of war. I want to say to you that if the necessities of war, in order to hold the Filipino people in subjection to our control, bring with them this horror—this inhuman horror—then for God's sake get out of there as soon as possible before the name of the American soldier is still further tarnished and the flag forever disgraced, and the soldiers themselves still further brutalized.

Now, Mr. Chairman, if I had time I would read you here the reports of the inspector-general who investigated the charges of cruelty in northern Luzon and another in the province of Panay. I would also show you that they have gone over there and employed native scouts—the ferocious Macabebe savages—to make war on the people of the other parts of the islands, and that they have committed outrages so infernal and so inhuman that language fails to describe them, and if I should undertake to describe them I should be compelled to use language that would not be tolerated in public print.

In one instance, on the 25th of February, 1900, these native scouts, under the command of American officers, went to one little barrio, invaded the houses of these natives, and took old gray-haired men out behind the house and shot them down, and in other instances went into houses and shot down the husbands by the side of their wives, and then raped the wife herself.

Brigadier-General Wheaton says, on page 1753 of this document:

These scouts whom we have employed are liable to commit murder, and many will rob and ravish whenever they have the opportunity.

These are his exact words.

Mr. HAMILTON. Mr. Chairman—

The CHAIRMAN. Does the gentleman yield to the gentleman from Michigan?

Mr. VANDIVER. I yield to a question.

Mr. HAMILTON. From what reports are you reciting?

Mr. VANDIVER. I am reading—

Mr. HAMILTON. The place, page, and authority?

Mr. VANDIVER. I will give the page and authority and point out not only these instances that I have mentioned, but a hundred more, if the gentleman insists upon it and I have the time. I am merely reciting facts gathered from official reports and Senate committee hearings, and refer you to pages 1754 to 1760 and succeeding pages.

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

The CHAIRMAN. Does the gentleman yield to the gentleman from Missouri?

Mr. VANDIVER. Yes; I yield to a question.

Mr. BARTHOLDT. When my colleague prints this speech as a campaign document, to be circulated in Missouri, I should like him to print this question with his speech, namely: Is the Army of the United States a Republican institution or does the gentleman admit that both parties are responsible for both the Army and the Navy and their conduct abroad, and if the Army and the Navy, instead of being partisan institutions, are merely American institutions for which we are all responsible?

Mr. VANDIVER. Yes; but because there are Democrats in the Army I will not apologize for everything the Army does.

I want to say to the gentleman that he is the first man who has introduced into this debate any idea of partisanship. I have not intimated in any word I have said whether it is Democratic or Republican. I will print the gentleman's question and my answer. I will say to the gentleman also that it is my pride and boast here to-day that the American Navy has not tarnished its name, so far as I have been able to learn, with any acts of cruelty, but has held up the American flag with pride to all the world, and against it there is not a black mark. [Applause on the Democratic side.]

Mr. BARTHOLDT. Mr. Chairman, I would like to ask the gentleman a question.

Mr. VANDIVER. I can not yield further at this time. The gentlemen on the other side can get all the time they want, and let them take the time and discuss this matter if they wish to do so.

Now, it has been said that these are heathenish people over there, and if we were to draw out and let them alone they would shoot each other down, they would engage in general internecine war that would destroy them, and so it appears that in order to keep them from shooting each other down we have got to go in and shoot them down first. [Laughter.]

Now, as to their general character, I read from very high authority. General MacArthur, when he was before the Senate committee, was asked this question:

As a whole, General, I believe in your report you speak of the Filipino people in an appreciative way, as people of considerable native intelligence, quick and apt, and generous, flexible, and peaceable?

General MACARTHUR. I believe that is the general tenor.

Mr. CARMACK. I understand you to say that you would be willing to give them a very considerable share in the general government?

General MACARTHUR. Yes.

Mr. CARMACK. Do you think they should have it now?

General MACARTHUR. I would be glad to give it to them now, as I have said. I have become attached to these people and have a good deal of faith in them.

Now, I suppose you will not question that authority. Now, Mr. Chairman, after all the brutality that has been practiced not only by the American officers and American soldiers, but by native scouts under command of American officers, there comes this final climax, the order of one Jacob H. Smith that the island of Samar shall be made "a howling wilderness." Major Waller was brought to account for atrocities committed in the island, and he pleaded that he was obeying the orders of his superior. He was tried by a court-martial and was acquitted on that plea, and his superior was then summoned for trial, and here is the last we have seen in relation to that trial. We have not yet had a full report of it. But here is a cablegram which I will read:

MANILA, April 25, 1902—

Mr. LANDIS. From what is the gentleman reading?

Mr. VANDIVER. From an Associated Press dispatch from Manila.

Mr. LANDIS. What is it published in?

Mr. VANDIVER. It is published in the Irish World of May 3, after appearing in nearly every daily paper in the country. [Laughter on the Republican side.]

You may laugh; it is an easy matter to laugh at these things. But here is the report, and nobody denies it:

MANILA, April 25, 1902.

Colonel Woodruff, counsel for Brig. Gen. Jacob H. Smith, United States Army, under court-martial here, produced a sensation at the opening session of the court to-day by admitting the truth of the reported atrocities by American troops in Samar.

Colonel Woodruff made this statement:

General Smith had issued orders to kill the natives and to burn their homes.

The country was hostile to the Americans and General Smith did not desire any prisoners.

General Smith had issued orders to make Samar a howling wilderness.

General Smith had ordered that all persons capable of bearing arms should be killed.

The age limit was made 10 years, because many such boys had borne arms against the American troops.

All above 10 years of age to be slaughtered!

Mr. SAMUEL W. SMITH. Will the gentleman allow me a question?

Mr. VANDIVER. Yes; a question.

Mr. SAMUEL W. SMITH. I have not had the pleasure of listening to all of the gentleman's speech.

Mr. VANDIVER. I am sorry, for the gentleman would have been instructed. [Laughter.]

Mr. SAMUEL W. SMITH. Has the gentleman spent any time in investigating the atrocities that the Filipinos have committed on the American soldiers?

Mr. VANDIVER. Yes, sir; I have.

Mr. SAMUEL W. SMITH. To what extent?

Mr. VANDIVER. To what extent! Well, now, I think the gentleman realizes there is no sense in such a question. [Laughter.] I have investigated the matter probably as much as it has been investigated on the other side, and I am frank to say that there are numerous cases of atrocities committed by Filipinos against American soldiers.

Mr. SAMUEL W. SMITH. Why has not the gentleman spent as much time criticising the Filipinos as he has criticising the American soldiers?

Mr. VANDIVER. First, because these statements have been denied, and secondly, because you gentlemen on the other side of the Chamber show no disposition to inquire into the matter or consider more than one side of it, and when any bill is before the House we can not get time to discuss fully all the phases of the question. You have denied facts, and hence I am proving them. But as to the atrocities committed by the Filipinos against the American soldiers, I say that no man regrets them or detests them more than I do. But what is their excuse, what is their provocation? We have invaded their country; we are the invaders, and they are defending their homes and their wives and children. I do not justify their barbarities. I deplore and abhor them. But so long as we attempt to subjugate them these horrors will continue, and our own soldiers will be tempted and provoked into these inhuman methods of warfare. For God's sake stop it before we have brutalized our whole Army. If there is a man on this floor who is willing to stand here as the apologist for an American soldier under the American flag acting as a murderer and a torturer, and committing rape and every other crime imaginable, while we are trying to force our sovereignty on those people, I want him to stand up and say so.

Mr. HAMILTON. Mr. Chairman—

The CHAIRMAN. Does the gentleman from Missouri yield to the gentleman from Michigan?

Mr. VANDIVER. Oh, yes; for a question.

Mr. HAMILTON. The gentleman says that we are invaders. Now, how did we acquire possession of the Philippine Islands?

Mr. VANDIVER. Oh, the gentleman would like to go back into ancient history and rake up everything, I suppose, to cover up the issue. I am presenting facts here. I challenge the gentleman to deny one of the facts. I will not stop to discuss that question, further than to say that we have no title to that country that rests on a just, moral, or equitable basis.

Mr. HAMILTON. I deny that we are invaders.

Mr. VANDIVER. Do you deny the cruelties and barbarities that are being practiced there now?

Mr. HAMILTON. You said that we were invaders. Do you deny what I have just said, that we acquired the country by treaty?

Mr. VANDIVER. Yes; I deny that we have any right to it.

Mr. HAMILTON. You deny it, do you? On what grounds do you deny it?

Mr. VANDIVER. That what Spain did not own she could not sell to us. But I shall not be diverted from the purpose of my remarks in presenting facts as brought out in the testimony. If the gentleman will be quiet a while I will give him some more.

Mr. LESSLER rose.

The CHAIRMAN. Does the gentleman from Missouri yield to the gentleman from New York [Mr. LESSLER]?

Mr. VANDIVER. Well, let him ask what he has to ask, and

be quick about it. My time is nearly out, and I have been interrupted so much that I am not half through.

Mr. LESSLER. Does not the gentleman also know of the water cure being administered to our soldiers?

Mr. VANDIVER. In some instances it may be so, and I condemn it as strongly as you do. Now, I ask you whether you approve of civilized soldiers torturing uncivilized people, as you call them, for the purpose of extorting confessions from them? Answer yes or no. Answer, or else take your seat.

Mr. LESSLER. You can not order me to take my seat. I will answer you in this way—

Mr. VANDIVER. Then take your seat anyhow, and wait till your time comes. [Laughter.]

Mr. LESSLER. Mr. Chairman—

Mr. VANDIVER. I decline to yield further. If I were practicing the barbarities that have been practiced upon the Filipinos, I would subject you to the water cure and make you answer anyhow. [Renewed laughter.]

Mr. LESSLER. Probably. But you would have to be a good deal taller and better minded than you are in order to do so.

Mr. VANDIVER. That sounds very much like the twittering of the sparrows in the trees in Central Park or a chippy from the Bowery. [More laughter.]

Mr. LESSLER. Will the gentleman yield for a question?

Mr. VANDIVER. For a question only.

Mr. LESSLER. I would like to ask whether you have read what is generally known as General Order No. 1?

Mr. VANDIVER. Yes, I have read it; but I do not think you have. That is all I want to say now on that question. [Laughter.]

But, Mr. Chairman, the famous order No. 100 of President Lincoln is humane and reasonable; but the perpetrators of these crimes can not be sheltered behind that order, because it is the very order they have violated. There is nothing in it to warrant cruelty and barbarity. This order has been reissued for the government of our Army in the Philippines. It consists of a series of rules to regulate soldiers in the field. These are the very rules that have been violated.

I will read some of them right here and ask you to compare them with the evidence I have just been quoting. Compare the general order with the actual facts, and say whether you think the war in the Philippines has demoralized and brutalized our soldiers or not. Observe especially rule 16, rule 44, and rule 80.

Among these rules you will find the following in order No. 100:

Rule 16. Military necessity does not admit of cruelty—that is, the infliction of suffering for the sake of suffering or for revenge, nor of maiming or wounding except in fight, nor of torture to extort confessions. * * *

Rule 44. All wanton violence committed against persons in the invaded country, all destruction of property not commanded by the authorized officer, all robbery, all pillage or sacking, even after taking a place by main force; all rape, wounding, maiming, or killing of such inhabitants are prohibited under the penalty of death, or such other severe punishment as may seem adequate for the gravity of the offense. * * *

Rule 53. A prisoner of war is subject to no punishment for being a public enemy, nor is any revenge wreaked upon him by the intentional infliction of any suffering or disgrace by cruel imprisonment, want of food, by mutilation, death, or any other barbarity.

Rule 75. Prisoners of war are subject to confinement or imprisonment such as may be deemed necessary on account of safety, but they are to be subjected to no other intentional suffering or indignity. * * *

Rule 80. Honorable men, when captured, will abstain from giving to the enemy information concerning their own army; and the modern law of war permits no longer use of any violence against prisoners in order to extort the desired information or to punish them for having given false information.

No, Mr. Chairman, it is an insult to the memory of Lincoln to say that our soldiers in the Philippines have been governed by this order given by him to the Army of the Union in 1862. It is an insult to the old soldiers of that gallant conflict to plead their example in extenuation of the crimes committed against non-combatants, against prisoners, and against helpless women and children in the provinces of Luzon and Samar.

Furthermore, when you say that I am insulting the Army, I remind you that Gen. Nelson Miles, the head of the Army, on the 17th of last December, sent to the Secretary of War an official communication declaring that—

The war in the Philippines is being conducted with marked severity.

He then went further and proposed remedies. He does not sanction these barbarities. I am therefore sustaining the head of the Army. But I trust, sir, that the time may never come when a civil officer, especially a representative of the people on this floor, will be afraid to criticize criminals because they happen to belong to the Army and have on the uniform of American soldiers.

In conclusion, Mr. Chairman, let me say that if the hatred of American rule in the Philippines is so deep seated that 10-year-old boys are in arms against us and making such dangerous and valiant soldiers as they are likewise doing in South Africa against British aggression, then you must admit that it has become a war of extermination. If "Hell-roaring Smith" makes a howling wilderness of Samar; the Macabebe scouts torture, rob, ravish, and murder the inhabitants of northern Luzon, and the Moham-

edan Moros of the southern islands (3,000,000 of them, more or less) yet to be exterminated, all in the effort to civilize and Christianize these desperate people, we may as well realize that our task has not yet fairly commenced. Five separate times we have been told the war was over, but it still goes on. In the language of President Schurman, one of McKinley's commissioners to the Philippines—

These Americans, patriotic but unversed in history, who desire to recreate the Filipinos in their own similitude will always be able to demonstrate that the oriental clay is still without shape and seamliness in the American potter's hand, and that for a perfect product, a vessel of honor and glory, the American wheel must be kept going for years, perhaps for generations, or possibly even for centuries. Heaven save the Filipinos from so impertinent and meddlesome an earthly providence. The Filipinos are to develop along their own racial lines, not along ours; and it is colossal conceit and impudence to disparage them because they are different from ourselves. Capacity for independent self-government does not necessarily mean capacity like ours to administer a commonwealth like ours, but merely capacity of some sort to maintain peace and order, to uphold law, and to fulfill international obligations. It may be a matter of only a short time when the Christian Filipinos of Luzon and the Visayas will be as well qualified to discharge these functions as Mexico, Peru, Argentina, or Venezuela. And when they are so qualified the American Government has no further duty or business in the archipelago. Any decent kind of government of Filipinos by Filipinos is better than the best possible government of Filipinos by Americans.

Aye, sir, it is the same old story of foreign conquest and "criminal aggression"—"the strength of civilization without its mercy," as Macaulay has said of the British conquest of India. It is the robbery of the weak to enrich the strong. We may exterminate those people and take their lands, but we will suffer in the end. The god of justice is greater than the god of battles. I condemn not the soldier obeying orders, but I condemn the policy and purpose of the Administration which forces him into this unholy conflict.

It has been whispered by a bard of old that the angel of mercy sometimes hovers over the stricken field on which lay the bleeding victims of a gallant but misguided cause and pleads forgiveness for their crimes, and hence I trust that the private soldier and the subordinate officer who has been compelled under the usages of war and in obedience to superior commands to engage in this unholy strife may find mercy at the court of heaven, but where, oh, where, is the angel with mantle of charity broad enough and sympathy wide enough to plead forgiveness for the hellish demons, "tyrants dressed in a little brief authority" and dead to all the feelings of human nature, who have driven on this car of Juggernaut to crush the lives and hopes of helpless millions merely for the sake of establishing our authority over the islands of the sea so far away that the voice of the sufferer can scarcely reach the homes of the intruder?

For me to express my horror and detestation of these miserable outrages and indulge a sentiment of sympathy for struggling and helpless humanity you say is treason, do you? Then, sir, if humanity is treason, make the most of it. If my country no longer stands for justice—if her name is to be no longer the synonym for human rights and human freedom, then, in the name of God, what have we left to be proud of?

Mr. FOSS. I yield fifteen minutes to the gentleman from Maryland [Mr. MUDD.]

Mr. MUDD. Mr. Chairman, I had intended to address the committee somewhat at length and in detail upon a subject-matter of some importance, in my judgment, to the history of the Navy and the country, and having a close relationship to, if not directly involved in, the provisions of this bill.

I had intended to discuss the findings of the recent court of inquiry as to Admiral Schley and the approval of those findings by the President of the United States, which latter, I propose to say in all frankness and with great respect, in my judgment, are decidedly less tenable and less defensible than the findings themselves.

In view, however, of the sad and rather pathetic close of the life of one of the parties to this general controversy within recent date, I shall abstain from any such discussion at this time, because I realize there could be no discussion of the conduct of Admiral Schley, as to the part borne by him at the battle of Santiago and the events leading up to it, that would not necessitate a comparison of the respective claims and relative merit of performance as between him and Admiral Sampson.

I have no disposition to encourage or countenance indulgence in any of the spirit of acrimony with which that controversy has been clothed at this time.

I wish to say, also, in this connection, and as a devoted friend and admirer of Admiral Schley, that I have naught but the profoundest respect for the memory of Admiral Sampson and for the faithful and distinguished services rendered by him in the line of the duties that fell to him and the opportunities that were his. I have no feeling other than that of grateful regard due to all of the brave and loyal participants in that struggle in which and out of which, in the language of him who, in my judgment, was its central and commanding figure, there was "glory enough for all." [Applause.]

But apart from this controversy, Mr. Chairman, and without entering into it at all, I want to give notice at this time that I intend, when we shall reach that paragraph in the bill making provisions for text-books and other appliances for instruction at the Naval Academy—pages 61 and 62 of the bill—to offer the following amendment:

Provided, however, That no part of the money appropriated in this section or elsewhere in this bill, or to be hereafter appropriated, shall be expended in the purchase of any history of the Spanish-American war written by Edgar Stanton Maclay for use at the Naval Academy, in ships' libraries, or in any other part of the naval establishment of the United States.

Now, Mr. Chairman, just a word as to that amendment. I shall not discuss it in detail at this time. I realize that it will be subject to a point of order in the precise shape in which it is submitted, and if there shall be found anyone here who wants to interpose a point of order against its consideration I shall make it germane by omitting the words "hereafter to be appropriated."

Had it not been for this false and malicious publication, made under circumstances which at the time gave color to the contention of its author that it was made with the approval of men high up in the Navy Department, we would have been spared the necessity of the court of inquiry, and the regrettable bitterness of the controversy that followed, with its hurtful effects upon the Navy and the country.

Mr. COCHRAN. Mr. Chairman—

The CHAIRMAN. Does the gentleman yield to the gentleman from Missouri?

Mr. MUDD. Yes.

Mr. COCHRAN. Is it not true that it did have the approval of men high in authority in the Navy Department?

Mr. MUDD. I did not wish to put it in that shape.

Mr. COCHRAN. Put it in such shape as would give your opinion on the subject.

Mr. MUDD. I know that was charged. I believe it was to some extent denied. I want to say for myself that I think there was much color of truth given to the charge by the circumstances surrounding it.

Mr. COCHRAN. I think there was nothing else but color of truth.

Mr. MUDD. Well, I will leave it in that way. I know that the answer to the suggestion for proscribing the use of this history in our great naval school by legislative direction will be that there is no intention upon the part of the Department so to use it, in reply to which, without discussing it further now, I will say that Secretary Long, when the first edition of this history was published, in an interview in the Washington Post, a copy of which I have retained, stated specifically that he would bar it out of the Academy "in its present form." That only, and that expressly, he stated. He promised nothing further than that and left us to the inference that in a revised and expurgated form it might be used in the Academy, as are the first two volumes now used as books of reference and text-books.

There is every reasonable expectation to believe that under the auspices of the powers that will have control this work will be upon the shelves of every ship's library in the Navy, taking rank and prominence along with the Bible and the Constitution and the Regulations of the Navy, a short time after publication of its revised edition, just recently issued.

Now, Mr. Chairman, I am not seeking at this time to precipitate any controversy as to the respective claims to recognition between Admiral Schley and anybody else. I am not asking any special favors for Admiral Schley. He needs none. I am simply asking in this amendment, which I shall urge with all the vigor that I possess, that the money of the Government of the United States shall not be used to further officially tarnish the bright name of that hero of our late war. [Applause.]

I ask Congress to see to it that there shall be no official sanction of a history that goes as far in condemnation of Admiral Schley as does the verdict of the naval court of inquiry. Schley needs no special honors at the hands of the people at present in charge of the official machinery of the Navy Department. He asks none. He may not be secure in the findings of courts of inquiry; his deeds may not be duly recorded in an inspired or official history of the Spanish-American war; but secure in the affections of the plain, unbiased people of this country, he can well rest assured of the just verdict of brave men everywhere, and await with confidence the calm and impartial verdict of a history which, if it be not preserved in written characters in books, will remain imperishably recorded by the landmarks of the fragments of the enemy's fleet strewn by him along the coast line of Cuba, and by the characters written by the wrecks of Spanish vessels at the bottom of the waters of the Caribbean Sea. [Applause.]

Mr. FOSS. Mr. Chairman, I yield five minutes to the gentleman from Connecticut [Mr. HILL].

Mr. HILL. Mr. Chairman and gentlemen, I came into the Hall while the gentleman from Missouri was portraying the out-

rages that had been perpetrated by the American soldiers upon the Filipinos, and I regretted very much to hear it. I had hoped that there would be a monopoly of that kind of talk elsewhere and that we should not have in the House of Representatives the maligning and slandering of the American Army while in the performance of its duty.

Mr. VANDIVER. Will the gentleman yield?

Mr. HILL. I yield to anybody for anything.

Mr. VANDIVER. Do you say that the statements I made were maligning and misrepresenting the Army?

Mr. HILL. I say absolutely that the one-sided statement of any case is a falsehood on its face and must be so; and had the gentleman desired to be fair to the American Army he would have stated both sides of this proposition.

Mr. VANDIVER. I want to say to the gentleman that if I had sufficient time to do it, and that if I occupied a place as he does—

Mr. HILL. Well, you had an hour, and I have five minutes.

Mr. VANDIVER. If I occupied a place where I had an opportunity to do it, I would state every side of this case.

Mr. HILL. I decline to yield to the gentleman to make a speech.

Mr. VANDIVER. Then I just simply want to say to you that you have maligned and misrepresented the officers of the United States Government who have made these reports.

Mr. HILL. Mr. Chairman, it was my pleasure during the last summer to visit the Philippine Islands. This is the first time I have referred to that fact since this Congress opened. I should not do so now but for the statements made by the gentleman from Missouri, and especially the statement made in regard to Gen. Jacob H. Smith. I had the pleasure of visiting Gen. Jacob H. Smith's department, going through it for 120 miles. I found the people at peace, engaged in the usual avocations of peace, with everything quiet, business being transacted in a regular and orderly way, and no difficulty or trouble with anybody passing up and down through that department. But it had not always been so; and it seems to me that it is at least fair, while a man's character is under consideration and being tried by the regularly constituted authorities, by a court-martial, that both sides of this House should at least withhold a verdict until that court-martial and those regularly constituted authorities have made their findings.

Mr. COCHRAN. Mr. Chairman—

Mr. HILL. I have but five minutes, and there is one thing I want to state.

The CHAIRMAN. The gentleman declines to yield.

Mr. HILL. I state that I found the department of Gen. Jacob H. Smith in peace and quietness, and yet while that condition existed this incident actually occurred. A company of Tagalos, Filipinos—the Filipino army, if you choose to call it such—descended upon a village of peaceable Filipinos who chose to carry on their regular business pursuits in peace and quietness and destroyed that village, murdering men, women, and children, and if the gentleman from Missouri [Mr. VANDIVER] desires a specimen of barbarity I want to tell you what they did to loyal Filipinos and Americans. They took men out and tied them to ant hills. Now, that may seem a strange thing, but those ant hills are 6 or 8 or 10 feet high and 6 feet in diameter, filled with ants that are absolutely ravenous and eat up everything they come in contact with. They tied these men to ant hills and allowed them to be eaten to death by ants. They buried them in the ground up to their necks and allowed them to be pecked to death by the birds and eaten by the ants. They took loyal Filipinos and loyal Americans and cut them open in the abdomen, taking out a portion of the bowel and nailing it to a tree and driving them around the tree with bolos compelling them to disembowel themselves, and yet you gentlemen stand here and condemn American soldiers for standing by the men who are loyal to the American flag, and who are suffering such outrages as these.

Mr. VANDIVER. For the very same kind of barbarities which you are now charging against the Filipinos.

Mr. HILL. Talk about water cures! Fight your political battles decently! Do not attempt to do it by slandering American soldiers in the performance of their duty. [Applause on the Republican side.]

Mr. COCHRAN. Will the gentleman yield for a question?

Mr. HILL. I will.

Mr. COCHRAN. Did you notice any difference between the size of 10-year-old boys over there and here?

Mr. HILL. Oh, I have seen too many 10-year-old boys on the other side of this House to have any trouble in recognizing the difference. [Laughter on the Republican side.]

Mr. COCHRAN. That is your answer. Let me ask you one question further.

The CHAIRMAN. The gentleman's time has expired.

Mr. COCHRAN. And I expect he is glad of it.

The CHAIRMAN. The gentleman from Illinois.

Mr. FOSS. I yield ten minutes to the gentleman from Oregon [Mr. TONGUE].

Mr. TONGUE. Mr. Chairman, just recently some new policies to be adopted into Federal legislation have been proposed and advocated that greatly concern the West, from which I come, and the agricultural classes, whom I in part represent. They have been urged by members on that side of the House, by leading Democratic newspapers in various sections of the country, by Democratic clubs and Democratic committees with such vigor and persistency that they demand attention. The "eternal principles" of Democracy, it seems, refuse to be "eternal" or to stay fixed or to have immortality thrust upon them. They seem to be in need of repair, and are undergoing their usual biennial readjustment. The Democratic party, Mr. Chairman, seems to have found from recent occurrences a new political issue, in which it hopes to unite its scattered elements. A "new issue" is something for which with eager eyes it has been scanning the political horizon for some time past.

At last one seems to have presented itself, like Minerva, full armed from the brain of Jove, and has been eagerly welcomed. During the last few days there has been an unusual and abnormal and unjustifiable increase in the retail price of fresh meats. This condition has affected every household. Prices to the consumer have reached a point never attained during many years, if at any time in the history of the country. Meats which were formerly purchased by the housekeeper at 18 to 20 cents per pound suddenly increased in price to 30 and 35 cents per pound.

In many instances prices of meat to the consumer in Eastern cities have more than doubled, and that within the past sixty days. Our Democratic brethren, who some years ago based their campaign largely upon the low price of products, and charged it to the increase in the value of gold, have now discovered that upon some farm products at least prices are too high. They are commencing, if not a vigorous, a very noisy campaign to reduce the price upon commodities which a few years ago they claimed it as their special mission to increase.

Realizing the consternation that such an unusual increase in the prices of the necessities of life must carry to many hearthstones, they have adopted as a new battle cry "Cheap food for the masses." Discovering what they believe to be an evil, they are looking for a remedy. It is not necessary for them to look far. The time-honored one of the Democratic party is always at hand. In Democratic eyes no economic evil afflicts the American people that is not caused by the "iniquitous" tariff. "Down with the tariff," particulars not given, is their remedy for every political ill which afflicts the body politic. Whatever business misfortunes befall the people of the country are laid to the door of the tariff. They can conceive of no other remedy in the present instance, except to remove the tariff.

When a housekeeper complains that she is asked 40 cents per pound for poultry for which she formerly paid 12, she is told that it is the tariff of 5 cents per pound upon dressed poultry. When the boarder at a restaurant is asked at the rate of 25 cents per pound more for his beefsteak than sixty days ago, he is told it is the tariff. When the housekeeper wishes to purchase a choice piece of tenderloin steak and is asked \$1 per pound, she is told that it is the tariff of 2 cents per pound upon dressed beef. They would have us believe that just outside the boundaries of the Republic, upon every side of us, are great quantities of the choicest of tenderloin, praying for someone to remove the 2-cent tariff barrier and permit these choice morsels to be sold to the starving people of the United States for \$1 per pound.

According to this new edition of the gospel of reunited Democracy there are great swarms of fat chickens perched upon the trees and fences just outside of the 5-cent tariff wall surrounding the Republic and praying someone to let down the bars so they can fly to our very doors and enjoy the blessed privilege of being killed, picked, and sold to hungry Americans at 40 cents per pound. In some way, in some form, the resentment of the eating public must be thoroughly aroused and utilized for political purposes in aid of the Democratic party.

Mr. Chairman, there is not a well-informed member of this House on either side, or an intelligent man in public life, who does not know that the recent unusual increase in the price of meat is not the work of the farmer, of the stock raiser, or of the stock feeder. They are not receiving the benefit of the increase. It has not been made in their interest, but they are now being injured and will continue to be injured in the future by it. It is no more the result of the tariff, which has not been disturbed in five years, than the increase in the wholesale price of domestic fine salt within thirteen months, from \$5.50 a ton to \$25.80 per ton, is caused by a tariff of \$1.60 per ton. Both these tariffs were the same five years ago as they are now. The recent unusual increase in the price of meat, as the increase in the price of salt,

is the work of a great and unholy combination and a conscienceless trust, and wholly for the benefit of a trust that defies law and despoils both the owner of live stock and the consumer of meat products. The remedy should be directed to the cause of the evil.

The Attorney-General has already instituted proceedings for this purpose. The Democratic party, according to a speech made by the gentleman from New Jersey to his constituents a short time ago, has discovered that "there is no power in the President and none in the Attorney-General to suppress monopoly." And so our Democratic friends, in their eagerness to take advantage of temporary conditions and make political capital out of an excited and indignant public opinion, now propose to strike, not at the real culprit, but, as I expect to show, at one of its victims. They propose to let the guilty escape and punish the innocent for political purposes.

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

Mr. TONGUE. Yes, if it is brief, as I have but little time.

Mr. COCHRAN. When do you think the Attorney-General or the President first discovered that there was a beef trust; within the last thirty days?

Mr. TONGUE. That question had probably better be directed to the Attorney-General. I am not the keeper of his official secrets. I want to say—

Mr. COCHRAN. After the beef trust has been discovered and prosecuted, will the Attorney-General prosecute the steel trust, the barb-wire trust, the wood-pulp trust, and other trusts that have been in existence, some for forty, some for twenty, and some for ten years?

Mr. TONGUE. I am not undertaking to discuss all the trusts. Some of these were in existence as prominently when the gentleman's own party was in power as they are now. If the attitude of the gentleman from New Jersey is correct, that "there is no power in the President and there is none in the Attorney-General to suppress monopoly," and that this can be done only by an amended Federal Constitution, proceedings would be of little value.

Mr. COCHRAN. Does the gentleman indorse the opinion of the gentleman from New Jersey?

Mr. TONGUE. No; I do know, and from a recent conference with the Attorney-General I feel fully warranted in saying that if the gentleman from Missouri will come out of his hazy realm of common report and hearsay and will produce to the Attorney-General tangible, legal, and valid evidence showing the existence and operation of any trust doing business contrary to the laws of the United States, proceedings will be promptly instituted against them and vigorously prosecuted. But I am not going into the entire trust question. Just now I am after one trust—the meat trust—and I propose to say something to my friends on the other side of the House for the singular remedy they propose. It is a proposition not to injure, but to help, the trust; not to reduce its prices to consumers, but to enlarge the markets in which it is to purchase and destroy competition; not in its selling, but in its buying. While retaining protection upon every other product they propose to remove all duties, not only from fresh meats, not only from all meat-producing live stock, but from all "food stuffs in daily use," which includes every agricultural production within the United States.

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

Mr. TONGUE. I have not the time to yield.

Mr. SULZER. Is the gentleman willing to vote to take the tariff on meat products off?

The CHAIRMAN. The gentleman declines to yield.

Mr. TONGUE. I certainly am not, and yet that would not lower the price of meat. Does the gentleman suppose that taking the tariff of 2 cents a pound on tenderloin beefsteak that sells for \$1 a pound would reduce the price to the consumer? Does the gentleman from New York suppose that taking the tariff of 5 cents a pound off dressed chickens, now selling in this city at 40 cents a pound, would reduce the price to 12 cents, just as it was a year ago under the same tariff?

Mr. SULZER. Does not the gentleman think—

Mr. TONGUE. I have not time to discuss all these questions relating to the tariff in the limited time assigned to me.

The CHAIRMAN. The gentleman declines to yield. The gentleman from New York is aware that a gentleman can not be taken from the floor when he declines to yield.

Mr. TONGUE. Mr. Chairman, I want to consider for a moment the remedy proposed by our Democratic friends, and its probable effect.

The New York American and Journal, ambitious to be the leading Democratic newspaper of the country, in its issue of the 24th ultimo devotes more than a page to this question. It is full of glaring headlines, sentences in capitals, all centering to

one purpose. "Off with the tariff on beef, veal, mutton, and pork." I will read a few extracts from that paper:

Through the manipulations of monopolists the prices of meats have recently been increased enormously.

Thus an unusual demand for other articles of food has been artificially created, and they, in turn, have greatly advanced in price.

The chief articles of food controlled by the monopolists of the food trust are beef, veal, mutton, and pork.

These meat monopolists are enabled in part to maintain their mastery of the market by the tariff duties now levied upon foreign beef, veal, mutton, and pork.

This partnership between the Government and the food trust must come to an end.

Congress, if it so wills, can at once repeal the Dingley duties and let in free the beef, mutton, and pork of Canada and Mexico.

That would bring prices down on the run.

It would give relief to the plundered people and the suffering poor at once.

The American and Journal proposes to the people of the United States that they pour in petitions to the House of Representatives in favor of the passage of a free-meat bill.

Off with the tariff on beef, veal, mutton, and pork.

Let that be the cry of every victim of the food trust.

Every pillaged household should be a campaign headquarters for the furtherance of this movement against famine prices for the necessities of life.

Down with the food trust.

Give Congress to understand that you mean business.

Mr. McDERMOTT, a Democratic member of Congress from New Jersey, on the 23d of last month introduced a bill to remove all the duty "upon meat of any kind and upon live or dressed poultry imported from foreign countries."

On the 25th ultimo Mr. SIMS, another Democratic member, introduced a similar bill for the repeal of all duties "upon beef, mutton, pork, and veal."

The Detroit Free Press, a leading Democratic paper, in a recent issue, urges the total repeal of the duties upon "cattle, sheep, and dressed meats."

It urges that in this way—

The markets of the United States would be thrown open to Canadian cattle and sheep, as well as to the refrigerated beef of Argentine and Australia.

It further alleges:

Whether the high prices are due to the operation of the trust or to the scarcity of supply, it is the evident duty of Congress to remove the tariff, in the interest of the consumer.

It forgets that the recent increased retail price is due to neither.

The demand for cheaper meats is immediate.

A leading newspaper a few days ago contained the following in its Washington dispatches:

A New York paper to-day polled the Democratic side of the House to ascertain whether the members were willing to vote for the removal of duties on meats on account of the beef trust having forced prices so much higher. Almost all gave affirmative answers.

The Washington Post, owned and controlled by an ex-Democratic member of Congress and substantially a Democratic paper, under the name of Independent, in its issue of Friday, May 2, also adds its indorsement of this new Democratic issue. It makes the following statement:

The duty is \$3.75 a head on cattle worth not more than \$14 a head, and 27½ per cent on cattle valued at a higher price. The repeal of this tax would let in cattle in large numbers from Mexico and Canada—cheap cattle for the farmer to restock the ranges that are said to be depleted; fat cattle for the butcher from the latter.

Not only the cattle duty but the tariff on all carnivorous foods, including pork, veal, mutton, poultry, and the 2 cents a pound on dressed beef, should come off. * * * In an emergency like this, it is folly to talk of waiting till Congress can make a thorough revision of the tariff before the cattle duty and other immediate taxes are touched. This is an occasion that demands dispatch.

But the same paper in its editorial columns of yesterday morning asserts:

It is everlastingly true that the country does not want and will not have an entire abolition of protection.

The same paper in an editorial this morning, discussing this subject, contains the following:

Meanwhile the one sure and immediate remedy is left untried. Republican candidates for Congress will be compelled to defend the tariff taxes on beef cattle and on dressed meats. * * *

And the beef trust is but one of their many afflictions. They know that the country is not a bit in love with the Democratic party, but they remember that their party has more than once been subjected by its own members to the wholesome discipline of defeat.

This is a plain issue. We are given notice "that the country does not want and will not have an entire abolition of protection" of the productions of the factory, but Democracy asserts that the country does want and will have an entire abolition of protection to the productions of the farm and range. Republican candidates for Congress are given notice of this issue and are threatened with defeat if they attempt "to defend the tariff taxes on beef cattle and on dressed meats."

A meeting held in Jersey City on the 28th ultimo, dominated by Democrats and addressed by Democrats, passed resolutions, alleging among other things:

That food at our very borders prohibited an entry until a tariff rate is paid, is not protection but oppression.

The essential and most expeditious remedy to bring to an end this condition is the immediate repeal of the tariff on all meats and food stuffs in daily use.

The executive committee of the national and State associations of Democratic clubs, and the State League of Democratic Clubs at a recent conference adopted the following resolutions:

Whereas President Roosevelt has set the Department of Justice in motion on the protest of the people against the meat monopolists; and

Whereas the food trust is being attacked by the Attorney-General of the United States; and

Whereas it is desired to rescue the people from the clutches of the trust; and

Whereas Congress, if it so wills, can place the food products controlled by the trust upon the free list in a very short time; and

Whereas it seems necessary that Congress should be stirred to activity in this direction: Therefore, be it

Resolved, That the President of these United States should send a special message to Congress, now in session, urging repeal of the duties on the products controlled by the trust, or such legislation as may bring relief to the people generally.

In another issue a leading Democratic paper a few days ago had the following:

But the duties on foreign meats can be removed immediately.

Why should this relief to the people be delayed a single day?

President Roosevelt has it in his power to drive to the rear the Republican leaders who are helping the food trust to empty the workingman's dinner pail and to make meager the fare of the workingman's family.

Repeal of the meat duties would give results at once. Send in a special message, Mr. Roosevelt. Hit the food trust through the tariff.

How refreshing this belated Democratic interest in the "workingman's dinner pail."

Now, Mr. Chairman, conceding that most of the recent increase in the price of meat to the consumer is indefensible, that it is an evil that ought to be remedied, let us examine for a moment the proposed remedy.

First. The proposal to remove the duties upon dressed meats. Let it be understood that neither the tariff upon dressed meats nor live stock has been increased during the last five years. The tariff is precisely the same now as before the recent increase. The rates of tariff upon dressed meat are as follows:

	Cents.
Fresh beef, veal, mutton, and pork	per pound.. 2
Poultry, live	do..... 3
Poultry, dressed	do..... 5

Are these tariff duties the cause of the recent rise in meat?

Why have these prices gone up so enormously while the tariff has remained stationary? How much cheaper would tenderloin steak that sells in Eastern cities for \$1 per pound be if the tariff of 2 cents per pound were removed? Ordinary beefsteaks sell for 30 cents per pound retail. How much would these be cheapened by removing a tariff duty of 2 cents per pound?

The retail price of dressed poultry within a short time has increased from 12 cents to 40 cents per pound. How much cheaper would that be if the tariff duty of 5 cents per pound were removed.

Who are making these enormous profits? What is the cause of this enormous increase in prices? Who are receiving them? Certainly not the men who grow, raise, and feed live stock. The highest market price for dressed beef, mutton, and pork in the cities of the West during the present year has not exceeded 9 cents per pound. The increase in the last sixty days in the price of fresh meats paid to the producers has not exceeded 2 cents per pound. On the other hand, during the last few days, the decrease in the use of meats through the increased price has destroyed the sale for cattle. A leading Democratic paper, on the 2d of this month, contained the following dispatch:

REFUSAL TO EAT MEAT CAUSES \$500,000 LOSS—STOCK RAISERS AND INDUSTRIES IDENTIFIED WITH THE CATTLE TRADE FEEL THE COUNTRY'S RESENTMENT AGAINST THE TRUST.

CHICAGO, May 1, 1902.

Depreciation in the price of cattle and reduction in consumption during the last three days are said on the most trustworthy authority to have resulted in a loss of \$300,000 to the live-stock raisers adjacent to Chicago. Taking in the other industries closely identified with the cattle trade, the loss is said to run over \$500,000.

In Rockford, Ill., where the conditions are said to be a sample of those in other cities in northern Illinois, the demand for meat has fallen off 37½ per cent. The packers' men, asked about the reductions, refuse to impart any information. They say they have not been able to secure figures on which to base an accurate estimate.

One of the largest packers in the business, and admittedly one of the best-posted cattlemen in the United States, said:

"Business to-day is the worst I ever saw; it is simply paralyzed. In fact, there is no business at all for the packing houses. If this agitation and falling off in consumption continue, I don't know what will happen. Certain it is that if the agitation continues the worst is yet to come."

When returns begin to come in from the far West the great reduction in consumption, with the consequent depreciation in cattle values, it is asserted, will run into the millions.

Commission men at the stock yards to-day blocked the further fall in cattle prices by telegraphing to shippers to hold their cattle until the market strengthened. The receipts to-day were only 8,000 head to the 18,000 head of yesterday. The packers continued their policy of yesterday, buying only the animals necessary to fill immediate orders.

"The yards have not been so lifeless since the panic of 1893," was the comment of the commission men to-day. The cattle that were sold brought yesterday's prices, 25 cents a hundredweight lower than those of Tuesday. Hogs fell 10 cents lower.

Another Chicago dispatch of April 30 states that because of the falling off in the demand for dressed meats "Chicago packers have discharged hundreds of men." "In nearly all the big plants large numbers of men are being laid off."

The condition of the meat trade of Boston on May 2 and 3 is shown by the following:

DECREASED CONSUMPTION OF BEEF.

Twelve cars of dressed beef were received at Boston on Friday and Saturday of last week. The receipts for the two corresponding days a year ago were 87 cars. It is evident that Bostonians and the people in the vicinity of their city are not patronizing the beef trust so extensively as they have been in the habit of doing.

What is true of Boston is true also of nearly the entire country. An advance in the price of any commodity so notable as the advance in the price of beef has been necessarily brings with it a decrease in consumption.

Yet with this demoralization of the cattle market the following appeared in the New York Tribune of Sunday, May 4, under the heading—

HIGHER PRICED RESTAURANTS MAKE 20 CENTS MORE THAN USUAL ON STEAKS.

A pound of tenderloin beefsteak cooked and served in a restaurant that has raised prices is sold to the consumer at an increase of about 25 cents in the price. This means that the purveyor makes 20 cents more on every pound of steak than he did before the trust raised prices.

On the same day the New York American and Journal contained the following:

NO RELIEF IN SIGHT FOR CONSUMERS IN GREATER NEW YORK.

From the legal standpoint, the local war against the food trust was at a standstill yesterday.

From the consumers' standpoint the situation was about as bad as ever, retail prices of meats remaining at about the same figures as during the week.

Fresh pork is the only meat staple that sees an approach to reasonable prices. Ham and bacon and other pork products remain at abnormally high prices, while beef and lamb of all varieties are still beyond the reach of lean pocketbooks.

Eight dealers said yesterday that women who conduct dining rooms and boarding houses frequently leave the shops in tears after learning that the high prices remain firm. The present prices threaten the boarding-house keepers with ruin.

5,000 MEN PROPOSE TO BUY NO TRUST MEATS FOR THIRTY DAYS.

AMSTERDAM, N. Y., May 3, 1902.

The Amsterdam Central Labor Union, composed of 25 subordinate unions, with a total membership of 5,000, has adopted a resolution to abstain from the use of meat handled by the meat trust for the next thirty days.

The Washington Post of Sunday contains the following:

MEAT GOES UP AGAIN—ANOTHER INCREASE IN PRICE OF BEEF MADE BY THE PACKERS.

Yesterday saw another advance in the price of beef in the local market, and with the increase came a corresponding advance in the price of substitute commodities. The figures, which had already been unprecedentedly high for meat, were sent up farther by the wholesale people, who were followed, though not to an equal degree, by the retail dealers about the city. These latter were notified yesterday that meat would cost \$1 more a hundred, while with this came from other sources information, direct and indirect, of a prospective increase in the price of poultry in the coming week of about a cent a pound.

Retail dealers are inclined to take a very gloomy view of the situation. As a rule, they find very little comfort in the high prices prevailing. There is little, if any, more money in it for them, while a larger outlay is necessary, and, in addition, there is the public discontent to meet.

Regarding the present additional advance, as in the case of the preceding raises, the representatives of the packing interests are disinclined to speak. Those who will talk, however, volunteer no hope for a lowering of prices in the near future.

It is evident the farmer and stockman, the producer of meats, is not getting the benefit of this increase in price. The small additional amount paid to him does not more than cover the cost of feeding, growing out of the scarcity of corn and higher-priced feed. On the contrary, he has been made the victim of decreased consumption. While there has certainly been a great increase in the price of fresh meats to the consumer, the highest price paid for fresh dressed beef to the farmer and stockman in the city of Portland, Oreg., during the year has been 8½ cents per pound, 1 cent higher than at a corresponding period one year ago.

The recent Summary of Commerce and Finance, published by the Treasury Department, gives "the top prices per 100 pounds for cattle on the hoof for each week" at the Chicago stock yards since January 2, 1897. I select the prices at the end of the first week in April and May of each year:

Year.	Native steers.	Texas steers.	Cows.
1897.			
April 3.....	\$5.40	\$4.45	\$4.30
May 1.....	5.40	4.50	4.40
1898.			
April 2.....	5.50	4.55	4.10
May 7.....	5.25	4.40	4.15
1899.			
April 1.....	5.80	4.85	4.35
May 6.....	5.50	4.90	4.80
1900.			
April 7.....	5.80	5.00	4.85
May 5.....	5.75	5.10	4.80
1901.			
April 6.....	6.25	5.30	4.75
May 4.....	6.10	5.25	4.85
1902.			
April 5.....	7.50	6.10	6.00
April 12.....	7.40	6.10	6.00
April 19.....	7.50	6.00	6.30
April 25.....	7.50	6.50	6.50

This is the end of the official record, but the quotations from responsible newspapers for April 30 of this year, from the Chicago market, are as follows:

Market slow and 15 to 25 cents lower; good to prime steers, \$7.75 to \$7.80; fair to medium, \$4.50 to \$6.40; stockers and feeders, \$2.50 to \$5; cows, \$1.40 to \$6; canners, \$1.25 to \$2.30; calves, \$2 to \$5.35; Texas steers, \$5.25 to \$6.25.

Prices the 10th instant are practically the same. The increase in the prices paid to the stockmen in Chicago in April and May, 1902, is from 80 cents to \$1.25 per 100 pounds, or practically an average of 1 cent per pound.

Who is getting the remainder of the increased cost to the consumer from 12 to 25 cents per pound? Who are responsible for this unusual increase in the retail price? There can be but one answer. There is but one answer. It is the wealthy corporations who own the great slaughtering establishments, who own the great packing houses, refrigerating plants, refrigerating cars, and who, according to the New York American and Journal, "enjoy discriminating transportation rates," and who control absolutely the slaughter, sale, and distribution of all classes of fresh meats, who in 1901 bought, slaughtered, and sold 15,000,000 head of cattle, sheep, and hogs.

They name and control alike the prices charged to the consumer and the prices paid to the producer, the farmer and stockman. They are the enemies of both, and plunder both with perfect impartiality. The owner of cattle can find no market but such as they offer. There is scarcely a retail butcher in the land who would not be ruined should he dare to purchase a dressed beef from the farmer who raised and slaughtered it. These are the men who have organized and compose the so-called "food trust," who, while robbing the consumer, distressing the poor, and starving the hungry, are stopping the consumption of meats, destroying the market for cattle, and sending distress to the homes of the men who depend upon the sale of their cattle and live stock for daily bread. They depress prices paid to the owner of live stock and increase the price of meats to the consumer.

A Republican Administration proposes to strike this trust through the courts under existing laws, which they are openly defying and contemptuously violating. Its action is sending consternation into the ranks of the conspirators. But our Democratic friends, on the contrary, propose to strike not the culprits, but the victims; not to cripple the trust, but to help it; not to relieve its victims, but to bind at least one class still firmer in its clutches. What cares the trust for free meat or free cattle? It produces neither. It buys both, slaughters, dresses, preserves meats, and puts them upon the block of the retailer. It wants to buy where it can buy cheapest. It wants a wide market in which to purchase its supplies. It would welcome the removal of duties both on cattle and dressed meat as much as Have-meyer would welcome the removal of the duties upon unrefined sugar.

Both trusts want "free raw material." Controlling, as the meat trust does, every great slaughtering establishment, every great packing house, refrigerating plant, and refrigerating cars, and "discriminating transportation rates," and practically the freedom of every retail butcher in the land, does anyone suppose for one moment that the removal of the duties upon dressed meats would enable any foreign butcher to invade the dominion of the trust, interfere with its trade, diminish its sales, or supply the retailer? On the contrary, the removal of these duties upon dressed meats and upon cattle would tend to render the trust more independent of the home producer of live stock. Does anyone seriously expect to cripple the trust by extending and cheapening the market in which it buys its supplies?

Under these conditions, what relief would the removal of tariff upon fresh meats give to the consumer? We do not import; we have not for years imported fresh meats in any considerable quantities. The importations of that, as past experience shows, has not been affected by the tariff. Prior to 1890 there was no tariff on mutton or veal. The tariff on beef and pork was 1 cent per pound. Under the tariff law of October 1, 1890, there was no tariff on veal, while the tariff on beef, mutton, and pork was 2 cents per pound.

Under the Wilson bill there was no tariff on veal, while the tariff on beef, mutton, and pork was 20 per cent ad valorem. Under the present law the tariff on beef, veal, mutton, and pork is 2 cents per pound. This variation of the tariff has had practically no influence whatever upon the importation of fresh meats. The importation of meats and meat extracts under these several tariffs have been as follows:

In 1880.....	\$407,088
In 1891, with a marked increase of tariff.....	521,322
In 1895, after a lowering of the tariff.....	479,586
In 1901, with the tariff again increased.....	407,003

In this last year less than \$60,000 was paid for fresh beef, mutton, pork, veal, and poultry. The remainder was paid for various "extracts" and "preserved meats." This shows how

absolutely the great packing houses control the sale and distribution of dressed meats.

The United States exports enormous quantities of dressed meats. It imports practically none. Remove all of the duties from all forms of dressed meats, and there would be no increase in importation. The proposal to remove the evil growing out of the recent high prices by removing this tariff seems so entirely inadequate that it is hard to conceive that those who propose it believe that it will have any beneficial result whatever.

A Republican Attorney-General, under the directions and with the advice of a Republican President, proposes a different and, as I believe, a much more efficacious proceeding. The President and Attorney-General believe it is not the farmer and the stock raiser, but the great trusts and combinations owning and controlling the slaughtering establishments and refrigerating plants, and controlling the slaughtering, preservation, and distribution of meats, that by an unholy combination and agreement have forced up prices unjustifiably and in defiance of public opinion, good conscience, and the laws of the United States. They are instituting proceedings under the antitrust laws to dissolve these combinations in restraint of trade. This is the practical remedy, and the only practical remedy.

It is strange how suddenly our Democratic friends have become imbued with the idea that neither Congress nor the Administration can do anything to repress trusts. The gentleman from New Jersey [Mr. McDERMOTT], on that side of the House, in a speech made a few days ago in Jersey City, as reported by the New York Herald, is said to have made the following statement:

There is no power in the President and there is none in the Attorney-General to suppress monopoly. At best, the States which create these institutions can impose fines for a violation of charters, and what is a fine to a band of conspirators who, without heart or conscience, are in the business of wringing, with greedy hands, millions of the public?

Men and newspapers may suggest remedies, but there will never be any remedy until the National Government has the sole power to grant life to corporations which do an interstate business and until it has power to take away that life for good cause.

For the purpose of accomplishing this end, I have introduced an amendment to the Federal Constitution, which, in my judgment and the judgment of others who have examined it, is the way to remedy the great evil about which the whole country is now crying.

Take down that tariff wall and let in the mutton of Canada and the beef of Mexico and I believe you will accomplish at least something, though, perhaps, the only substantial and permanent remedy is Federal control of Federal corporations.

A year ago, on this side of the House, we proposed to amend the Federal Constitution so as to give Congress the power to regulate trusts. The amendment failed to secure the necessary two-thirds vote because of a solid Democratic opposition. Now, when the Republican Administration proposes to appeal to the laws upon the statute books, passed by a Republican Congress and signed by a Republican President, to repress the most iniquitous trust that ever existed and to grant a suffering people immediate relief, the Democracy suddenly discovers that the Federal Government is powerless to control trusts, and that "there is no power in the President and there is none in the Attorney-General to suppress monopoly," and suddenly discovers the necessity of amending the Federal Constitution!

The trusts that are made defendants do not share the confidence of the gentleman from New Jersey. We are told by the leading newspapers that the action of the Government "has caused alarm among the packers."

Mr. Chairman, the proposition to remove the tariff on fresh meat alone would alarm no one, but the Democracy does not propose to stop there. It seeks to take advantage of the distress caused by those increased prices to urge other remedies that would be disastrous, that would be far-reaching, and would fall with crushing weight upon the farmers and stock raisers of the United States, and particularly in the great West.

They do not propose to stop by the removal of the duties upon meats. They are advocating the removal of the duties upon all "food stuffs in daily use," and particularly upon cattle and sheep. Let it be understood that whatever the condition of the tariff, we do not import well-fed animals ready for the block. No other nation competes with the farmers of the great Middle West in the ability to take unfed cattle and fatten and prepare them for market.

From the Pacific coast young stock—sheep as well as cattle—drift eastward, are grazed upon the ranges of Montana, Wyoming, Idaho, and other mountain States, and drift still farther eastward to be fed upon the corn of Kansas, Nebraska, Iowa, and Illinois, and there prepared for market. To remove the duty on cattle and sheep would be to fill the feeding pens and cornfields of the Middle West with unfed animals from other countries now as in 1895 and 1896. The stockman and farmer of the Pacific coast, from the Western States, could not compete with the stockman of Mexico, with the advantage of milder climate, cheaper land and labor, in supplying stockers and feeders. The removal of this duty would strike with unusual severity upon the great live-stock industry on the Pacific coast and of the entire West.

But a removal of the duties upon meats and live stock is not all that "united Democracy" contemplates. Mark the words, "food stuffs in daily use." It is but a short time ago we listened to a distinguished member of the other side of the House, then the floor leader of Democracy, in discussing tariff problems, use this language:

A tax upon consumption must always be unjust.

The necessities of life ought to bear no burden at all, or at least they ought to bear as little as is consistent with the necessities of the Government.

Placing the necessities of life on the free list is not, as some seem to suppose, an appeal to the selfishness of the masses, but it is an effort to approximate justice under an unjust system. I am so fully persuaded that it is our duty whenever possible to remove all taxes from the necessities of life that I will never consent to place upon the free list any article which is bought purely for the sake of making profit out of it until we have first taken all taxes off of those articles which the poor are compelled to buy in order to be comfortable and decent.

In the vocabulary of this orator, the taxes referred to were duties upon imports. "The necessities of life," "those articles which the poor are compelled to buy in order to be comfortable and decent" include every product of the farm, the range, the orchard, the garden, the field, the forest, and the flock. They involve every industry of the State which I have the honor in part to represent, and of the entire Northwest. To remove the tariff duties from all of these is to remove the tariff duties upon every agricultural product of the State of Oregon, upon the products of its forests, of its flocks and herds, its gardens and orchards, and the coal from its mines.

The duties from these are to be wholly removed before there is to be any reduction upon "any article which is bought purely for the sake of making profit." But articles bought for the purpose of making profit include everything to be purchased by the American farmer. Upon these the duty is not only being maintained, but it will necessarily be increased to supply the taxes removed from agricultural products. Taxes must be levied. Revenues must be collected. Governments must be maintained. There are no resources from which this money can be raised except by methods of taxation. It is conceded on all sides that the simplest, the most expeditious, and the least burdensome method of collecting taxes is by imposing and collecting duties upon imports.

The Democrats of Oregon have just declared in favor of a "tariff for revenue only." When these duties are levied upon foreign goods competing with our own it affords incidental protection to the American products. Under the policy now proposed all of this incidental protection and the increased price is to be retained, or rather increased, upon the goods which farmers buy, and the whole of it to be removed from the goods which farmers produce and sell.

Mr. Chairman, this is not only a return to the policy of the Wilson bill, which brought such widespread ruin, but goes further than that. In the Wilson bill some measure of tariff duties was levied upon live stock and agricultural products and some measure of protection accorded to the home products. Now even this is to be swept away. Why is all this? Is this the first fruit of reunited Democracy? Is this the first and greatest effort to be made by the Democratic party, to abandon its friends in the West, in order to seek new alliances in the East? Is this the policy contemplated by the Democratic legislature of Mississippi under the lead of McAlister? Is this what a recent Democratic journal of that State means by the use of the following language—

That will be one step toward a reconciliation with our former good and potent friends of the East, whom we treated so shabbily in two national conventions. We must go to them, exclaiming, like the prodigal son, "We have sinned against heaven and against you, and are no longer worthy to be called your brethren." Yet will they receive us with open arms, notwithstanding that they are "bloated bondholders" and we but "bonded bloatholders," a state of affairs due mainly to the closely nipped grass in the Populist pasture, where we have been grazing for so many years.

Does the prodigal propose to celebrate his return to his former "potent" friends—his "bloated bondholder's" friends—by sacrificing and destroying the industries of that class of people, for which during the past few years he has professed such devoted and undying friendship?

And yet these entire duties, not only upon fresh meats, not only upon all classes of live stock, but upon all "foodstuffs in daily use," must be at once removed. It must be done now. "An emergency" exists. We can wait to remove the duties from products of trusts, but not from products of farm and range. "This is an occasion that demands dispatch." They demand "results at once." "Why should this relief to the people be delayed a single day?"

In other words, that while the entire country is prosperous, while increased prices prevail everywhere, when every wheel is turning, when every factory is running at its full capacity, when every laboring man is employed at increased wages, at a time when there is not a producer of any product within the United States that does not have a full and ready market at increased

prices, the whole power of the Government must be invoked to strike down the prices of the products of the farm, the field, the orchard, and the range. This is the real meaning of the Democratic cry of "cheaper foods for the masses."

A few days ago the oleomargarine bill, as amended in the Senate, came before the House. In order to take it up it was necessary to adopt a special rule. On a rising vote 101 members voted for it and 76 voted against it. I did not observe a member on the Democratic side arise to his feet to vote for the rule or a Republican on this side who voted against it. On a roll call there were 153 voted for it and 79 against it. On roll call a few Democrats from dairy districts voted "aye" and a very few Republicans from cattle districts voted "no." It was practically a solid Republican vote for and a solid Democratic vote against. The chief burden of the Democratic song in opposition to this bill was that it made the price of butter too high.

Mr. COWHERD, who, from his name, should have been on the other side, leads the Democratic hosts. He complains:

The price of butter has been put up by this legislation which you are now enacting against the table of the poor people of the United States. When food products were never so high, when butter was never at such a high price, and when butter makers were never so prosperous, there is not only no need of this legislation, but it is a little short of, I had almost said, infamous.

This bill, it will be remembered, was simply to prevent the makers of oleomargarine from fraudulently selling it as butter to those who wanted only butter and who would not knowingly buy oleomargarine. But this fraud must not be suppressed for fear that thereby there should be an increase in the price of creamery butter to the farmer and dairyman.

Mr. Chairman, what have the farmers done to deserve this attack? While cheerfully paying an increased price for every purchase he makes, why should the farmer not have his share in existing prosperity? Why should there not be some increase of price in the products he has to sell as well as in those he has to buy? Let us see the probable effect of the blow, and where and upon whom it would fall.

We are not left without some experience in legislation in line with that now proposed. Prior to the passage of the McKinley bill we were importing into the United States annually from 50,000 to 60,000 head of cattle. Under the provisions of that law the tariff upon such importations was materially decreased while it was in effect. The importation of cattle decreased from 64,371 in 1888 to 1,280 during the year ending June 30, 1894. But while the importation decreased in such a marked degree, exports increased from 140,208 head in 1888 to 384,607 head in 1892. Under the last three years of the McKinley bill we imported 7,058 head of cattle and exported 1,040,970 head. In other words, under the last three years of the McKinley bill we exported 1,033,924 head of cattle more than we imported. This was not the only effect of the encouragement to the cattle industry by the protection afforded by that bill.

Under the lower duties of the Wilson bill, during the last three years of its operation, we imported 696,584 head of cattle and exported 1,096,373 head. The decrease in exports of cattle, meat, and dairy products was, in value, \$10,481,741 less in 1895 than in 1892.

Under three years of the McKinley bill we exported 1,033,924 head of cattle more than we imported.

Under the three years of the Wilson bill we exported 396,790 head of cattle more than we imported.

Under the Administration of President Harrison and the operation of the McKinley bill cattle increased in the United States in number 2,764,528.

Under the Administration of President Cleveland and the operation of the Wilson bill cattle in the United States decreased in number 6,617,555. The effect upon the sheep industry was practically the same. Under protection, imports of live stock decrease, exports increase, and our flocks and herds increase in numbers.

Under the Administration of President Harrison and the McKinley tariff sheep in the United States increased in numbers 4,674,474 and in value \$34,268,895.

Under the Administration of President Cleveland and the operation of the Wilson bill sheep decreased in number 10,454,910 and in value \$60,741,529. Remove protection to live stock, and imports increase, exports decrease, and flocks and herds diminish.

It is needless to dwell upon the depression of the live-stock industry during the last Democratic Administration. Under the protection afforded by the Dingley law it has rapidly revived. While the importations have largely decreased, the exports have largely increased. Instead of importing 328,773 head of cattle—the amount imported under the last year of the Wilson bill—our importations last year had fallen to 144,773. Our exports of cattle had increased from 372,461 head in 1896 to 459,318 head in 1901, and at a value of \$37,566,980.

During the last three years our excess of exports of cattle over imports have been 722,132 head, while our exports of meat and dairy products have increased from \$133,377,549 in 1896 to \$196,959,637 in 1901, and live stock from \$41,840,969 to \$52,058,876.

Under the operations of the Wilson bill there was a steady increase in the value of our imports of live stock, a steady decrease in the amount of our exports of live stock, meat, and dairy products.

Under the present law there has been a marked and steady decrease in the importations of live stock, a still more marked and steady increase in the value of the exports of live stock, meat, and dairy products.

I have pointed out with some particularity the effect of the several tariff laws upon the domestic live-stock industry. This but illustrates the general effects upon the entire agricultural interests of the United States.

It is well known that the principal tariff reductions made in the Wilson bill were upon the importation of live stock and agricultural products. The greatest difference of duties between that law and the present is upon this class of imports. The effect of the two laws can be seen in the imports and exports of these productions. I give the imports and exports of agricultural products for the last six years ending with June 30, 1901, including the last two years of the life of the Wilson law, and the full four years under the Dingley law, and which are as follows:

Year.	Agricultural imports.	Agricultural exports.
1896.....	\$391,029,407	\$574,398,264
1897.....	400,871,468	689,735,193
1898.....	314,251,796	859,018,946
1899.....	355,514,881	792,811,733
1900.....	420,130,288	814,616,530
1901.....	391,931,051	951,628,331

During the last four years the American market for food products has been the best and largest in the world. The increase of the home consumption over the previous years is beyond computation. Through the proper guarding of this market by the protection accorded under the Dingley law the importations of agricultural products decreased upon an average of \$22,000,000 a year. The exports of agricultural products during the four years ending June 30, 1901, reached an annual average of \$327,568,147, against an annual average of agricultural exports for the previous four years of \$638,748,318.

The increase in the price of agricultural products and the prosperity of the American farmer has not been the result of unholy combinations, grinding monopolists, or billion-dollar trusts. The prices of farm products have been sold in our open markets in healthful American competition. The owners of 5,739,657 farms have been competitors in the sale of their products, each standing upon its merits, and each offering his products for what it would fairly bring. With present protection the farmer is subject to more competition than the men engaged in any other business in the United States.

The total imports of all classes of goods into the United States during the fiscal year ending June 30, 1901, amounted to \$823,172,165. Of this sum, \$391,931,051, almost one-half the total, consisted of agricultural products. Under the Wilson law more than one-half our total imports were agricultural products. Does this indicate too much protection for the farmer? The total exports of the United States during the same year, all classes, amounted to \$1,464,462,806. Of this sum, the agricultural exports amounted to \$951,628,331, or more than two-thirds of the entire exports, sold in open competition with all the world. Do the men who add this much to the nation's wealth deserve this severe attack? Are they not entitled to fair protection in the home market?

Suddenly, within the past few days, the Democratic party, heretofore so loud in its professions of friendship for the farmer, has become jealous of his moderate prosperity. It begins an organized and systematic attack on food products constituting the distinctive productions of the farmer. They are too high. The price received is too great. They must be put upon the free list, not next year, not under general tariff revision, but now. It is "an emergency." Immediate relief is demanded. The remedy must be "expeditious." It must be "immediate." There must be "results at once." Delay must not be "a single day."

There is not time to wait for other tariff revision. "This is an occasion that demands dispatch." The tariff upon goods manufactured by wealthy trusts, the tariff upon machinery, upon clothing, upon every product that the farmer buys, must remain the same, but the tariff upon the goods which the farmer sells must be stricken off. The trusts are to have peace from Democratic attack. "There is no power in the President and there is none in the Attorney-General to suppress monopoly." And so

the power of Congress to "suppress the price of farm products must be invoked."

It is the old issue, but modified. The old cry—protected manufactured goods, free raw materials, with an exception. Free coal is in doubt until the manufacturer has been heard from, but free iron ore is abandoned. The entire attack of tariff reform is centered upon the cry for "free food products," and the miner and manufacturer must be tempted to join in the attempt to despoil the food producer and bring about "the immediate repeal of the tariff on all meats and food stuffs in daily use."

Mr. Chairman, I recall listening to a very able and very eloquent speech delivered in this House upon the passage of the Dingley act by the gentleman from Texas, then the minority leader, and now a Senator of the United States. That very eloquent gentleman denounced as undemocratic the position previously assumed by his party in favor of the admission of free raw materials. He insisted that it was a new doctrine imported into the party by the friends of ex-President Cleveland. He used the following language:

Up to the time that Mr. Cleveland was first inaugurated President in 1885, nobody ever dreamed that the Democratic party would advocate a proposition to exempt the manufacturers of this country from their fair share of taxation.

Again, it requires no special wisdom to discern that it was the same influences which came so near pledging our party to the maintenance of the single gold standard that committed it to the doctrine of free raw materials and taxed finished products. It was that strange infatuation which was willing to sacrifice Democratic principles in the party to secure mugwump votes. * * *

They were so eager to make New England Democratic that they forgot our immutable opposition to special favors, and they offered the manufacturers of the East the valuable privilege of buying their materials at free-trade prices and selling their finished products at protection prices. That was a temptation which the rock-ribbed Republicanism of New England could not withstand, and when I first entered Congress, six years ago, the entire delegations from both Rhode Island and New Hampshire were Democratic, three out of the four members from Connecticut were Democratic, and there were five Democrats from Massachusetts. * * *

Whatever strength this advocacy of free raw materials may have brought to the Democratic party in the past, it can bring none now, and will not bring any in the future. There are not in all this broad land to-day, 100 men who could be induced to vote the Democratic ticket for the sake of free raw materials, as long as the Democratic party holds to the free coinage of silver; while on the other hand, there were thousands of brave and honest men throughout the Western States, who, agreeing with us upon the great financial question, will embrace our tariff doctrine when we have thoroughly repudiated this Cleveland heresy.

Mr. Chairman, what a strange arraignment of the Democratic party by one of its great leaders and one who is prominently mentioned as its next candidate for the Presidency. He charges that his party was willing to sell out the West in order to procure votes in New England and in the East. Then alleging that such a course of conduct, while the party advocated free coinage of silver, could no longer be profitable, could no longer bring votes, he was intent upon making friends and political alliances with those "thousands of brave and honest men throughout the Western States" who were willing to vote for free coinage when the party abandoned its attitude in favor of free trade in the products of the West and tariff upon manufactured goods.

Now the party is going back to its old idols. The men whom the distinguished gentleman charges with leading the party away from its old landmarks are again obtaining control. The reign of King Bryan I is over. They are looking for a new king, a new leader, whose star is in the East. They are again attempting to renew the alliance with Eastern cities "in the hope of securing mugwump votes." In order to do this they are ostentatiously abandoning the interests of the West, are complaining of what they choose to term "their past follies," are begging forgiveness of their Eastern friends, and the better to prove the sincerity of their conversion, propose to slaughter the industrial interests of their late allies.

To the men whom they so lately praised and courted, the "brave and honest men throughout the Western States," they offer, not as they offered then and offer now to the East, "the valuable privileges of buying their materials at free-trade prices and selling their finished products at protection prices," but they threaten to compel the farmers and stockmen of the West to buy in a protected market and to sell their entire productions in a free-trade market in open competition with all the world.

Mr. Chairman, is it impossible for the Democratic party to be approximately right on two questions at the same time? A few years ago, when professing undying friendship for the Western farmer, it coupled this with the advocacy of financial measures which, while aimed at the creditor, would have overwhelmed all classes in irretrievable ruin. Now, while abandoning its financial heresies, it couples return to sound financial principles with an unprecedented attack upon farmers and stockmen, the people for whom it expressed such great concern.

Will the Democratic party never cease looking for political advantage by arraying one class of its countrymen against another? Will it ever attain to that elevation from which it can see that the welfare of all classes, of one people, living under one law and

under one flag, is inseparably interwoven, that to strike down one is to strike down all, and that the highest statesmanship seeks to foster and maintain the equal prosperity of all the people of all the land?

I protest against this threatened attack, this contemplated injustice. I warn my friends upon that side of the House that their experience of a few years ago, the attack then made upon farm products, produced a result that was not expected, that ought not to be repeated. The hoped-for benefits did not come. The manufacturers of the East were charmed with the prospect of free raw material, cheaper food for their employees, protected manufactured goods. To secure this purpose the East allied itself with the Democracy. Even Massachusetts went Democratic. The legislation was secured. "Free raw materials" was conceded. But what was the result? The ruin of American agriculture, the widespread distress among American farmers, the foreclosures of mortgages, depression in the value of farm property and live stock, carried with it the destruction of the markets for American manufactured goods.

The Southern producers of cotton and corn did not escape. Demand for labor ceased, millions of hands were idle and millions of men hungry. The great railroads of the country believed that free trade in farm products would increase enormously exports and imports; that the traffic upon the railroads, taking freight from the farm and returning manufactured goods, would enormously swell the earnings of this class of corporations. What was the result? Bankruptcy everywhere and a large number of railroad corporations in the hands of receivers.

The American farmer is the basis of American prosperity. He is the greatest purchaser of the products of its looms and its factories. Directly and indirectly, in the men he employs and in the market he furnishes for the productions of labor, the American farmer is beyond doubt the greatest employer and the best friend of labor the world contains. He is the greatest contributor to the national wealth. Destroy his prosperity, diminish materially his purchasing power, and there will be, there can be, no prosperity to any other productive class within the United States.

Bring disaster upon him, and you bring disaster upon every industry within every section of the land. The fire in the furnace will die out, the smoke of the factory will disappear, the music of the wheels will cease, willing hands will be idle, and the days of the soup house will return. Turn the hand of labor against the farmer, and it will strike down its best friend, its chief support. Markets for manufactured goods and demand for factory labor will largely cease. The Southern planter will find less demand for cotton goods and less market for the meat fattened with Southern corn. The welfare and prosperity of the farmer and the laborer are "one and inseparable," "now and forever." He is an enemy of his country and of mankind who would raise up discord between them. They have never prospered, they have never suffered, in a business way, except side by side. Well-paid labor bringing prosperity for one enables him to pay good prices for increased food supplies produced by the farmer.

The prosperity of the farmer determines the demand for labor. In a few weeks there is to be an election in the State of Oregon, a State whose entire business welfare is interwoven with and dependent upon the prosperity of the agricultural and live-stock interests. The contest is between the Republican and Democratic parties. What is it that you ask of the voter who contemplates voting the Democratic ticket and supporting the Democratic candidates and Democratic policies? You are not content with asking him to join with you in an effort to tear down the flag where it has been erected upon American Territory by the courage of American soldiers.

You are not content with asking him to defile the national honor, to lend his indorsement to the vile slanders that are now being daily uttered upon the floor of the other end of this Capitol against the Army of the United States and against the men who are daily risking their lives to maintain the honor of the flag and the supremacy of the American authority. You not only ask him to indorse the conduct of those men who, standing in their places in the United States Senate, shower fulsome praises upon men who torture American soldiers by slow fires, hack prisoners to a lingering death with their bolos, bury our wounded prisoners while still living, announce to their followers to spare no white man, but who have no word of praise or encouragement for the American soldiers, American institutions, American Government, or anything pertaining to America.

But you also ask the voters of that State to deliberately deal a deadly blow to their own business interests and to stand by and support that political party which openly threatens to despoil them of their share of that prosperity which, under Republican laws, administered by Republican Administrations, is now enjoyed by all classes of the people in all sections of our common country.

Mr. Chairman, I am one of those who believe that the present

tariff laws ought to be and will be revised. Their schedules are not sacred, are not intended to be, and will not be eternal. They should be changed to meet changed conditions. Not conditions that are temporary or transient or largely local, but conditions that promise some degree of permanency. I believe there are wealthy corporations for whose productions the American market is preserved by protective duties, who are exacting unreasonable prices from American consumers. If these conditions promise continuance, as I believe they do, such duties should be materially lowered or entirely removed. But such revision, when revision comes, must be equitable and fair to all sections of the country and to all classes of its citizens. It must not destroy the prosperity of all to decrease the profits of a part of the people.

Above all, it must not discriminate against our agricultural industries that contribute more to the national wealth than any other industry that concern the prosperity of the most peaceable, the most law-abiding, the most industrious, and the most patriotic people that dwell under the Stars and Stripes. Against this threatened Democratic attack upon the business interests and prosperity of the most numerous and industrious class of our citizens, the Republican party stands for the equal and fair protection of every legitimate American industry and the business prosperity of all classes of the American people.

For the vindication of these principles, faithfully embodied into laws, passed by Republican Congress, and administered by Republican Presidents, I submit for the consideration and judgment of the American people, with their own memories and observations as witnesses, the widespread and universal prosperity of 1903 against the equally widespread and universal calamity of 1895. These conditions, not theories, have been witnessed, experienced, suffered, and are known by us all.

Lord God of hosts, be with us yet,
Lest we forget, lest we forget.

Mr. FOSS. Mr. Chairman, I now yield ten minutes to the gentleman from New York [Mr. LESSLER].

Mr. LESSLER. Mr. Chairman, I sometimes wonder, when I listen to speeches about soldiers in the Philippines if it would not be wise to send a deputation to the Democratic leader and inform him, and the gentlemen under him, that they were elected by an American constituency of the United States of America, and that they are not the representatives of the natives of the island of Guam or the district of Samar.

Mr. Chairman, it seems to me that if I had a son who had gone wrong, I would be the last one of those who would publish it abroad. If he has done a wrong I want to take him somewhere near to my heart and protect him if necessary even against myself. To me it seems very much like the old saying of "a bird fouling its own nest," to hear the American soldier upbraided and slandered and vilified without a word of defense in the one place on the American continent that he ought to be defended—the House of Representatives of the United States of America. [Applause.]

I want to serve notice now, for one, that when the time comes that we investigate what our soldiers have done or have not done, sons of men here, brothers of men here, suckled by mothers like yours, American boys and American citizens, most of us will be willing and ready and able to acquit on any testimony. I sometimes think that if you would knock at the door of one of these gentlemen in the long hours of the morning, when the time of sleep has come and the time to rest from their arduous labors of finding something to fling at their own countrymen—if you would knock at their door you would find them singing "Aguinaldo," or "the Filipinos."

It is time that we should pay some attention to our own people. It is time that in the House of Representatives of the American Congress we should look to our own "boys in blue" and be as proud of them as we were in the early history of this country or in the war of the rebellion—be as proud of them now, when they are 10,000 miles away from home—not men who have run away from their post of duty—not men who have gone out of the Army to tell any number of lies to further a political interest.

I beg to call the attention of gentlemen on the other side to a Senate document which they seem to ignore all the time—the report relating to the charges of cruelty to the natives of the Philippines. I want to read from this document the utterance of one of the best and most high-minded men that this country holds, a man who has given up as much to do his duty to his country with honor as any man to-day in the city of Washington—Hon. Elihu Root. No broader-minded American, no lovelier gentleman, no grander man to follow when duty to country calls is there in the United States than Elihu Root. And when that man puts his name to a document he puts it there because he tells the truth. He is not a critic, not a tearer down, but a man who is helping to upbuild and uplift, and who, in the opening of this twentieth century, must be reckoned as one of the great men of our time.

I beg to read from this Senate document, and, mind you, I have this document in my hands so that you can look at it when called for. It is entitled Senate Document No. 205, part 1:

The war on the part of the Filipinos has been conducted with the barbarous cruelty common among uncivilized races, and with general disregard of the rules of civilized warfare. They deliberately adopted the policy of killing all natives, however peaceful, who were friendly to our Government, and in literally thousands of instances these poor creatures, dependent upon our soldiers for protection, have been assassinated.

The Filipino troops have frequently fired upon our men from under protection of flags of truce, tortured to death American prisoners who have fallen into their hands, buried alive both Americans and friendly natives, and horribly mutilated the bodies of the American dead. That the soldiers fighting against such an enemy, and with their own eyes witnessing such deeds, should occasionally be regardless of their orders and retaliate by unjustifiable severities is not incredible. Such things happen in every war, even between two civilized nations, and they always will happen while war lasts. That such occurrences have been sanctioned or permitted is not true. A constant and effective pressure of prohibition, precept, and discipline has been maintained against them.

That there has been any such practice is not true. The cases have been few and far between, scattered infrequently over a great area of country along the course of three years of active conflict, through thousands of engagements, and among many thousands of troops. That these occasional cases have characterized our Army or its conduct is not true, any more than the deeds of lawless violence which constantly occur in every large city characterize the people of the city. The war in the Philippines has been conducted by the American Army with scrupulous regard for the rules of civilized warfare, with careful and genuine consideration for the prisoner and the noncombatant, with self-restraint, and with humanity never surpassed, if ever equaled, in any conflict, worthy only of praise, and reflecting credit upon the American people.

There is more of this that I might read. But I appeal to these men who are lawyers not to convict their own fellow-countrymen without the semblance of a trial. When you read me what some man has said before a Senate committee, will you not please, before convicting 40,000 or 70,000 men of misconduct as soldiers, wait till some of the men who are accused can appear before the same committee?

Why, sir, under the light of the American system of Government a man who in broad daylight assassinated a President was accorded a fair trial in a court of law—not 10,000 miles away but about 600 away from here.

I beseech gentlemen here to discard from their hearts the spirit of partisanship in dealing with questions of this kind. I desire to plead for justice to our own fellow-citizens. I desire to appeal to gentlemen to stand up for their own fellow-countrymen. I plead that until the last particle of evidence is given in the jury shall not pronounce its seal of doom. Gentlemen, I appeal to you to stand with us above all for our own "boys in blue" who are carrying your work, your mission of light and civilization in the twentieth century—the mission of the United States of America, the United States of the world. [Loud applause.]

Mr. FOSS. I yield fifteen minutes to the gentleman from Iowa [Mr. HEPBURN].

Mr. HEPBURN. Mr. Chairman, I regret very much that the gentleman from Missouri [Mr. VANDIVER] has seen fit to inject into this debate the character of speech that he has indulged in. I think the gentleman has forgotten, or at least has refused to recognize many things when he indulges in this character of discussion. I think he has forgotten that the complaints, the assaults, that he has been in the habit of making for thirty-five years following the war of the rebellion, are not now in place.

I can see how a man, situated as he has been during this period, might indulge in criticisms of the Government, in criticisms of the Army, in assaults in fact upon everything that has been done. But the era making justifiable, perhaps, that kind of complaint and that kind of discussion, we are told has passed. The gentleman apparently thinks that now, while the war in the Philippines is going on, it is proper for him to use the same methods, the same character of assault, to look upon the Government as he did and has through all of the intervening years, when he talked about "your Government," talked about "your Army," talked about what "you did." I had supposed that the gentleman was now prepared to talk about "our Government," to talk about "our Army," to talk about what "we did," and what "our duties" are. But it seems he can not forget the old days and the old methods.

Mr. VANDIVER. Will the gentleman permit a correction there?

The CHAIRMAN. Does the gentleman yield?

Mr. HEPBURN. Yes.

Mr. VANDIVER. Instead of saying "your Government," I did say "our Government;" and I said what "we are doing." The gentleman's statement is not correct in that particular.

Mr. HEPBURN. The gentleman may have changed his pronouns, but he has not changed his method. [Laughter.] It is the same old method. Mr. Chairman, the gentleman forgets another thing, that this army that he is criticising is our Army, that the boys who compose that army are our boys, that they were raised in American homes; that they have been taught American civiliz-

tion, and he ought not to join with all of the libelers and slanderers to traduce his own. Every man knows that in a state of war, where large armies are assembled, there will be some characters who are not, perhaps, all that they should be. There may be some men—a few—who would be cruel men at home or abroad, who would indulge in outrages upon the American continent or in the islands; but, forgetting that, it seems to me that he has seized upon every exaggerated story that bears harmfully upon his own, upon our Army, upon our boys, and for what purpose? To secure, as he hopes, a miserable and despicable political advantage. [Applause on the Republican side.]

I feel ashamed of the man, whoever he may be, who loses his Americanism in the pursuit of a petty imaginary political advantage, and I want to tell the gentleman he is mistaken in his expectation that that advantage will come. No matter how he may look upon the Army as alien, no matter how he may look upon his Government as foreign, he will have but few sympathizers among the American people. His old methods, his cast-away methods, will not be potential in this day of enlightenment, bearing upon the questions that now are before the American people. I do not see how it is possible for any American to take delight in parading before the world all these miserable exaggerations of fact when the only result can be to degrade Americanism, to degrade the standards of estimation in which this nation is or ought to be held. What good does it do that he should parade all these matters? He knows that if there has been violation of discipline, if there has been a violation of the laws of war, if there has been extraordinary cruelty, that the men, the individuals, the exceptionals will be punished, as they should be. No man wants to screen crime of that kind. He can not secure a party advantage in that way. If these things are true, they are horrors to Republicans as well as to Democrats.

Mr. VANDIVER. May I ask the gentleman a question?

The CHAIRMAN. Does the gentleman yield?

Mr. HEPBURN. Oh, I think so.

Mr. VANDIVER. I have not introduced politics into this matter, nor do I hope for political advantage, but now I want to ask, in view of what the gentleman has said, that Republicans abhor these crimes as much as we do—why is it, then, that Republicans, the gentleman himself among them, have been here in session now for nearly six months, and have never yet decried these horrors, but have allowed them to go on, and, I will venture to say, have not spoken a word against them. Now, let me read one sentence from the official report, the report of the Inspector-General, to show these are not exaggerations. May I read that?

Mr. HEPBURN. Mr. Chairman, I presumed the gentleman made his speech. He had an hour, and his heart seemed to be full of all the influences of malice and malevolence to bring all the facts to bear. [Applause on the Republican side.] I do not care to yield my time.

Mr. VANDIVER. The gentleman seems anxious to conceal them all.

Mr. HEPBURN. Mr. Chairman, will you protect me from that gentleman? [Loud laughter.]

The CHAIRMAN. The gentleman declines to yield.

Mr. HEPBURN. Mr. Chairman, I can tell the gentleman why we have not discussed this matter. It is because we do not believe these statements.

Mr. VANDIVER. That is just why I want the gentleman to let me read the official evidence, the official reports, to prove them.

The CHAIRMAN. The gentleman declines to yield further.

Mr. HEPBURN. Mr. Chairman, if the gentleman did not make his case in an hour, I do not know why I should yield to him now.

Mr. VANDIVER. No; you do not want any more facts.

Mr. HEPBURN. No; I do not want any more of such facts dribbled through you. [Laughter.] Mr. Chairman, we do not believe these statements to be true. If they are true—

Mr. VANDIVER. Then, one question. Are you willing to admit the finding of a court-martial to be true?

Mr. HEPBURN. Mr. Chairman, will you keep that gentleman in his seat? [Laughter.]

The CHAIRMAN. The gentleman from Iowa declines to yield further.

Mr. WILLIAMS of Mississippi. Will the gentleman from Iowa yield to me just for one moment?

Mr. HEPBURN. Certainly.

Mr. WILLIAMS of Mississippi. Does the gentleman from Iowa believe that it is true that General Smith issued an order to make Samar a howling wilderness, and to kill all men and women over 10 years of age? Or does he believe that to be a lie?

Mr. HEPBURN. I believe that to be a lie. [Applause on the Republican side.] I do not believe that General Smith ever issued

an order of that kind. I do not believe that any other American officer ever made an order of that kind. I believe it to be a slander, pure and simple.

Mr. WILLIAMS of Mississippi. May I ask the gentleman one more question?

Mr. HEPBURN. Yes, sir.

Mr. WILLIAMS of Mississippi. Does the gentleman believe that the lawyer representing the defendant in the court-martial in the Philippines the other day, who acknowledged that that order had been issued, was lying when he acknowledged it?

Mr. HEPBURN. I do not know anything about the conditions.

Mr. WILLIAMS of Mississippi. Does the gentleman believe—

Mr. HEPBURN. I do not know who the lawyer was, but I have known some lawyers who were capable of a lie. [Laughter.]

Mr. WILLIAMS of Mississippi. Did the gentleman ever know a lawyer to lie by admission or confession against his client?

Mr. HEPBURN. There are some lawyers who are not smart.

Mr. WILLIAMS of Mississippi. One other question. Does the gentleman believe that the officer who was being tried, and who pleaded General Smith's order in his justification, was making a lying plea?

Mr. VANDIVER. And who was acquitted by the court-martial on that ground?

Mr. HEPBURN. Mr. Chairman, that gentleman has again broken loose. [Laughter.]

The CHAIRMAN. The gentleman from Iowa declines to yield further. The committee will please be in order.

Mr. HEPBURN. Mr. Chairman, I do not know upon what kind of flimsy pretext the gentleman from Missouri or the gentleman from Mississippi will hang a belief, but I do know something about the American people. I do know something about American officers. I do know something about the civilization in which they have been reared. I do know something about the laws of war that govern and control them and that they are familiar with. I know something about the laws of humanity that animate them in common with the rest of us, and therefore I am prepared to say, in my judgment, that any statement of an order of that kind, of its existence as having been issued, is false, and made for a sinister purpose.

Mr. COCHRAN. Mr. Chairman—

The CHAIRMAN. Does the gentleman from Iowa yield to the gentleman from Missouri?

Mr. HEPBURN. I have only fifteen minutes.

Mr. COCHRAN. I just want to make a suggestion.

Mr. HEPBURN. I am always glad to hear suggestions from the gentleman.

Mr. COCHRAN. Is it not true that the fact of the promulgation of this order was made public in the course of a court-martial of Major Waller by United States officers?

Mr. HEPBURN. Not in that way.

Mr. COCHRAN. And is it not true that the counsel representing the defendant pleaded that order in justification?

Mr. HEPBURN. But, Mr. Chairman, suppose it is true?

Mr. COCHRAN. Then that is what we want to hear you about.

Mr. HEPBURN. But admitting that it be true, for the sake of argument. These men are now undergoing a court-martial. The investigation is being made, and what good is it to parade these matters before the whole civilized world? Where do you find consolation in the fact, if it is true, that they are to be punished, if it is true that the processes of justice have been set to work against them? Why parade it here? What is the benefit that will come from it?

Mr. COCHRAN. But the officer who was just tried was not punished, but acquitted on the ground of his superior officer having ordered him to do it.

Mr. HEPBURN. Is not that officer now being tried?

Mr. COCHRAN. The verdict has not reached us yet.

Mr. HEPBURN. Is not General Smith now undergoing trial?

Mr. COCHRAN. I am only trying to enlighten the gentleman as to the fact that these things are true.

Mr. HEPBURN. No, sir; you do not establish the fact that they are true in the way that you suggest; not at all. Some man may have used in his defense this fiction of an order—

Mr. COCHRAN. Then do you think that the acquittal of Major Waller was secured by pleading a falsehood?

Mr. HEPBURN. Oh, that is not a fair question at all, and I do not propose to answer it. I am content to make the statement that in my belief no such order as is charged against General Smith was ever issued. I am content to rest there.

Mr. MONDELL. Mr. Chairman—

The CHAIRMAN. Does the gentleman from Iowa yield to the gentleman from Wyoming?

Mr. HEPBURN. Yes.

Mr. MONDELL. Is it not a fact that, whether such an order as has been referred to was issued or not, there has been no claim by anyone that Samar was made a howling wilderness, or that any man or any child was injured in Samar by reason of that order, if there was such an order?

Mr. HEPBURN. I take it for granted that Samar is not a howling wilderness, or the gentleman from Missouri, with glee, would have told us of that fact. [Applause on the Republican side.]

[Here the hammer fell.]

Mr. FOSS. Mr. Chairman, I yield to my colleague upon the committee forty-five minutes.

Mr. MEYER of Louisiana. Mr. Chairman, I yield ten minutes of that forty-five minutes to my colleague on the committee, Mr. WHEELER of Kentucky.

Mr. WHEELER. Mr. Chairman, judges full often become advocates, unfortunately; and the bitter language of the gentleman from Connecticut [Mr. HILL] and the gentleman from Iowa [Mr. HEPBURN] illustrates the truth of this statement most forcibly. However, I can not, or rather I will not, permit the opportunity to pass without noticing at least a portion of what the gentleman from Iowa has said. I deprecate in no uncertain terms the effort of any American citizen to make political capital out of the unfortunate occurrences in the Philippine Islands. It is a matter that lies beyond the partisan, whether Republican or Democrat. Whether true or false, when we discuss them, as we should, nay, as is our bounden duty, we should speak not in the hope of political advantage for this or that side of the Chamber.

I can not refrain from expressing astonishment at the vindictive and bitter exposition made by the gentleman from Connecticut of the barbarous and inhuman practices of some of the semicivilized inhabitants of those unhappy islands. He hurled it with ghoul-like glee in the teeth of gentlemen upon this side of the Chamber as a justification for what is charged against the American Army in those islands. I condemn with equal sternness and severity the barbarities, if barbarities there be, of the Filipino and the American soldier. It is not to criticize the Army—but that is a right that every decent, fair, and intelligent man not only claims, but possesses. When did the Army become so sacred that when it does wrong an American citizen can not criticize it?

Mr. WILLIAMS of Mississippi. To defend the Army is to investigate error.

Mr. WHEELER. Are we to sit quietly by when unworthy men wearing the uniform of their country do unworthy deeds and not expose them?

The gentleman from Iowa asks pathetically what good will come from an exposition of the barbarities that have been committed by these vicious, unworthy men that have been exposed upon the floor of this House. Sir, what good comes to civilization when the prowling night thief, who climbs your porches and commits depredations on your property, is exposed and condemned? What good comes to human civilization when the murderer and the thief and all of those infamous men that connect their names with crimes are brought to the bar of judgment, and for their act branded with infamy, and henceforth known as scoundrels and unworthy to associate with decent people or with the better class of their kind? I in the same manner condemn all human monsters who in the security of their rank set social safety and civilization at defiance, not as a Democrat, not as a Republican, but as an American citizen; not in condemnation of the Army, not in condemnation of our civilization, but as an humble citizen who loves justice and is not so charged with bitter partisanship that he is lost to all sense of pity.

I condemn in unmeasured terms the barbarities said to be practiced in those unhappy islands by men who wear the uniform of our country. [Loud applause on the Democratic side.] Our country, my country, and I say my because under the providence of God I will be here when you are gone. How foolish, how unworthy of the great gentleman from Iowa to quibble and seek to dodge behind the facts that there is no official statement as to the guilt of this inhuman monster Smith. Not as a Republican, but as President of the United States—and I pause here to give him my unstinted commendation for his manly efforts to bring justice, not as a Republican, but as the chief citizen of the Republic, to this same inhuman monster that you say it is unpatriotic to criticize and condemn. [Loud applause.] Is he acting without authority? Would he disgrace his great place or subject himself to the criticism of the delicate consciences possessed by the gentleman from Connecticut and the gentleman from Iowa by ordering a court-martial to investigate this man upon testimony so flimsy that it is unbecoming for us to mention it upon the floor of Congress?

This is not a political question. This is not a criticism of the Army, but it is a criticism of that policy which we have warned you against, that gives the opportunity to produce the occasion

for these unspeakable acts. We point them out to you to show you where you are drifting. Inhumanity and barbarity in the Philippines will, as certain as God hung the sun in yonder heavens, culminate in inhumanity and barbarity in your own homes and the Republic. It is against the system; it is against the opportunity; it is against the occasion; it is against the men that make these opportunities and make the occasion, that we as American citizens are protesting in earnest terms, not as partisans, but as patriots.

I agree with you, sir, that it is unfortunate that we should be required to air these things before the world; but, sir, it serves to illustrate a lesson that all can well afford to learn. I remember to have read with shuddering horror when the man Kitchener, now commanding in South Africa, was sent along the Nile, he reached Omdurman, and when these helpless people came in white robes and kneeled with uplifted hands to pray for peace at his hands, a long file of women and children knelt on that sunlit plain amidst those adobe houses, his answer to them was to open upon them with grape and canister and shoot down thousands of women and children in order to set an example to the unfortunate Egyptians and establish peace and to accomplish benevolent assimilation. And yet on the floor of the British Parliament men rose in their places and defended that act.

Never did I dream that on the floor of the American Congress there could be found even a man from Connecticut or from Iowa who would be willing to arise in his place and speak in terms of commendation of an order issued by an American general under the American flag in the American uniform to kill all above the age of 10, whether they be women or men.

And yet we find that men are so eager for partisan advantage they stifle their noble impulses—I say noble impulses because these gentlemen who speak in commendation of these crimes are gentlemen of chivalrous and noble impulses, patriotic and country loving; but it only shows, gentlemen, to what depths of degradation we may descend for partisan advantage. Is honor so dear, or national good will so sweet that we must put beneath us every emotion of charity and humanity? Is national glory so much to be sought in our war with the Philippines that the American flag, thus far unstained by barbarities, shall sacrifice thousands and thousands of lives, forgetting the traditions and teachings of our country? [Loud applause.]

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. MEYER of Louisiana. Mr. Chairman, I yield five minutes to the gentleman from Missouri.

Mr. VANDIVER. Mr. Chairman, I heartily appreciate and approve of the eloquent words of my friend and colleague on the committee, the gentleman from Kentucky [Mr. WHEELER] who has just taken his seat, and I want also to assure the members of this House that with me there is something dearer than party advantage. I am not ashamed of the fact that I am a Democrat, but above that I am an American citizen, and above that I am a human being. [Laughter on the Republican side.] It seems evident from the snarling and sneers of some gentlemen on the other side that they have lost the sentiments of humanity, if they ever had any.

I want to say, Mr. Chairman, that my sole purpose in presenting these facts to the House of Representatives was to bring them to your attention, because I do not believe that you have investigated them; I do not believe you have taken the pains to examine the evidence of these charges. I challenge you now to investigate them, and if I can not substantiate every fact I have mentioned on this floor here to-day, I shall withdraw every one of them.

Now, it seems to be the policy of the managers on the other side of the floor and of the party in power to protect itself by insinuating that every criticism that is offered, every statement of fact as to barbarity and cruelty of our soldiers in the Philippines, is a reflection on the glory of the American Army. The Washington Post, usually an Administration organ, has this editorial comment on the course you are pursuing:

A QUESTION OF NATIONAL HONOR.

Those Republicans in Congress who have seen fit to condone the alleged atrocities in the Philippines by comparing them with the work of Grant, Sherman, and Sheridan during the civil war can hardly be complimented upon their taste or their regard for the truths of history. Even if their proposition had any warrant in fact the argument would be beneath contempt. An act of barbarism committed forty years ago does not excuse inhuman cruelty to-day. As well set up the bloody Duke of Alva as a screen for Hell Roaring Jake Smith to hide behind.

It is not true, however, that the Union armies in the South, or even Quantrell's Confederate guerrillas on the Kansas border, ever practiced such hideous savagery as is charged against certain of our officers in the Philippines. The accusations in question may or may not be well founded—we hope not—but such as they are, true or otherwise, they far exceed in horror anything ever dreamed of in the war of 1861-1865 between the North and South. Every survivor of that tremendous conflict knows that we speak the truth herein. It was a war—a desperate and sanguinary war, a struggle of the Titans—and death and desolation were its fruits. But it was not a ruthless and barbaric

orgie, a carnival of ghouls and fiends. To say it is to slander the living and the dead of both sides—the bravest men that ever fought.

Just why Congress can not investigate this affair in a judicial and patriotic spirit we can not even distantly imagine. It is not properly a party matter. There is no anti-American party in this country—none that should be willing to seek or to accept advantage at the cost of our national dignity and honor. Such a party would deserve the scorn and execration of all honest men. What we seek is the truth. We want to know, for the sake of our flag and our humanity, whether these appalling crimes have been committed, and if so, at whose instance and responsibility. To make this quest the opportunity for political campaign material is simple, unadulterated shame.

Republicans and Democrats should make common cause in the effort to erase a frightful scandal and to punish the guilty, if such there be. Party rivalries may wait upon our common honor.

Mr. Chairman, when the gentleman from Iowa [Mr. HEPBURN] stated emphatically that he did not believe these stories and charges, I asked him if he would allow me to read him one sentence from an official document coming from an official of the Army who had himself investigated them, and he declined to hear it read. I will now read just two sentences from the report of Maj. Frank B. McKenna, Inspector-General of the United States Army, who investigated, by the authority of the War Department, the charges of cruelty against the helpless natives in northern Luzon. Here is what he says:

Saturina de la Cruz, age 18; married; lives in barrio San Rafael, Montalban: Night of February 21, after taps, about 10 o'clock, three Macabebe soldiers armed with guns and one with revolver entered her house; she and her husband were asleep; a man with a revolver forced her husband out of the house; other two took him away first, then returned and at the point of a revolver raped her; she was raped again on night of the 25th.

I should not mention such a deplorable and outrageous instance, if it had been the only one committed or if it had been a very exceptional case. But here in this report this officer details case after case just as barbarous as that; and in conclusion he makes this general, sweeping statement about the whole affair:

In conclusion, I find, if the almost unanimous testimony of the natives is to be considered, that the Macabebe garrison at Montalban has committed numerous outrages against them; that these acts of violence commenced almost with the arrival of the Macabebes, and occurred at intervals until the night of February 25, when on that night they must have indulged themselves in a saturnalia, almost, of rapine and violence under the guise of looking for insurgents.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. STEWART of New York having taken the chair as Speaker pro tempore, a message in writing from the President of the United States was communicated to the House of Representatives by Mr. B. F. BARNES, one of his Secretaries, who also announced that the President had approved and signed joint resolution (H. J. Res. 177) providing for the printing of the American Ephemeris and Nautical Almanac.

NAVAL APPROPRIATION BILL.

The committee resumed its session.

Mr. FOSS. I have the consent of the gentleman from Louisiana [Mr. MEYER] to yield of the time which I have left five minutes to the gentleman from Pennsylvania [Mr. GROW].

Mr. GROW. Mr. Chairman, war is a barbarism whenever and wherever engaged in by mankind. It is a constant struggle between two opposing forces to protect and preserve the lives of the one and to destroy the lives of the other. Under what is called civilized warfare—if there is such a thing—it is allowable to the commander of a force to adopt a course that might otherwise be denominated cruel barbarism and atrocity, in order to prevent or to put a stop to still greater cruelties and atrocities. And in extreme cases in warfare the black flag is justified.

Such are the universal rules of warfare. While many gentlemen on the other side seem to delight in referring to every report that comes to them of cruelties and barbarities charged upon American soldiers, they fail to recall the history of our own war in this generation. On our own soil and under the flag of Christian civilization, as we call it, the Shenandoah Valley was swept with fire by order of the Commanding General of the Army. Every gristmill and every storehouse was destroyed. The naked chimneys of dwellings destroyed in that conflict lined that fertile valley from the Potomac to the mountains. Sherman's "march to the sea" left in its rear the smoke of burning dwellings darkening the sky. And part of Atlanta was laid in ashes.

Mr. COCHRAN rose.

Mr. GROW. I can not yield to anybody.

I am calling attention to the scenes of our own civil war, on both sides—Chambersburg, burned by the Confederate soldiers, the houses of women and children burned over their heads; of Atlanta, part of which was burned by the Union Army, and the desolation of Sherman's "march to the sea."

Why should you not rake up from dead history all the cruelties perpetrated then under what we called "civilized warfare?" But who ever thought or who would now think of arraigning American citizen, soldiers on either side, when that contest was over for anything that had been done in the course of it?

American citizen soldiers do not become barbarians as soon as they leave the shores of their native land any more than they are at home. [Applause.] This arraignment, this delight in bringing up everything pertaining to war, barbarous and atrocious as it is in all cases, does not become the members of the American Congress to-day. Why should gentlemen undertake to libel and malign the glorious achievements of the citizen soldiers of the American Army from the time the war with Spain was declared? The insurrection in the Philippine Islands against the authority of the Government of the United States was the result of two things.

One was the return of Aguinaldo to the Philippine Islands. When the war was declared he was at Singapore on his way to France or England, having left the islands with a pledge to the authorities of the Spanish Government never to return. The other was the discussion in the Senate of the United States of the treaty of peace on a resolution in open session. These two things caused the insurrection in the islands, and from that day to this there has been a class of wordy politicians calling themselves anti-imperialists perverting the actual facts of history in order, if possible, to bring discredit upon their own Government and the citizen soldiers of the Republic.

The first perversion of the facts of history in order to bring discredit upon the Government is that Dewey brought Aguinaldo with him to Manila. Aguinaldo reached Manila nineteen days after Dewey had destroyed the Asiatic squadron of the Spanish navy, and Dewey reported to his home Government that at that time there was no insurrection in the islands worth speaking of.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GROW. Just one word more, if the House will pardon me. All I wish to say in conclusion is that the cruelties of war are always to be deprecated. One man can not claim in his self-conceit that he is superior to all others in his sentiment of humanity. Everybody has but one sentiment and one feeling as to these barbarities, but it is an incident of war. The order issued by General Smith was after the massacre of a portion of the Ninth Regiment, by treachery, and a massacre of unarmed men. It was the regiment that scaled San Juan Hill.

If a general was ever justified in issuing an order to kill every man with arms in his hands—and the order did not apply to children, as has been so often repeated on this floor; it was only those who bore arms, and 10-year-old soldiers in the Philippine army have killed American soldiers—the general was justified in issuing that order if that was the most probable method to end such atrocities. He did just what Lincoln's order 100 was here at home in our own war, and if there was no way to put an end to these barbarities in Samar, he was justified under the rules of what is called civilized warfare. [Applause.]

Mr. MEYER. Mr. Chairman, in the remarks that I shall submit upon this bill I do not propose to make a merely technical speech or one of detail, or even to discuss generally the history and value of our Navy to us in the past, or of an adequate navy to any State aspiring to a place among the nations. As a member of the Naval Committee, I have more than once presented this branch of the subject. There is hardly any occasion for it now. Public opinion, which was once much divided, is now practically unanimous for a navy which shall be effective for our wants and needs as a leading power of the globe, with large and extensive interests to defend. The increase and maintenance of the Navy is not a sectional question. The West is as much interested as the Atlantic seaboard.

The great Mississippi Valley can not permit the mouth of the Mississippi River, its natural outlet for commerce, to be blocked by a hostile fleet any more than by those natural obstructions to commerce which science is now removing. The Pacific coast is keenly alive to the protection of its cities and the development of its trade to Australia, South America, and the Orient. Nor is the question in any sense a party question. Since 1883 both the political parties have been friendly to this policy, and all the Secretaries of each party have urged a liberal expenditure. I have a right to point to the energetic efforts, zeal, and intelligence of Secretary Whitney and Secretary Herbert in this grand work.

The Democratic party has been in all its history jealous of a large standing army, knowing that in other lands it had been often used by bad rulers to deprive the people of their rights and to commit them to bloody, expensive, and ruinous wars; but it has had no such dread of the Navy. With our party the Navy has always been the favorite arm of national defense, and it will continue to be so. Fortunately, in this country we do not need a large standing army. We have a large arms-bearing population, easily converted into good soldiers, and we have a large volunteer soldiery. We have more than one excellent military school besides West Point for the training of our officers. We have no

powerful or dangerous neighbor to guard against. We have peaceful relations with Great Britain, and I hope and believe they will continue to be friendly; but if it were unfortunately otherwise, no invasion from Canada is even a possible peril.

The army of 200,000 men which England has with so much difficulty and expense sent to South Africa to put down and conquer the Boers could not protect Canada against us if we were forced to invade that country. Mexico is sincerely friendly to this country, and the bonds of amity and commercial intercourse are drawing closer every day. I see no occasion whatever, therefore, for a large standing army for our defense. It can only be necessary in the event that this country is to be committed to a policy of foreign conquest—colonies, land grabbing, and spoliation. To such a policy the traditions of our fathers, the lessons of the Constitution, and our own practical interests are all opposed, and though such a policy may have been temporarily fastened upon us by the party in power, I do not believe it can stand or ought to stand. I do not defend or advocate a navy as a part of such a programme of subject colonies, war, and imperialism, and if there was no other and nobler argument for building up our Navy, I should hesitate to vote for it. I desire to see peace, and

PEACE WITH HONOR.

I can not forget, sir, that we have a population of over 76,000,000. It is rapidly increasing. Our lands are fertile and we have every variety of production. There is probably no large area of territory in the world capable of sustaining so large a population as ours with general comfort and happiness as ours. With this vast area of soil, and every year developing some new method of human sustenance and advancement, no man can fix a limit upon our growth. In agriculture we are easily the first of the nations. Our manufactures are already being shipped to every part of the world; but this grand movement which has so seriously alarmed the industrial centers of Europe has barely begun. Our commercial marine, I admit, is not what it should be nor what it will be at no distant day. Other nations have grown in wealth and population, but we have outgrown them all in wealth. In population we are second, indeed, to Russia, but we are immeasurably superior to that country in wealth and resources. China has a vast population, but the great mass are paupers. She is notoriously deficient in the arts of war and peace; has no capital, and can not now be regarded as a rival to any country. Neither her army nor her navy deserve any consideration.

With a rapidly growing nation and a developing commerce with all the world, we

NEED THE "OPEN DOOR" FOR OUR TRADE.

as far as it is possible to have it, and we need also the ability to protect our commerce and our markets. How can we do this or even attempt to do it without a strong and efficient Navy? [Applause.]

This is not all. Let us remember, sir, that we have a line of seacoast on the Atlantic, the Gulf, and the Pacific to defend which can not be less than six or eight thousand miles; it is far greater than that of any European nation. In addition to this we have Alaska to defend, both by sea and by land. Alaska does not represent the new-fledged policy of greed and foreign conquest. We bought her from Russia many years ago, and she proves to have great resources. Then there is Hawaii, which we secured by agencies which some regard as more questionable, but it is an important outpost on the Pacific, and that people have certainly been greatly blessed by our rule. No native of Hawaii has been killed or maltreated in order to exploit our civilization or our trade. I did not favor its annexation, but I do favor its defense, if necessary.

CUBAN POLICY.

I come now to a yet more vital point. I mean Cuba and the West Indies. I think it would be very unwise to annex Cuba, either as a State or a Territory, even if she came to us voluntarily. We have had trouble enough already with incongruous elements of population. Let Cuba carve out her own destinies in peace. She has a wonderfully fertile soil, and the proof is that in two years she recovered from the ravages of a long and desolating war and all her people are now employed. No laborer stands in need of work. But we have dislodged Spanish power. We have made Cuba free and independent, and we can not and will not permit any European government to establish dominion there. In order to make good our position there and properly guard our interests in respect to Cuba we must maintain and develop our naval strength. The same is true in respect to Porto Rico and also the Danish West Indies, if the latter pass into our hands.

I think the truth of these observations can not be denied by any intelligent man; but there is another and a fixed policy of the United States handed down to us by our ancestors to which we

have to look. I refer to the well-known Monroe doctrine. I do not need to recite its history to this House. The country is familiar with it since the time it was formally announced by President Monroe in the early days of the last century. It was in substance, as embodied in his message of 1823, that while we did not propose to disturb the possessions then held by the powers of Europe in North and South America, we would regard as an unfriendly and hostile act the attempt by any one or more of them to extend their dominions in this part of the globe. The republics of South America were especially in the views of this announcement, for it was these countries that were supposed to be menaced by the Holy Alliance. But Cuba, the West Indies, and Mexico were objects of even greater concern to us—Cuba especially.

There has never been a day that our people would have permitted Cuba to be held by any other power of Europe than Spain. Since that memorable declaration of President Monroe we have witnessed the unscrupulous partition of the vast continent of Africa by the powers of Europe and the occupation of large parts of Asia by this or that European power. Two of them occupy each an area there equal to our own on this continent. We have not protested or opposed these proceedings, though public opinion condemned them.

NO PARTITION OF CHINA.

When it came to the proposed partition of China very recently, we threw our influence against it, but I fear the scheme was arrested far more by the jealousies of the great powers than by our interposition. It is suspended for the present, and, I fear, for the present only. It is still a menace to China and our own interests. Germany was the last of the great European powers to adopt this policy of foreign colonies and conquest.

It was not until after the Franco-Prussian war of 1870 that, under the master leadership of Bismarck, Germany became a nation and a great empire. It was natural and right that she should become a nation and a great power. The world looks with admiration on her splendid achievements in war, learning, science, arts, and progress. Under the present Emperor, a man of remarkable force of character, the German Empire has adopted a colonial policy in South Africa and Asia. As an incident and aid to this policy it has created a great navy, which twenty years ago had no existence. Of this navy I may speak hereafter.

But this is not all. This great, powerful, and I may say aggressive people are expanding and colonizing everywhere. They have gone to South America. Hundreds of thousands of Germans are in Brazil settled in its most temperate and inviting regions, and many others are located in Venezuela. That these settlers will rapidly increase and multiply is almost certain, and it is almost equally certain that they will assert themselves and overthrow the existing authorities. They will have for this act plausible reasons and the support of the mother Government, and they will naturally affiliate with the German Empire. This will practically involve an annulment and abrogation of the Monroe doctrine, as our people understand it, and it will involve a very grave issue for our country. This is not all. It means the partition of South America by the great European powers, just as Africa has been divided. The man who can not foresee all this is blind or inattentive to passing events. When that day comes it will be necessary for us to have a

NAVY CAPABLE OF RESISTING GERMANY

if we think our interests shall require us to do so.

I hope this evil day may not come, but if it should, that man will be purblind—I will not say idiotic—who now imagines that the hospitalities we extended the other day to Prince Henry or any courtesies shown to President Roosevelt or any civilities to our ambassador at Berlin by the German Emperor will weigh a feather in settling the disputes that may arise. Pretty speeches and nice dinners are all a part of the diplomacy of European rulers to mask their most serious and dangerous designs.

For a long time European governments, being occupied with enormous land-grabbing in Asia and Africa, paid little heed to our cherished Monroe doctrine, but latterly there are abundant manifestations of opinion all over Europe which indicate an inclination and a purpose to disregard it whenever they please to do so. They will not do it, I am confident, in the West Indies, nor in our neighbor, the Mexican Republic. There they would have to face the power of this country. In respect to South America they feel very differently. Then ask pertinently enough, "If you insist on playing the dog in the manger in South America, why are you building up a conquest in the Philippines over an unwilling people of ten millions?" Sir, we have beyond a doubt weakened the logic of our position and lessened the hold we might have had if we had adhered to our old traditions as a government and a people.

STRONG NAVY INDISPENSABLE.

I have said enough to show that without adopting a policy of imperialism, colonies, and conquest, a strong navy for us is indispensable to guard our varied interests and maintain our just rights all over the world. We have interests everywhere to defend and protect. This is better than the sectional malignity and persecution urged by certain politicians of the dominant party. [Applause on the Democratic side.]

In this cursory and imperfect review I have said nothing of the proposed isthmian canal. Public sentiment in the United States may not be united in respect to the selection of a route, but it is overwhelmingly in favor of beginning at an early day the construction of such a canal by the American Government, to be paid for out of our own Treasury, to be under American sovereignty, and to be operated, managed, and guarded by us. Other nations are to share in its benefits, but it is to be an American canal just as the Suez Canal is substantially and effectively a British canal.

But how can we guard and

PROTECT OUR CANAL

if it is to be at the mercy of any one of three or four European powers which may happen to have a superior navy? We have, indeed, a treaty with Great Britain, which gives a reasonable assurance in that quarter, but we have none bearing on this question with Germany, France, Russia, or Italy, to say nothing of Japan, Austria, and the South American powers. Yet it is proposed to expend \$200,000,000 on this canal, which could be destroyed in forty-eight hours by any country having a superior fleet to our own. I favor the canal, but I favor also a Navy capable of defending it.

WAR IS A CALAMITY

under any circumstances, however just and necessary. The late Spanish war carried evils in its train which many are beginning to believe will far outweigh any possible benefits. Of these I do not now care to speak, but there is one mischievous result to which I may advert as directly appropriate to the pending question. We engaged a power which did not have a third of our population or a tenth part of our wealth and resources, with an army brave enough but badly fed, badly equipped, badly officered, and who were fighting over 3,000 miles away from their own soil. That army was bound to be overcome in the end, unless Spain could maintain her command of the sea and supply it from time to time with reinforcements of men, food, arms, munitions, and all that is necessary to equip and keep up an army in war. Hence, in order to keep her hold on Cuba, Spain was compelled to send her fleet to the West Indies and put up the best fight she could. We did not have a large navy, but it was almost perfect in its way.

It was immensely superior to that of Spain. Spain has not been a strong naval power for centuries. In the early days her galleons were the easy prey of the English buccaneers and daring adventurers. The "invincible Spanish armada," prepared with so much ostentation and expense to overwhelm England in the days of Queen Elizabeth, was easily baffled, defeated, and destroyed by one-third or one-half their number of British vessels manned by men of our own stock and race. From that day to this Spain has not figured as a naval power. I do not mean to reflect upon Spanish valor or character, but as a nation she has not exhibited naval aptitude like that of the northern nations of Europe. So when the Spanish war came on, Spain had a navy, it is true, but a navy on paper; brave and splendid heroes like Cervera and his associate captains, but it was no match for our few efficient and well-handled ships.

The battles of Manila Bay and Santiago were very easy victories. If you doubt this statement, look at the lists of the killed and wounded on each side, a few only on our side and thousands on the other. Compare these suggestive figures with the naval battles of the war of 1812, such as the *Constitution* and *Guerriere*, the *Chesapeake* and the *Shannon*, and all the others of our history, including that battle which is painted on our walls, when Perry had to quit his sinking ship to fight in another, or when John Paul Jones, by sheer endeavor and with his decks running with blood, upheld the glory of our arms till the enemy struck his flag. It is needless to refer to the bloody battles of the Nile, the Baltic, or Trafalgar, in the days when a ship would lose half her crew and still fight on till victory crowned endurance and valor and suffering.

FOLLY HAS GONE WILD.

Over this easy victory against Spain folly has gone wild, and many interpret it as a proof that we are already a great naval power and that the world is half afraid of us. For one I do not

believe it. This battle was not fought with a great maritime power, but with a very weak one, and we have no right to assume that a British, French, or a German ship is like a Spanish ship, and not equal to our own. The ships of Great Britain, Germany, and France have all the aids of modern naval science; they have officers of trained skill, high courage, with good crews, and if ever we should have to meet one of them it will be a very different combat from that at Santiago or Manila. Our officers and men will do all that we have a right to ask, but it will be no holiday task.

CONSIDER OUR NAVAL STRENGTH.

Therefore, I say it is important for us to consider, first, what is our naval strength to-day, and also that of the leading European powers. I say to-day, secondly, it is well to ask what are they doing in the way of an increase, and what are we doing?

It would be trifling with a great question and with this House to speak on this point with a lack of candor. I shall not do so. The building of a Navy or even of a single vessel of war is not a thing that can be hidden from the world. The effective strength of the navies of the great powers is a matter of publicity and notoriety. We know the present strength of England, Russia, France, and Germany. All these powers, save Russia, have to go before the legislative bodies to procure the means and authority to increase their armaments, just as our own Executive comes to Congress for the necessary supplies and authority. I venture the assertion that there is not a government in Europe that does not know exactly our strength and our weakness, how many fighting battle ships we have, how many we are building, and how long we will have to wait for their completion. Let us, therefore, look the truth fairly in the face. It will not do to "live in a fool's paradise."

NAVAL PROGRAMME.

The able report submitted by the chairman of the committee [Mr. Foss] in the paragraph on the cost of ships of the new Navy gives the number of completed battle ships as 10, and those building as 8; armored cruisers built, 2, and building, 6; protected cruisers built, 12, and building, 9. The report well says that—

While we have built and are building all told 138 ships, yet comparatively few of them have any real fighting value. Our naval power lies almost entirely in our 18 battle ships, 8 armored cruisers, and 21 protected cruisers. The rest of our ships would cut but little figure in actual war. Ships of the battle line practically alone determine the naval strength of a nation.

But, sir, when you examine this table in the report it appears that only 24 battle ships of the three descriptions mentioned are already built and available for service. Some twenty-three ships are being built or authorized, and we know by sad experience how long it takes us after a ship is authorized by law to have her built, armored, and equipped, so as to be ready for commission. According to this report, on May 4, 1898—some four years ago—there were authorized three battle ships, each of 12,500 tons—the *Maine*, *Missouri*, and the *Ohio*. Four years have elapsed. These ships are being built at three different private yards.

The *Maine* is completed 87 per cent, the *Missouri* 60 per cent, and the *Ohio* 56 per cent. After that will come the armor, often a slow business, and it may be two years more before these three battle ships will be added to our effective force. Over three years ago three more battle ships were authorized, of about 15,000 tons each, namely, the *Virginia*, *Nebraska*, and *Georgia*. They are also to be built at different private yards. Eight per cent of work has been done on the *Georgia* and nothing on the *Virginia* and the *Nebraska*. Three years ago there were authorized three armored cruisers of 14,000 tons each. The highest percentage of work done on any one of the three is 19 per cent. This is a bad exhibit.

The Secretary of the Navy tells us that the contracts for the construction of the six armored cruisers authorized by the acts of March 3, 1899, and June 7, 1900, require their completion in three years from the date of the contract. The five battle ships authorized by the same laws are also to be completed in three years from the date of the contract. After that will come the armor and armament, often a slow business. From all this and from past experience it will be three years or more before we can count on having the ships already authorized ready for service.

Let us look briefly at the strength of the other great powers and see what they are doing to increase it. England has about 50 battle ships. She is building energetically. Her known and avowed policy it is to make and keep her navy fully equal to any possible combination against her by any two of the European powers. She dare not do less. She can not afford to be driven from the sea. Her programme for this and the next year includes 5 more battle ships. She has 18 armored cruisers and will speedily add 8 more to the number. Remember that she builds and

equips a ship in about one-half the time that we do. She has many other ships already built, such as torpedo boats and destroyers, but she is adding heavily to this force. She has 29 coast-defense ships and monitors. Her government dockyards are in the highest state of equipment and efficiency, not merely to repair ships, but to build them.

France has 18 large battle ships and will build 6 more in two years. She has 21 armored cruisers and is about to build 3 more. She has 14 coast-defense ships and monitors. She has 253 torpedo boats to our 35. She is far inferior to this country in wealth, population, and resources.

Russia has a navy larger than our own and is adding to it energetically. And yet she has no Atlantic port, no easy access to that ocean, and no great commerce to protect. She has only one or two ports on the Pacific. Her great strength lies in her vast territory and her comparative inaccessibility to invasion. She needs a navy far less than we do, but she is a great power and her Government is wise, sagacious, and farseeing. She means to have a navy worthy of her high place and aspirations among the nations.

I come now to that great Empire which we ought to watch most carefully. I refer to Germany. There is no malice on either side, but there may be a conflict of interests and ambitions, especially if we adhere to the Monroe doctrine, as we will, and yet more danger if we persevere in the folly of subject colonies and imperialism. Now, what is the strength and what the plans of Germany? Remember that only three or four years ago we were fourth among the nations in naval strength. Now,

GERMANY IS THE FOURTH AND WE ARE THE FIFTH.

I beg here to remind you that we have a far larger population than Germany and much more wealth and capital. We are richer than Germany, Russia, France, or even Great Britain. But Germany has an able ruler, and her people are industrious, ambitious, energetic. They are a strong and aggressive nation. The German army is easily the first in Europe in case of war. Her people in war would be patriotic and united. About twenty years ago the German navy was only nominal, but with the rapid growth of her commerce and the adoption of the policy of having foreign colonies her statesmen have concluded that it was indispensable to have a strong navy. She is building more rapidly than any other country. Already Germany has 25 battle ships, 9 armored cruisers, and many other ships. The committee report sums up the situation briefly but clearly:

Her ship-building programme started in 1898 and will be completed in 1908, possibly in 1907. It will give her in all 38 battle ships, 14 large cruisers, 38 smaller cruisers, and 98 torpedo boats. After the completion of this programme, the plan contemplates new constructions to replace ships which, though still serviceable, may have reached the prescribed age limit.

I say nothing of such powers as Italy, Austria, Chile, and Japan, countries with far less wealth than our own, and not having our large and varied interests to defend all over the world. Nor will I speak of a possible combination against us by powers singly inferior, but united superior, to our own force.

Being deeply impressed with the gravity of this branch of the subject, and anxious to obtain all possible light, both for my own benefit and for that of others who might listen to my suggestions or read them, I applied directly to the proper officers of the Navy Department, and through the courtesy of Captain Sigsbee, the Chief Intelligence Officer of our Navy, I have been supplied in accordance with my specific request with some very valuable tables which more than confirm and vindicate the observations I have made in respect to the status of the great naval powers and our own. They present the subject far more clearly and fully than anything I could say. I ask the permission of the House to print them as an addendum to my remarks, and I beg members to weigh well the facts which they contain. These tables contain:

IMPORTANT CONSIDERATION OF CONDITIONS.

First. A comparison of the German and United States ship-building programmes: this includes a list of the United States ships built and building and the German naval-building programme.

Second. A table of United States ships building and the state of completion of each.

Third. A printed list of vessels built and building for the principal navies.

There is another table, being a copy of a memorandum furnished the Committee on Naval Affairs, House of Representatives, as to the relative cost of shipbuilding in navy-yards and by private contract in England, France, and Germany.

All these tables will be found interesting and instructive. They are of the highest official authority.

GOVERNMENT YARD SHIPBUILDING.

In respect to the last point, I beg to say that I have favored the policy of giving our own navy-yards a trial in building ships. There was a time in our history when all or nearly all of our ships of war were built in Government navy-yards. These ships won the splendid naval battles of the war of 1812-14. They were worthy of the brave men who fought on their decks. It has been said, I think by some naval expert, that these victories of 1812-14 were won by the work in our navy-yards.

Now, the practice of England, France, Germany, and Russia is to build largely in the Government dockyards. England builds most of her ships in Government dockyards, and they do not cost any more than those built in private yards. I do not see why we can not do the same to a certain extent at least. At present not one of our navy-yards is in a fit condition to build and equip a great ship of war. This is not a satisfactory condition of affairs. If a British minister were to go into the House of Commons and announce that the Government did not possess a single dockyard where a first-class ship of war could be built immediately he would very probably be hooted out of the House.

Is it a wise thing for this Government so to run its large navy-yards that if war were to break out suddenly, as most wars do, it could not build a single first-class vessel of war in one of them, and in its hour of peril and need would be wholly dependent on the capacity, energy, liberality, and possibly the rapacity of private contractors? They make no provision for possible wars. That would cost money.

If you build a ship in a Government navy-yard, there is not a man connected with its construction, from the captain to the humblest workman, who has any interest in putting off inferior material upon the Government. Every man would be trying to get the best material available for the ship.

An argument sometimes made against building our ships in our own navy-yards is that the yards would be used for political purposes. If this argument be sound, it applies to repairs as well as construction, and we would have to give up the whole business of Government dockyards and admit the Government to be incurably affected with inefficiency and corruption. My observation of naval officers leads me to a far different conclusion than this. I know of no officer who would prostitute a Government navy-yard to dirty political work or attempt to control the votes of the employees. They are far less likely to do it than private contractors.

The building of vessels in our own yards should be tried, not with one ship merely, but fully and fairly, as foreign nations do, from year to year and until we find out what we can do. As we grow we will improve our economics, efficiency, and rapidity of construction. This competition will put the private shipyards to their mettle, quicken and stimulate them to the best work, and enable us to judge when we are paying too much on our contract ships.

It is most important to us to see if something can not be done that will enable us to build ships as rapidly as Great Britain or any other nation. We have unlimited resources. We have steel and iron equal to any in the world. We have the best of timber and of everything else that goes into a ship. We have skillful, highly educated, and scientific officers, not second to those of any country. Our mechanics have a reputation for skill, expertness, individuality, intelligence, and energy superior to those of the Old World, as we all believe. For the life of me I can not see how with all this and our very liberal grants of money by Congress we can not build a ship as quickly as England. Let us equip fully two of our best navy-yards on the Atlantic coast and one on the Pacific coast and see if something can not be done to remedy an evil which in time of war might have the most serious consequences.

In this connection I wish to remind members of the House how often we have read of American contractors for bridges, locomotives, and many forms of structure and work bidding and securing contracts over British bidders by offering better terms not only as to price, but in respect to the time of completion or delivery. This has been done on British soil in different quarters of the globe for years past. The English papers have proclaimed and lamented the fact. This fact is decisive as to what can be done and will be done if we do but resolve to assert ourselves. [Loud applause.]

COMPARISON OF GERMAN AND UNITED STATES WAR-SHIP BUILDING PROGRAMMES.

The German shipbuilding programme will be completed in 1908, probably 1907, instead of 1916, as first planned.

After the completion of the programme the plan contemplates new constructions to replace ships which, though still serviceable, may have reached the prescribed age limit.

The fixed programme contemplated the following new vessels: Four squadrons, each of 8 battle ships; 2 battle ships for flagships; 4 battle ships in reserve.

Besides these, there are to be 14 large cruisers, 38 smaller cruisers, and 16 divisions of torpedo boats of 6 each. Of these 38 battle ships, 31 are built or building; 14 large cruisers, 12 are built or building; 38 smaller cruisers, 33 are built or building. This leaves 7 battle ships, 2 armored cruisers, and 5 smaller cruisers yet to be appropriated for.

The divisions of torpedo boats are already in advance of the contemplated programme. Two divisions only remain to be authorized.

BUDGET OF 1902.

Battle ships *K* and *L* (30 and 31); new ship to replace armored cruiser *Kaiser*; smaller cruisers *K* and *L*; new ship to replace *Zieten*; 1 gunboat, *B* (extra to programme); 1 division of torpedo-boat destroyers.

First installment of appropriation for building.—One gunboat for Chinese rivers; to rebuild *Brandenburg* class of battle ships; fit *Marie* for gunnery training ship; fit *Nixe* for cadet school-ship; fit *Sophie* for apprentice school-ship.

Second installment of appropriation for building.—Battle ships *H* and *J* (28 and 29); large armored cruiser, *König Wilhelm*; three small cruisers, *G*, *H*, and *J*; second and final for division of 6 torpedo-boat destroyers; to rebuild armored coast-defense ships of *Siegfried* class (making them small battle ships).

Third installment of appropriation for building.—Battle ships *F* and *G* (26 and 27); armored cruiser, *Prinz Adalbert* (last installment).

Fourth installment of appropriation for building, final.—Battle ships *C*, *D*, and *E* (23, 24, 25).

SHIPS OF GERMAN NAVY UNDER CONSTRUCTION.

Of the 15 ships now building at Government and private yards, 3 more are to be completed by the end of the present fiscal year, namely: The battle ships *Kaiser Wilhelm der Grosse*, armored cruiser *Prinz Heinrich*, and gunboat *Panther*. Hence, at the beginning of the next fiscal year there will remain under construction 12 ships; 6 of these are still on the stocks, while on the other 6 the work on the interior is being completed. To these will be added in April the 7 new ships provided for, so that there will be in all 19 ships under construction, namely: Nine battle ships (*Wittelsbach*, *Wettin*, *Zähringen*, *Schwaben*, *Mecklenburg*, *H*, *I*, *K*, *L*); 3 armored cruisers (*Prinz Adalbert*, *Ersatz König Wilhelm*, *Ersatz Kaiser*); 6 small cruisers (*G*, *H*, *I*, *K*, *L*, *Ersatz Zieten*); 1 gunboat (*B*). (Gunboat *B*, provided for in the naval budget, is outside of the naval programme.)

COMPARISON OF SHIPS.

Battle ships, including coast-defense vessels.

UNITED STATES.	GERMANY.
1. Indiana.	1. Sachsen, reconstructed battle ship, 7,400 tons.
2. Oregon.	2. Bayern, reconstructed battleship, 7,400 tons.
3. Iowa.	3. Württemberg, reconstructed battle ship, 7,400 tons.
4. Massachusetts.	4. Baden, reconstructed battle ship, 7,400 tons.
5. Texas.	5. Oldenburg, reconstructed battle ship, 5,200 tons.
6. Puritan.	6. Siegfried, coast-defense, steel, low-freeboard ironclad, 3,495 tons.
7. Terror.	7. Beowulf, coast-defense, steel, low-freeboard ironclad, 3,495 tons.
8. Miantonomoh.	8. Frithjof, coast-defense, steel, low-freeboard ironclad, 3,495 tons.
9. Monterey.	9. Hildebrand, coast-defense, steel, low-freeboard ironclad, 3,495 tons.
10. Monadnock.	10. Heimdall, coast-defense, steel, low-freeboard ironclad, 3,495 tons.
11. Amphitrite.	11. Hagen, coast-defense, steel, low-freeboard ironclad, 3,495 tons.
12. Kearsarge.	12. Aegir, coast-defense, steel, low-freeboard ironclad, 3,754 tons.
13. Kentucky.	13. Odin, coast-defense, steel, low-freeboard ironclad, 3,754 tons.
14. Alabama.	14. Brandenburg, battle ship, 10,033 tons.
15. Illinois.	15. Kurfürst Friedrich Wilhelm, battle ship, 10,033 tons.
16. Wisconsin.	16. Weissenburg, battle ship, 10,033 tons.
17. Arkansas.	17. Worth, battle ship, 10,033 tons.
18. Florida.	18. Kaiser Friedrich III, battle ship, 11,130 tons.
19. Nevada.	19. Kaiser Wilhelm II, battle ship, 11,130 tons.
20. Wyoming.	20. Kaiser Wilhelm der Grosse, battle ship, 11,130 tons.
21. Maine, finished September, 1903.	21. Kaiser Barbarossa, battle ship, 11,130 tons.
22. Missouri, finished February, 1903.	22. Kaiser Karl der Grosse, battle ship, 11,130 tons.
23. Ohio, finished February, 1903.	23. Wittelsbach, battle ship, 12,000 tons, finished 1903.
24. Virginia, finished May, 1904.	24. Wettin, battle ship, 12,000 tons, finished 1903.
25. Nebraska, finished July, 1904.	25. Zähringen, battle ship, 12,000 tons, finished 1903.
26. Georgia, finished July, 1904.	26. Schwaben, battle ship, 12,000 tons, finished 1903.
27. New Jersey, finished February, 1904.	27. Mecklenburg, battle ship, 12,000 tons, finished 1903.
28. Rhode Island, finished February, 1904.	End of programme of 1898.

Beginning of German programme of 1900.—28 *H*, battle ship, 13,000 tons, finished 1904; 29 *J*, battle ship, 13,000 tons, finished 1904; 30 *K*, battle ship, 13,000 tons, finished 1905; 31 *L*, battle ship, 13,000 tons, finished 1905; 32, finished 1906; 33, finished 1906; 34, finished 1907; 35, finished 1907; 36, finished 1908; 37, finished 1908; 38, finished 1908, or probably 1907.

First and second rate cruisers (more or less armored).

UNITED STATES.	GERMANY.
1. New York.	1. Kaiser, iron, 7,676 tons.
2. Brooklyn.	2. Deutschland, 7,676 tons.
3. Pennsylvania, finished February, 1904.	3. Kaiserin Augusta, 6,300 tons.
4. West Virginia, finished February, 1904.	4. Hertha, 5,650 tons.
5. California, finished February, 1904.	5. Victoria Luise, 5,650 tons.
6. Colorado, finished February, 1904.	6. Freya, 5,650 tons.
7. Maryland, finished February, 1904.	7. Hansa, 5,650 tons.
8. South Dakota, finished February, 1904.	8. Vineta, 5,650 tons.
9. Columbia.	9. Fürst Bismarck, 10,650 tons.
10. Minneapolis.	10. Prinz Heinrich, 8,868 tons.
11. Olympia.	11. Prinz Adalbert, 8,800 tons.
12. Chicago.	12. Ersatz König Wilhelm, 8,800 tons.
13. St. Louis, date of delivery unknown.	
14. Milwaukee, finished April, 1904.	
15. Charleston.	

UNITED STATES.	GERMANY.
1. Baltimore.	1. Zieten, unprotected, 975 tons.
2. Philadelphia.	2. Arkona, unprotected, 2,370 tons.
3. Newark.	3. Alexandrine, unprotected, 2,370 tons.
4. San Francisco.	4. Blitz, unprotected, 1,382 tons.
5. Albany.	5. Pfeil, unprotected, 1,382 tons.
6. New Orleans.	6. Greif, unprotected, 1,970 tons.
7. Cincinnati.	7. Meteor, torpedo-gun vessel, 946 tons.
8. Raleigh.	8. Komet, torpedo-gun vessel, 946 tons.
9. Atlanta.	9. Wacht, torpedo-gun vessel, 1,250 tons.
10. Boston.	10. Jagd, torpedo-gun vessel, 1,250 tons.
11. Detroit.	11. Schwalbe, unprotected, 1,120 tons.
12. Montgomery.	12. Sperber, unprotected, 1,120 tons.
13. Marblehead.	13. Bussard, protective deck, 1,580 tons.
14. Manila.	14. Falke, protective deck, 1,580 tons.
15. Bannington.	15. Kormoran, protective deck, 1,640 tons.
16. Concord.	16. Kondor, protective deck, 1,640 tons.
17. Yorktown.	17. Seeadler, protective deck, 1,640 tons.
18. Dolphin.	18. Geier, protective deck, 1,776 tons.
19. Wilmington.	19. Irene, protective deck, 4,400 tons.
20. Helena.	20. Prinzess Wilhelm, protective deck, 4,400 tons.
21. Nashville.	21. Gefion, protective deck, 4,108 tons.
22. Castine.	22. Hela, protective deck, 2,000 tons.
23. Machias.	23. Gazelle, protective deck, 2,645 tons.
24. Don Juan de Austria.	24. Niobe, protective deck, 2,645 tons.
25. Isla de Luzon.	25. Nympha, protective deck, 2,645 tons.
26. Isla de Cuba.	26. Thetis, protective deck, 2,645 tons.
27. Alert.	27. Ariadne, protective deck, 2,645 tons.
28. Ranger.	28. Medusa, protective deck, 2,645 tons.
29. Annapolis.	29. Amazona, protective deck, 2,645 tons.
30. Vicksburg.	30. G.
31. Wheeling.	31. H.
32. Marietta.	32. J.
33. Newport.	33. K.
34. Princeton.	34. L.
35. Petrel.	35. M.
36. Bancroft.	36. N.
37. Chattanooga, finished January, 1903.	
38. Cleveland, finished August, 1902.	
39. Denver, finished October, 1902.	
40. Des Moines, finished July, 1902.	
41. Galveston, finished June, 1903.	
42. Tacoma, finished October, 1902.	
43. Gunboat No. 16, unknown.	

Additional vessels not counted in list.—Hohenzollern, unprotected, 4,187 tons; Bremse, protective deck, 866 tons; Brummer, protective deck, 866 tons; Jaguar, steel deck, 895 tons; Illis, steel deck, 895 tons; Tiger, steel deck, 866 tons; Luchs, steel deck, 895 tons; A, unprotected, 895 tons; Habicht, unprotected, 848 tons; Wolf, unprotected, 489 tons; Hyane, unprotected, 489 tons; Pelikan, unprotected, 2,360 tons; Viper, armored gunboat, iron, 1,109 tons; Wespe, armored gunboat, iron, 1,109 tons; Biene, armored gunboat, iron, 1,109 tons; Skorpion, armored gunboat, iron, 1,109 tons; Mucke, armored gunboat, iron, 1,109 tons; Basilisk, armored gunboat, iron, 1,109 tons; Camaleon, armored gunboat, iron, 1,109 tons; Crocodil, armored gunboat, iron, 1,109 tons; Natter, armored gunboat, iron, 1,109 tons; Salamander, armored gunboat, iron, 1,109 tons; Hummel, armored gunboat, iron, 1,109 tons.

UNITED STATES TRAINING VESSELS.	GERMAN TRAINING FLEET.
Topeka.	Marie, iron, unprotected, 2,370 tons.
Prairie.	Sophie, iron, unprotected, 2,169 tons.
Lancaster.	Olga, iron, unprotected, 2,169 tons.
Hartford.	Stein, iron, unprotected, 2,856 tons.
Yankee.	Moltke, iron, unprotected, 2,856 tons.
Buffalo.	Stosch, iron, unprotected, 2,856 tons.
Dixie.	Blucher, iron, unprotected, 2,856 tons.
Panther.	Carola, iron, unprotected, 2,178 tons.
	Charlotte, iron, unprotected, 3,222 tons.
	Mars, iron, unprotected, 3,333 tons.
	Nixe, iron, unprotected, 1,760 tons.

Besides, there are 5 old iron-armored ships comparable to United States old monitors. A number of small and old vessels, not suitable for war purposes, have been omitted. No account has been given of torpedo boats and destroyers, as Germany has four times the force of the United States in this regard.

Captain, United States Navy,
Chief Intelligence Officer.

GERMAN SHIPS UNDER CONSTRUCTION IN 1901.

The principal data of the ships under construction during the year 1901 are given in the following table:

	Displacement.	Speed.	Laying of keel.	Launching.	Date of completion.	Where built.
	Tons.	Knots.				
A. BATTLE SHIPS.						
Kaiser Wilhelm der Grosse	11,150	18	January, 1898	June 1, 1899	March, 1901	Germania.
Kaiser Barbarossa	11,150	18	August, 1898	Apr. 21, 1900	March, 1901	Schichau.
Kaiser Karl der Grosse	11,150	18	September, 1898	Oct. 18, 1899	Fall of 1901	Blohm & Voss.
Wittelsbach	11,832	18	September, 1899	July 8, 1900	End of 1902	Wilhelmshaven.
Wettin	11,832	18	October, 1899	June 6, 1901	do	Schichau.
Zähringen	11,832	18	November, 1899	June 12, 1901	do	Germania.
Mecklenburg	11,832	18	May, 1900	Nov. 9, 1901	Beginning of 1903	Vulkan.
Schwaben	11,832	18	November, 1900	Aug. 12, 1901	End of 1903	Wilhelmshaven.
H	12,800	19	Fall of 1901		End of 1904	Germania.
J	12,800	19			do	Schichau.
B. ARMORED CRUISERS.						
Prinz Heinrich	8,900	20.5	December, 1898	Mar. 22, 1901	Beginning of 1902	Kiel.
Prinz Adalbert	9,000	21	July, 1900	June 22, 1901	End of 1903	Do.
Ersatz König Wilhelm	9,000	21	Summer of 1901			Blohm & Voss.
C. PROTECTED CRUISERS.						
Thetis	2,660	21	September, 1899	July 3, 1900	Fall of 1901	Danzig.
Ariadne	2,660	21	December, 1899	Aug. 16, 1900	Summer of 1901	Weser.
Medusa	2,660	21	June, 1900	Dec. 5, 1900	Fall of 1901	Do.
Amazona	2,660	21	December, 1899	Oct. 6, 1900	Summer of 1901	Germania.
G	2,700	21.5	Summer of 1901		1903	Weser.
H	2,700	21.5	do		do	Do.
J	2,700	21.5	do		do	Howaldt.
D. GUNBOAT.						
Panther	980	13.5	July, 1900	Apr. 1, 1901	Beginning of 1902	Danzig.

Hence, there were under construction 20 large ships, with an aggregate tonnage of 155,830, aside from the two torpedo-boat divisions building at Schichau's and at the Germania Works, of which S. 103 and S. 109 have been launched at Kiel and S. 103 to 107 at Elbing.

THE NAVAL AND MILITARY RECORD, JANUARY 23, 1902, OF THE GERMAN NAVY.

During last year four ironclads—the *Wetting*, the *Zähringen*, the *Schwaben*, and the *Mecklenburg*—were launched for the German navy. The other German launches in 1901 comprised the large cruiser *Prince Adalbert*, the *Panther* (gunboat), and several torpedo-boat destroyers. The *Panther* was launched at Dantzig and the destroyers at Kiel and Elbing.

As regards further additions now in progress for the German navy, two ironclads—the *Kaiser Karl der Grosse* and the *Wittelsbach*—are almost completed, as is also the armor-plated cruiser *Prince Heinrich*. The coast guard ships—*Heimdall*, *Hildebrand*, and *Beowulf*—are being modified at Kiel and Dantzig and will soon be again ready for service.

Four German ironclads of the *Brandenburg* type are about to be modified. Their boilers are to be changed, and throughout each ship wood is to be replaced by steel as far as possible; steel tables and other steel furniture are even to be introduced. The ventilation of the four ironclads is to be improved and aerin lance torpedo tubes are to be replaced by submarine tubes.

The introduction of submarine boats into the German navy has been indefinitely postponed.

NAVY DEPARTMENT, BUREAU OF CONSTRUCTION AND REPAIR, April 1, 1902.

Vessels under construction, United States Navy.

No.	Name.	Speed.	Builder.	Degree of completion.	
				Mar. 1.	Apr. 1.
BATTLE SHIPS.					
		Knots.		Per ct.	Per ct.
10	Maine	18	Cramp & Sons	84	87
11	Missouri	18	Newport News Co	58	60
12	Ohio	18	Union Iron Works	55	56
13	Virginia	19	Newport News Co	0	0
14	Nebraska	19	Moran Brothers' Co	0	0
15	Georgia	19	Bath Iron Works	7	8
16	New Jersey	19	Fore River S. and E. Co.	7	7
17	Rhode Island	19	do	7	7
ARMORED CRUISERS.					
4	Pennsylvania	22	Cramp & Sons	17	19
5	West Virginia	22	Newport News Co	10	13
6	California	22	Union Iron Works	1	4
7	Colorado	22	Cramp & Sons	20	23
8	Maryland	22	Newport News Co	9	12
9	South Dakota	22	Union Iron Works	1	4
PROTECTED CRUISERS.					
14	Denver	17	Neafie & Levy	74	77
15	Des Moines	17	Fore River S. & E. Co	65	67
16	Chattanooga	17	Lewis Nixon	56	58
17	Galtveston	17	Wm. R. Trigg Co	53	56
18	Tacoma	17	Union Iron Works	40	41
19	Cleveland	17	Bath Iron Works	76	78
20	St. Louis	22	Neafie & Levy	3	3

Vessels under construction, United States Navy—Continued.

No.	Name.	Speed.	Builder.	Degree of completion.	
				Mar. 1.	Apr. 1.
PROTECTED CRUISERS—continued.					
21	Milwaukee	Knots. 22	Union Iron Works	Per ct. 0	Per ct. 0
22	Charleston	22	Newport News Co	1	2
MONITORS.					
7	Arkansas	12	Newport News Co	92	94
8	Nevada	12	Bath Iron Works	92	93
9	Florida	12	Lewis Nixon	88	90
10	Wyoming	12	Union Iron Works	80	81
TORPEDO-BOAT DESTROYERS.					
1	Bainbridge	29	Neafie & Levy	99	99
2	Barry	29	do	97	99
3	Chauncey	29	do	98	99
4	Dale	28	Wm. R. Trigg Co	98	98
6	Hopkins	29	Harlan & Hollingsworth	82	84
7	Hull	29	do	81	82
8	Lawrence	30	Fore River S. & E. Co	99	99
9	MacDonough	30	do	98	98
10	Paul Jones	29	Union Iron Works	85	77
11	Perry	29	do	89	93
12	Preble	29	do	87	90
13	Stewart	29	Gas E. & P. Co	65	66
14	Truxtun	30	Maryland Steel Co	96	88
15	Whipple	30	do	83	85
16	Worden	30	do	83	85
TORPEDO BOATS.					
19	Stringham	30	Harlan & Hollingsworth	98	98
20	Goldsborough	30	Wolf & Zwicker	93	94
27	Blakely	26	Geo. Lawley & Son	98	98
28	De Long	26	do	98	98
29	Nicholson	26	Lewis Nixon	97	97
30	O'Brien	26	do	98	98
33	Thornton	26	Wm. R. Trigg Co	98	98
34	Tingey	26	Columbian Iron Works	74	74
35	Wilkes	26½	Gas E. & P. Co	94	96
SUBMARINE TORPEDO BOATS.					
1	Plunger	8	Lewis Nixon	80	85
3	Adder	8	do	98	99
4	Grampus	8	Union Iron Works	62	66
5	Moccasin	8	Lewis Nixon	96	98
6	Pike	8	Union Iron Works	57	60
7	Porpoise	8	Lewis Nixon	92	95
8	Shark	8	do	88	92

Number and displacement of vessels of different classes, built and building, for the six principal naval powers, November 1, 1901.

UNITED STATES.				
Type.	Built.		Building.	
	No.	Tons.	No.	Tons.
Battle ships, first class (above 10,000 tons)	9	99,830	8	111,700
Other battle ships and coast-defense iron-clads	8	34,575	4	12,856
Armored cruisers	2	17,415	6	82,800
Protected cruisers, first class (above 6,000 tons)	2	14,750	3	28,800
Protected cruisers, second class (3,000 to 6,000 tons)	12	47,100	6	18,600
Unprotected cruisers (above 1,000 tons)	28	53,875		
Gunboats (below 1,000 tons)	10	7,875		
Torpedo-boat destroyers			16	6,685
Torpedo boats, first class (above 100 tons)	21	3,305	9	1,724
Torpedo boats, second class (below 100 tons)	6	285		
Submarine boats	1	75	7	840
Training vessels	8	24,740		
Total displacement	107	303,825	59	264,015
Total built and building		166—567,840 tons.		

GREAT BRITAIN.				
Type.	Built.		Building.	
	No.	Tons.	No.	Tons.
Battle ships, first class (above 10,000 tons)	42	557,800	11	163,500
Other battle ships and coast-defense iron-clads	29	199,415		
Armored cruisers	19	163,330	21	225,200
Protected cruisers, first class (above 6,000 tons)	21	201,950		
Protected cruisers, second class (3,000 to 6,000 tons)	54	238,320	2	11,760
Protected cruisers, third class (below 3,000 tons)	40	92,085	2	5,800
Unprotected cruisers (above 1,000 tons)	22	29,890	6	6,880
Gunboats (below 1,000 tons)	64	50,320		
Torpedo-boat destroyers	111	35,925	53	18,500
Torpedo boats, first class (above 100 tons)	77	4,590	6	900
Torpedo boats, second class (below 100 tons)	89	3,175		
Submarine boats	1	120	4	480
Training vessels	9	6,085		
Total displacement	578	1,583,005	105	433,020
Total built and building		683—2,016,025 tons.		

FRANCE.				
Type.	Built.		Building.	
	No.	Tons.	No.	Tons.
Battle ships, first class (above 10,000 tons)	19	210,275	3	41,790
Other battle ships and coast-defense iron-clads	25	123,690		
Armored cruisers	10	52,240	13	127,365
Protected cruisers, first class (above 6,000 tons)	4	31,255		
Protected cruisers, second class (3,000 to 6,000 tons)	20	84,500		
Protected cruisers, third class (below 3,000 tons)	15	25,290		
Unprotected cruisers (above 1,000 tons)	15	25,845		
Gunboats (below 1,000 tons)	22	12,710		
Torpedo-boat destroyers	12	3,520	20	5,965
Torpedo boats, first class (above 100 tons)	44	5,680		
Torpedo boats, second class (below 100 tons)	185	12,605	32	2,835
Submarine boats	8	1,115	22	3,175
Training vessels	9	36,175		
Total displacement	388	634,870	90	181,130
Total built and building		478—816,000 tons.		

GERMANY.				
Type.	Built.		Building.	
	No.	Tons.	No.	Tons.
Battle ships, first class (above 10,000 tons)	9	95,782	7	86,000
Other battle ships and coast-defense iron-clads	13	66,800		
Armored cruisers	5	44,625	2	17,600
Protected cruisers, first class (above 6,000 tons)	6	36,800		
Protected cruisers, second class (3,000 to 6,000 tons)	3	12,908		
Protected cruisers, third class (below 3,000 tons)	13	28,653	4	11,200
Unprotected cruisers (above 1,000 tons)	12	20,725		
Gunboats (below 1,000 tons)	13	10,905		
Torpedo-boat destroyers	28	8,475	7	2,450
Torpedo boats, first class (above 100 tons)	23	3,500		
Torpedo boats, second class (below 100 tons)	109	8,050		
Submarine boats	8	21,910		
Training vessels				
Total displacement	242	359,135	20	117,250
Total built and building		262—476,385 tons.		

Number and displacement of vessels of different classes, etc.—Continued.

JAPAN.				
Type.	Built.		Building.	
	No.	Tons.	No.	Tons.
Battle ships, first class (above 10,000 tons)	6	84,800		
Other battle ships and coast-defense iron-clads	5	17,505		
Armored cruisers	7	60,855		
Protected cruisers, second class (3,000 to 6,000 tons)	10	41,485	2	6,400
Protected cruisers, third class (below 3,000 tons)	4	10,670		
Unprotected cruisers (above 1,000 tons)	11	16,175		
Gunboats (below 1,000 tons)	13	7,545		
Torpedo-boat destroyers	11	3,180		
Torpedo boats, first class (above 100 tons)	12	1,610	10	1,420
Torpedo boats, second class (below 100 tons)	69	4,715	12	860
Training vessels	4	2,590		
Total displacement	152	251,100	24	8,680
Total built and building		176—259,780 tons.		

RUSSIA.				
Type.	Built.		Building.	
	No.	Tons.	No.	Tons.
Battle ships, first class (above 10,000 tons)	13	149,375	6	81,000
Other battle ships and coast-defense iron-clads	24	119,305		
Armored cruisers	12	90,520		
Protected cruisers, first class (above 6,000 tons)	5	32,890	5	31,600
Protected cruisers, second class (3,000 to 6,000 tons)	5	18,330	3	9,700
Unprotected cruisers (above 1,000 tons)	19	29,020		
Gunboats (below 1,000 tons)	11	6,290		
Torpedo-boat destroyers	21	5,970	30	10,350
Torpedo boats, first class (above 100 tons)	39	4,675	27	3,300
Torpedo boats, second class (below 100 tons)	128	5,930	3	270
Total displacement	277	462,315	74	136,220
Total built and building		351—598,535 tons.		

AUSTRIA.				
Type.	Built.		Building.	
	No.	Tons.	No.	Tons.
Battle ships, first class (above 10,000 tons)			1	10,000
Other battle ships and coast-defense iron-clads	16	69,630	2	16,630
Armored cruisers	2	11,520	1	7,400
Protected cruisers, second class (3,000 to 6,000 tons)	1	4,065		
Protected cruisers, third class (below 3,000 tons)	3	6,445	1	2,440
Unprotected cruisers (above 1,000 tons)	8	12,960		
Gunboats (below 1,000 tons)	13	6,350		
Torpedo boats, first class (above 100 tons)	6	700		
Torpedo boats, second class (below 100 tons)	63	3,060		
Training vessels	2	6,860		
Total displacement	114	122,160	5	36,520
Total built and building		119—158,680 tons.		

ITALY.				
Type.	Built.		Building.	
	No.	Tons.	No.	Tons.
Battle ships, first class (above 10,000 tons)	5	56,205	4	52,250
Other battle ships and coast-defense iron-clads	7	40,340		
Armored cruisers	8	73,200	2	14,800
Protected cruisers, first class (above 6,000 tons)	2	30,965		
Protected cruisers, second class (3,000 to 6,000 tons)	5	17,550		
Protected cruisers, third class (below 3,000 tons)	12	30,100		
Unprotected cruisers (above 1,000 tons)	7	8,630		
Gunboats (below 1,000 tons)	14	10,085		
Torpedo-boat destroyers	7	2,200	6	1,880
Torpedo boats, first class (above 100 tons)	11	1,400		
Torpedo boats, second class (below 100 tons)	131	9,050		
Submarine boats	1	100		
Total displacement	210	279,815	12	68,930
Total built and building		222—348,745 tons.		

SUPPLEMENT TO "COMPARATIVE COST OF DOCKYARD-BUILT AND CONTRACT-BUILT SHIPS ABROAD."

[A copy of which was furnished to the chairman of the House committee April 4, 1900.]

The information herein contained has been compiled from the official budgets of England, France, and Germany for 1902. It brings down to date the actual costs of dockyard-built and contract-built ships, or the estimated costs of such ships as modified by the work done during the last two years. The English estimates are usually accurate, but those of France are subject to variation. In Germany the cost has been estimated by taking the sum of partial payments, these generally extending, in the case of battle ships, over a period of four years.

ENGLAND.				
Name.	Class.	Displacement.	Yard.	Cost.
<i>Ships built in Government dock-yards.</i>				
Formidable	Battle ship	Tons. 15,000	Portsmouth	£1,023,537
Implacable ^a	do	15,000	Devonport	988,562
Irresistible	do	15,000	Chatham	1,038,829
London	do	15,000	Portsmouth	1,039,141
Venerable	do	15,000	Chatham	1,061,786
Bulwark ^a	do	15,000	Devonport	983,443
Albemarle	do	14,000	Chatham	1,007,489
Montague	do	14,000	Devonport	1,013,437
Queen	do	15,000	do	.....
Prince of Wales	do	15,000	Chatham	.....
King Edward VII	do	16,350	Devonport	.....
Drake	Cruiser	14,100	Pembroke	974,320
Kent	do	9,800	Portsmouth	694,895
Essex	do	9,800	Pembroke	699,274
Suffolk	do	9,800	Portsmouth	759,144
Cornwall	do	9,800	Pembroke	730,899
Devonshire	do	10,200	Chatham	.....
Spartiate ^b	do	11,000	Pembroke	636,141
Challenge	do	5,880	Chatham	381,131
Encounter	do	5,880	Devonport	398,971
Espiegle	do	1,070	Sheerness	76,509
Fantome ^c	do	1,070	do	90,025
Odin ^d	do	1,070	do	82,767
Merlin ^e	do	1,070	do	91,928
Cadmus	do	1,070	do	.....
Clio	do	1,070	do	.....

<i>Ships built in private yards.</i>				
Albion ^a	Battle ship	12,950	Thames Iron Works	857,838
Vengeance ^b	do	12,950	Vickers's	828,350
Duncan	do	14,000	Thames Iron Works	1,003,778
Cornwallis	do	14,000	do	1,004,477
Exmouth	do	14,000	Laird Bros.	1,022,032
Russell	do	14,000	Palmer's	1,026,232
Dominion	do	16,350	do	.....
Commonwealth	do	16,350	do	.....
Leviathan	Cruiser	14,100	Brown & Co.	1,001,857
Good Hope ^a	do	14,100	Fairfield's	976,599
King Alfred	do	8,500	Vickers's	966,712
Aboukir ^c	do	7,840	Fairfield's	744,783
Cressy ^d	do	7,840	do	749,247
Hogue	do	7,840	Vickers's	741,893
Sutlej	do	7,840	Brown & Co.	751,006
Euryalis	do	12,000	Vickers's	765,759
Bacchante	do	12,000	Brown & Co.	749,910
Monmouth	do	9,800	L. & G. Co.	696,288
Bedford	do	9,800	Fairfield	681,768
Berwick	do	9,800	Beardmore & Co.	726,441
Cumberland	do	9,800	L. & G. Co.	713,058
Donegal	do	9,800	Fairfield	704,561
Lancaster	do	9,800	Armstrong	716,770
Hampshire	do	.....	.....	.....
Argyle	do	.....	.....	.....
Roxburgh	do	.....	.....	.....
Antrim	do	.....	.....	.....
Camaron	do	.....	.....	.....
Amethyst	do	.....	.....	.....
Topaz	do	.....	.....	.....
Rinaldo ^a	Sloop	980	Laird Bros.	63,774
Teal ^b	Gunboat	180	Yarrow	25,818
Moorhen ^c	do	180	do	25,815

FRANCE.				
Name.	Class.	Displacement.	Yard.	Cost.
<i>Ships built in Government dock-yards.</i>				
République	Battle ship	Tons. 14,865	Brest	Francs. 35,236,042
Henry IV ^a	do	8,948	Cherbourg	20,031,177
Suffren ^b	do	12,728	Brest	29,889,080
Jules Ferry	Armored cruiser	12,550	Cherbourg	29,959,300
Léon Gambetta	do	12,550	Brest	29,959,300
Victor Hugo	do	12,550	Toulon	29,959,300
Dupetit Thouars ^b	do	9,517	do	20,484,177
Gueydon ^b	do	9,517	Lorient	20,807,193
Condé	do	10,014	do	22,855,066
Gloire ^b	do	10,014	do	22,561,519
Marseillaise ^b	do	10,014	Brest	21,523,013
Dupleix ^b	do	7,700	Rocheport	18,797,638
Jurien de la Gravière ^b	Cruiser	5,685	Lorient	11,337,439
<i>Ships built in private shipyards.</i>				
Patrie	Battle ship	14,865	(?)	36,196,042
Montcalm	Armored cruiser	9,517	La Seyne	22,570,230
Sully	do	10,014	do	24,434,063
Admiral Aube	do	10,014	St. Nazaire	24,985,632
Desaix ^b	do	7,700	do	19,008,975
Kleber	do	7,700	Bordeaux	19,258,033

^a Completed. ^b Total outstanding liability to complete, £350.
^c Total outstanding liability to complete, £660.
^d Total outstanding liability to complete, £1,076.
^e Total outstanding liability to complete, £132.
^f Total outstanding liability to complete, £142.
^g Total outstanding liability to complete, £142.
^h Ready for trials.

GERMANY.				
Name.	Class.	Displacement.	Yard.	Cost.
<i>Ships building in Government yards.</i>				
Kaiser Friedrich III.	Battle ship	Tons. 11,080	Wilhelmshaven	Marks. 20,010,000
Kaiserin Wilhelm II.	do	11,080	do	19,830,000
Wittelsbach	do	11,800	do	22,135,000
Schwaben	do	11,800	do	21,935,000
Fürst Bismarck	Armored cruiser	10,600	Kiel	17,210,000
Prinz Heinrich	do	8,900	do	15,000,000
Prinz Adalbert	do	9,000	do	18,100,000
Vineta	Protected cruiser	5,900	Danzig	9,250,000
Freya	do	5,600	do	9,110,000
Thetis	do	2,600	do	5,200,000
<i>Ships built in private shipyards.</i>				
Kaiser Wilhelm der Grosse	Battle ship	11,080	Germania Works	19,830,000
Kaiser Barbarossa	do	11,080	Schichau Works	19,960,000
Kaiser Karl der Grosse	do	11,080	Blohm & Voss	19,960,000
H	do	12,800	Germania Works	23,860,000
J	do	12,800	Schichau	23,860,000
Hansa	Protected cruiser	5,900	Vulcan	9,250,000
Victoria Luise	do	5,600	Weser	9,110,000
Hertha	do	5,600	Vulcan	9,110,000
Medusa	do	2,600	Weser	5,210,000
Amazone	do	2,600	Germania Works	5,210,000
Ariadne	do	2,600	Weser	5,210,000
Nymphé	do	2,600	Germania Works	4,620,000
Niobe	do	2,600	Weser	4,620,000
Gazelle	do	2,600	Germania Works	4,620,000

Comparative cost per ton of displacement of dockyard-built and contract-built ships.

Name.	Class.	Displacement.	When built.	Cost per ton of displacement of ships built in—	
				Government dock-yard.	Private yard.
ENGLAND.					
Implacable	Battle ship	Tons. 15,000	1898	\$320.27	.....
Bulwark	do	15,000	1899	321.87	.....
Albemarle	do	14,000	1900	349.72	.....
Russell	do	14,000	1899	.....	\$356.38
Drake	Armored cruiser	14,100	1899	335.82	.....
Good Hope	do	14,100	1899	.....	336.60
FRANCE.					
Henri IV	Battle ship	8,948	1897	432.00	.....
Suffren	do	12,728	1899	453.22	.....
Dupleix	Armored cruiser	7,700	1899	471.15	.....
Desaix	do	7,700	1899	.....	477.15
GERMANY.					
Wittelsbach	Battle ship	11,800	1899	446.40	.....
Kaiser Barbarossa	do	11,080	1898	.....	428.74
Prinz Heinrich	Armored cruiser	8,900	1898	401.12	.....
Vineta	Protected cruiser	5,900	1896	373.14	.....
Hansa	do	5,900	1896	.....	373.14
Thetis	do	2,600	1899	476.00	.....
Medusa	do	2,600	1900	.....	476.91

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. LOUDENSLAGER having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PARKINSON, its reading clerk, 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. 8587.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 13895) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1903, disagreed to by the House of Representatives; had agreed to the conference asked by the House of Representatives, and had appointed Mr. PROCTOR, Mr. HANSBROUGH, and Mr. BATE 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 of Representatives was requested:

S. 5383. An act providing that the circuit court of appeals of the fifth judicial circuit of the United States shall hold at least one term of said court annually in the city of Atlanta,

in the State of Georgia, on the first Monday in October in each year.

NAVAL APPROPRIATION BILL.

The committee resumed its session.

The CHAIRMAN. The hour of 4 o'clock having arrived, general debate is closed by order of the House. The Clerk will read the bill.

The Clerk, proceeding with the reading of the bill, read as follows:

PAY OF THE NAVY.

Pay and allowances prescribed by law of officers on sea duty; officers on shore and other duty; officers on waiting orders; officers on the retired list; clerks to commandants of yards and stations; clerks to paymasters at yards and stations; general storekeepers, receiving ships and other vessels; commutation of quarters for officers on shore not occupying public quarters, including boatswains, gunners, carpenters, sailmakers, warrant machinists, pharmacists, and mates; pay of enlisted men on the retired list; extra pay to men reenlisting under honorable discharge; interest on deposits by men; pay of petty officers, seamen, landsmen, and apprentice boys, including men in the engineers' force, and for the Fish Commission, 25,500 men and 2,500 apprentices under training at training stations and on board training ships, and for men detailed for duty with Naval Militia, at the pay prescribed by law, \$16,138,199.

Mr. GAINES of Tennessee. Mr. Chairman, I move to strike out the last word.

I have no desire at this time to discuss the matter that was up a few minutes ago in general debate, the order of General Smith "to make Samar a howling wilderness and kill everybody capable of bearing arms," but I will read three or four lines from the CONGRESSIONAL RECORD, page 5354, being a telegram from General Corbin to General Chaffee, dated April 15, 1902, as follows:

Press dispatches state that upon the trial of Major Waller, of the Marine Corps, testimony was given by Waller, corroborated by other witnesses, that Gen. Jacob H. Smith instructed him to kill and burn; that the more he killed and burned the better pleased General Smith would be; that it was no time to take prisoners, and that when Major Waller asked General Smith to define the age limit for killing, he replied, "Everything over 10."

If such testimony was given, and the facts can be established, you will place General Smith on trial by court-martial.

Mr. Chairman, the last sentence of this order was conditional. The condition was:

If such testimony was given and the facts can be established, you will place General Smith on trial by court-martial.

"Such testimony" must have been "given by Major Waller," and facts must have been capable of being "established," because the court-martial or trial of General Smith was ordered, and he was tried and a verdict rendered but not yet published, the verdict being sealed and is now en route to Washington for President Roosevelt to first open.

Now, I say I have no desire now to discuss this order, but I simply want to put this order of General Corbin by order of the President down in the RECORD side by side with another statement. On April 25 I clipped from the Philadelphia North American, a Republican paper, the following:

GENERAL SMITH ADMITS ALL THE CHARGES—HE ORDERED MAJOR WALLER TO KILL ALL "OVER 10 YEARS OF AGE"—COURT-MARTIAL OPENS—HIS COUNSEL DECLARES THAT SAMAR BOYS ARE AS DANGEROUS AS THE MEN.

MANILA, April 25, 1902.

The trial by court-martial of Gen. Jacob H. Smith on the charge of conduct prejudicial to good order and discipline began to-day. Gen. Lloyd Wheaton presided. Col. Charles A. Woodruff, counsel for the defense, said he desired to simplify the proceedings.

He was willing to admit General Smith gave instructions to Major Waller to kill and burn and make Samar a howling wilderness; that he wanted everybody killed capable of bearing arms, and that he did specify all over 10 years of age, as the Samar boys of that age were equally as dangerous as their elders.

Capt. David D. Porter, Marine Corps, and Lieut. John A. Day, Marine Corps, were the only witnesses examined. Their testimony developed nothing new.

Maj. Littleton W. T. Waller, Marine Corps, will be the only other witness for the prosecution. He was unable to be present to-day on account of sickness, but it is expected will be in attendance to-morrow.

The defense will call several officers of the Ninth Infantry.

General Smith then in open court confesses to having given this "fire and sword" order. There should no longer be any doubt about this.

You will all remember, Mr. Chairman, that this order of General Smith was brought to light in the court-martial trial of Major Waller for enforcing this order of General Smith, and Major Waller acquitted himself by saying, "I simply obeyed the orders of General Smith, and his orders were to make Samar a howling wilderness and to kill every person capable of bearing arms." When asked to put a limit on the "order" as to age, he replied, "Ten years." But I presume a boy under a tree with a gun or with the native soldiers, in or out of camp or action, was killed.

Mr. Chairman, I have no desire now to discuss this "order." General Smith gave the "order," and it was obeyed and had to be obeyed. The "Army" does not give "orders." The officers, the head officers, give "orders," and the "privates" have to obey them. The "privates" did not want to obey this order, and

General Smith says so over his own signature, as shown by the Army and Navy Journal of ten days ago.

The American, the paper from which I have read this order and General Smith's confession, is a Republican paper, and the order I first read was issued by General Corbin and is found in the RECORD, at page 5354, and found in the hearings before the Senate Committee on the Philippines, pages 1548 and 1549.

Mr. Chairman, we went to war with Spain because she treated the Cubans just as General Smith has treated the people in Samar. We stopped the "fire and sword" policy in Cuba and begun it in the Philippines by "orders" from generals who fought in Cuba, as General Smith did.

I should like very much to have discussed this bill, but the time has been taken up by others in discussing this "order" of General Smith.

I presume I may be permitted to proceed for a few minutes anyway.

Mr. Chairman, I am in favor of a first-class navy, one commensurate with the needs of our Republic. I have supported measures for that purpose and shall continue to do so. But I do not want the Navy turned into a "commercial drummer." I am in favor of what we have, a peaceful commerce with all the world. But we can have that without an unnecessary army or navy as advance agents.

Now, the question is, What about a navy because of our oriental possessions?

If we retain permanently the Philippine Islands, the very highest authority on that subject, Admiral Dewey, says that we must have a large navy in, and because we are in, the Philippine Islands, because we are in the waters that are plowed by the war ships and patrolled by the war dogs of the "war powers of Europe." Of necessity, he says, we must have armed vessels there to protect the sovereignty of the United States.

The sovereignty of the United States is as much in the Philippines as it is here; and if that sovereignty suffers or is in part destroyed, it affects the sovereignty of the United States everywhere.

Now, in order that my colleagues and the members of this House may act with their eyes open, I desire right on this question to read from the first volume of the Schurman Philippine report. It is a report signed by Mr. Worcester, Mr. Denby, Admiral Dewey, General MacArthur, and Professor Schurman. It is not signed by General Otis.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. GAINES of Tennessee. I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent that he be allowed to proceed for five minutes. Is there objection?

There was no objection.

Mr. GAINES of Tennessee. General Otis did not sign this report, although he was a member of the Commission. It is signed by Jacob Gould Schurman, George Dewey, Charles Denby, and Dean C. Worcester, and John R. MacArthur as secretary. As I have said, General Otis did not sign this report, although a member of the Commission. He was making war on the Filipinos, fighting every day, while these Commissioners were trying to find what these people wanted and bring about peace if possible. But General Otis was so busy keeping up the war that he only attended one meeting of the Commission, remaining on the Commission all the time. Strange indeed! He rather ignored this Commission anyway. They were subordinate to him, the general in command, although he was one of the Commissioners.

Before I proceed further I want to stop a moment to say that I congratulate the House that we have such a full and able report on this bill and our Navy, and I believe I will not incite a spirit of jealousy among the members of the committee when I say I believe the chairman of the committee [Mr. Foss] very largely merits our compliments for this report.

While in the Old World this last year he industriously studied the navies there, and we see he has given the House the benefit of his observations to a great and valuable extent. I will now resume the reading of this document.

I will read again from Admiral Dewey (vol. 1, p. 127, of this Schurman Commission's Report), as follows:

As our interests in the East and in questions affecting it have increased greatly since our possession of the Philippines, we should maintain a permanent fighting force of ships on the Asiatic station, including battle ships and armored cruisers.

A permanent fighting force in the Philippine Islands, he says.

The distance and the time that would be required for reinforcements to arrive in case of attack by a foreign power show clearly the necessity for keeping a strong enough force on the spot to make such an attack improbable.

The necessity for a moderately large fleet being clearly shown, it is necessary to establish naval and coaling stations for its repair and supply.

Again, on page 129, Admiral Dewey says:

It has been shown above that nearly all of trade communication in the islands is necessarily by water, and that a considerable force of expensive war vessels must be maintained in the Philippines.

We have determined, from necessity it is claimed by the Republicans, to maintain on the "spot" in the Philippine Islands a standing army of 30,000 American soldiers and 5,000 natives, costing us annually about \$1,285 per American soldier and half price for the natives, or about \$42,000,000 per year, exclusive of armament and fortifications, which cost about \$7,000,000 per year. This makes about \$50,000,000 per year for our standing army in the Philippine Islands.

Then this "standing" navy of and for the Philippine waters will cost what to build? We see the naval board "estimates" are said to amount to \$98,910,984.63. Whether this is over or under the mark I can not say. I will content myself by reading a paragraph or two of the speech of the gentleman from Illinois [Mr. FOSS] in yesterday's RECORD, and those who have plenty of time can make the estimate:

Mr. GAINES of Tennessee. How much are they to cost?

Mr. FOSS. The cost of these ships, in accordance with plans recommended by the Board of Construction, amounts in all to about \$30,000,000. The battle ships, which will be ships of 16,000 tons each—the largest battle ships of any that we have—will cost \$7,532,000 apiece.

Mr. GAINES of Tennessee. How does that compare with the cost of constructing such vessels heretofore?

Mr. FOSS. Our battle ships heretofore have cost anywhere from \$6,000,000 to six and a half million dollars.

A MEMBER. Inclusive of ordnance?

Mr. FOSS. Inclusive of everything; that is the completed cost.

Now, the armored cruisers will cost \$6,700,000 apiece, and the gunboats \$510,000 apiece, making in all a total cost for 2 first-class battle ships, 2 armored cruisers, and 2 gunboats approximately \$29,500,000.

Now, there are several boards in the Navy Department whose business it is to recommend naval programmes. One is the general board. They have recommended the building of something like 35 ships. Then there is the Board of Construction, which recommended to the Secretary of the Navy the building of about 40 ships.

And the Secretary of the Navy made a recommendation, I think, calling for 22 ships in number. I have not counted them up. He asked for 3 first-class battle ships, 2 first-class armored cruisers, 3 gunboats of 6,000 tons displacement, 3 gunboats of 2,000 tons displacement, 3 pocket boats of 600 tons displacement, 3 steel training ships of about 2,000 tons displacement, 1 collier of 15,000 tons, and 4 tugboats, and while the recommendations of the different boards have been had, yet it must be remembered, of course, that the men who recommend them are naval officers ambitious for the profession in which they are engaged and are desirous of seeing our Navy built up as fast and speedily as possible; but this committee—and I refer to the Committee of the Whole House on the state of the Union—composed of the representatives of the American people, have to decide for the people themselves as to how far and how fast we shall pursue the policy of building up the American Navy.

Now, in view of the fact that Congress intimated in the appropriation bill of last year that it was its wish that the Secretary of the Navy should report only upon two battle ships and two armored cruisers, the Committee on Naval Affairs did not think it wise to make any further recommendation, and that is the reason why we come here with a programme to-day of two battle ships and two armored cruisers and two gunboats, in all, a total tonnage of 63,000 tons, requiring an appropriation of \$30,000,000, not in this bill, but in subsequent bills, to construct them, because we believe that we are carrying out the intimation and suggestion of Congress in the appropriation bill of last year. Now, we have had greater programmes than this in years past.

Under the naval appropriation bill of March 3, 1899, we provided for a total tonnage that year of ships to the amount of 104,000 tons, and under the appropriation bill passed June 7, 1900, we made the further increase in ships to the amount of 99,920 tons. The programme this year, if it pass by the committee and the House and Congress, will add only 63,000 tons to the tonnage of our Navy; and so I say to you that it is a moderate increase, it is a healthy increase, but I believe that it is none too large if we are to continue the policy of building up the American Navy, and building it up in such strength and power as to maintain the honor of our country and to back up our foreign policy in every port and harbor throughout the world. [Applause.]

We all want to and will "maintain the honor of our country." No doubt about that. We have done that at all times; but the vital question is, shall we start and uphold a "foreign policy in every port and harbor throughout the world," to do which we must turn our Republic into an empire, turn our backs on the policy of the fathers, keep a standing Army in the United States and the Philippine Islands, and build and maintain a Navy big enough to whip all Europe in case of war in the Philippine Islands, which may occur at any time?

The Naval Board of Construction says we must build 40 ships; the general board says build 35 ships, and the Secretary of the Navy, Mr. Long, says build 22 ships. For what? "To back up our foreign policy in every port and harbor in the world."

These big ships cost \$7,532,000 each. This bill carries in time of peace appropriations amounting to \$77,659,386.63, about as much as we appropriated when we were in actual war with Spain. Such a "foreign policy" as this demands immediate, careful, and patriotic attention; and hence I thus speak, though briefly, to lay the subject before the House and country.

[Nashville American, 1902.]

THE FORT PILLOW "MASSACRE."

In the Senate Tuesday the remarks of Mr. TELLER on the Philippines were interrupted by Mr. SPOONER, of Wisconsin, with the inquiry: "Does the Senator not remember Fort Pillow?" The Associated Press account of the day's proceedings then states:

"What does the Senator mean by his reference to Fort Pillow?" inquired Mr. CARMACK, of Tennessee.

"I had in mind," replied Mr. SPOONER, "what has been considered a massacre of colored troops there."

Mr. CARMACK insisted with some heat that there was no massacre of troops or killing of prisoners at Fort Pillow.

Mr. CARMACK is correct, and it is strange, indeed, at this date that intelligent and honorable men will persist in falsifying history and endeavor to blacken the fame of soldiers and officers whose only crime was service in the Confederate army.

The so-called massacre at Fort Pillow grew out of a report of a committee of Congress which was made shortly after the fight there and was framed to soothe the wounds of the North over the successive defeats of Federal troops by General Forrest.

The committee reported that (1) Forrest had taken advantage of a flag of truce to shift his men to a more advantageous position; (2) that after the fort had been carried by storm an indiscriminate slaughter, which spared "neither age nor sex, white nor black, soldier nor civilian," was carried on; (3) that after the fighting had ceased several of the wounded of the garrison were intentionally burned to death in the barracks and tents which were destroyed by fire, and (4) that the "rebels buried some of the living with the dead."

The report is based on testimony of two or three of the officers and some of the negroes and whites who were of the garrison; but we think there is to-day not an impartial military critic, North or South, who would undertake to indorse it, or who would not say that it was false in every particular.

A full and complete account of the taking of Fort Pillow by General Forrest is given in Dr. Wyeth's life of Forrest. In it Dr. Wyeth makes no attempt to suppress any fact nor color any circumstance, but he shows, or rather the testimony of such men as Maj. Charles W. Anderson, Lieut. Col. D. M. Wisdom, Gen. James R. Chalmers, Gen. Tyree H. Bell, Col. Robert McCulloch, and Col. R. C. Barbeau shows, beyond the suspicion of a doubt, that no advantage was taken of the flag of truce; that while the truce was in force a steamer loaded with Federal soldiers approached Fort Pillow, and that another steamer with artillery on board was also steaming toward the fort intent on rescuing it; that no signal of any kind was made to the boat from the fort or from the shore, which was a violation of the truce, and it was to circumvent it and prevent the landing of the steamers that General Forrest, in plain view of the commander of the fort made a new disposition of two detachments of men.

As to the second charge in the report of the Congressional committee, this testimony shows there were no women or children in the fort when it was assaulted and that such of the civilians as had the desire to go to a place of safety had the opportunity to leave. Those who remained voluntarily took up arms and fought with the garrison. Dr. C. Fitch, Federal surgeon of the Fort Pillow garrison, says:

"Early in the morning all of the women and all the noncombatants were ordered onto some barges and were towed by a gunboat up the river to an island before anyone was hurt."

The proportion of killed and wounded in the fort was large, and it is on this fact that the stories of the massacre of Fort Pillow have been based. Of the 557 in the garrison, 321 were killed, 130 wounded, and 206 were uninjured.

But it is to be borne in mind that the garrison, after full consideration during the flag of truce, refused to surrender, and never did surrender. The Union flag was never hauled down until cut down by one of Forrest's men. When the fort was stormed hand-to-hand encounters followed, many resulting in death, and those who attempted to escape by the river, as had been planned, found themselves cut off by the strategy of Forrest and caught between two fires of his men.

Again most of the negro soldiers were intoxicated, as were many of the whites, which made them reckless and indifferent to danger or death and inefficient for an intelligent defense of the fort. The commander of the fort had been killed early in the morning. The storming took place in the afternoon. There was no competent directing officer. It is also to be remembered that General Forrest had assured the commander of the fort that the black as well as the white soldiers would have full protection as prisoners of war if he would surrender.

As to the next charge, the garrison was not burned until the next day, when it had been entirely abandoned, all the wounded Federal soldiers having been taken aboard a Federal gunboat under a truce. And as to the fourth charge, of which the veriest savages would not be guilty, it was the Union soldiers who burned their own dead, and if any wounded were buried alive the work was done by their own comrades.

General Forrest himself had two horses killed under him early in the day and another wounded. One of the horses had fallen on him and bruised him badly. He was directing the attack from a little knoll, and as soon as he saw his men had scaled the parapet, and while the Federal flag was still flying, rode into the fort and ordered all firing to cease.

Dr. Wyeth states: "Among the mass of sworn testimony which will be presented further on it will be shown that with but one exception, the perpetrator of which was arrested by General Chalmers on the spot and placed under guard, not a gun was fired or a prisoner injured after the flag of the garrison fell."

The reason the gunboats gave the fort no more effectual aid is found in Forrest's instructions to Anderson and Barbeau to have their sharpshooters cut down the gunners when the ports were opened. "Shoot everything blue betwixt wind and water until the flag comes down," were his exact words.

The testimony as given in Dr. Wyeth's book of a few well-known Tennesseans who were present at the engagement may be of interest.

J. C. McAdoo, of Watertown, states that he saw the whisky in the fort, and filled his canteen from a barrel by the consent of a guard who had been placed to watch it by General Bell. He says there was no surrender.

Joseph Smith, of Dyersburg, states: "I was one of the detail to gather up the guns after the fighting was over, and wherever we found a dead Federal we found a gun. In regard to the whisky found, I did not see it myself, but heard it spoken of at the time. I am a farmer and have lived in Dyer County for seventy years."

Dr. J. S. Harrison, of McMinnville, says: "The garrison kept firing at us as they retreated down the bluff. I am certain no one was killed after the fight closed."

W. C. Wert makes this affidavit: "I saw several buckets of whisky sitting within the works as we captured the place."

Lieutenant Hager says: "I saw the vessels of whisky, and know the flag of the fort was not lowered until it was cut down by Private Doak Carr, of our (Second Tennessee, Barbeau's) regiment."

Dr. D. C. Kelley testifies that a day or two after the fight at Fort Pillow, in a conversation with General Forrest in regard to the colored troops, the general said that he was opposed to the killing of negro troops; that it was his policy to capture all he could and return them to their owners.

But it is unnecessary to adduce further testimony to prove the malignant falsity of the charges against General Forrest and his men at Fort Pillow. And even if testimony were lacking their courage and valor in every engagement, and in every campaign, and the whole course of their lives, in peace and in war, would brand the charges in the minds of honorable men as unworthy of consideration. Forrest and his men fought hard, but always nobly and humanely. They gave security and safety to the homes of the

defenseless, and for their acts of valor and courage are entitled to and will ever receive the grateful acknowledgments of their fellow-countrymen.

"A considerable force" of what, Mr. Chairman? "War vessels must be maintained in the Philippine Islands."

Mr. Chairman, I am reading from high authority. I get this from an official report, where it has been possibly sleeping ever since it was printed.

Unfortunately very considerable amount of valuable information that is obtained for our guidance, to enlighten us, at least, is put into these records and never comes to light again.

The point that I desire to make is, that this high authority says that inasmuch as we have gone from this side of the world to the other side, where we are in a war ourselves, a war that seems will "not down," and where the dogs of war of Europe are plowing the seas the year round, we must have a Navy to maintain American sovereignty over the islands. This distance is so great we must have a large navy there at all times on the "spot," as Admiral Dewey says.

The CHAIRMAN. Without objection, the pro forma amendment will be considered as withdrawn.

The Clerk read as follows:

Contingent, Navy: For all emergencies and extraordinary expenses arising at home or abroad, but impossible to be anticipated or classified, exclusive of personal services in the Navy Department or any of its subordinate bureaus or offices at Washington, D. C., \$10,000.

Mr. GAINES of Tennessee. Mr. Chairman, I move to strike out the last word.

I should like to ask the gentleman in charge of the bill for a little information. Can the chairman of the committee tell the Committee of the Whole how much money is appropriated in this bill for our new possessions over there; also, what are the estimates of the naval board for naval work in these colonies?

Mr. FOSS. In this bill?

Mr. GAINES of Tennessee. Yes.

Mr. FOSS. Well, I can point that out a little later. I will state that to the gentleman.

Mr. GAINES of Tennessee. The gentleman did not exactly cover that in his speech, and I should like to get this information.

The Clerk read as follows:

EMERGENCY FUND, NAVY DEPARTMENT.

To meet unforeseen contingencies for the maintenance of the Navy constantly arising, to be expended at the discretion of the President, \$100,000: Provided, That the accounting officers of the Treasury are hereby authorized and directed to allow, in the settlement of the accounts of disbursing officers involved, payments made under the appropriation "Emergency fund" to civilian employees appointed by the Navy Department for duty in and serving at naval stations maintained in the island possessions during the fiscal year 1902, and until such time as Congress shall make specific appropriation for the pay of such employees.

Mr. RIXEY. Mr. Chairman, I make the point of order against the proviso to that paragraph.

The CHAIRMAN. What is the point of order?

Mr. RIXEY. This bill makes provision for the naval service for the fiscal year ending June 30, 1903. The proviso provides that the accounting officers of the Treasury shall allow certain payments for the year 1902. I insist that the proviso is not germane to the paragraph or to the bill. If there is a deficiency for 1902, it ought to be provided for in some other bill.

The CHAIRMAN. The gentleman's point is that it is not germane?

Mr. RIXEY. Yes; and it is also new legislation.

The CHAIRMAN. If the gentleman makes the point that it is new legislation, he will sustain it; but the Chair thinks it is germane.

Mr. FOSS. Mr. Chairman, if the gentleman from Virginia—a member of the Committee on Naval Affairs, who knows the necessity for this provision—desires to make the point of order against it, the chairman of the committee concedes the point of order.

Mr. RIXEY. The chairman of the Committee on Naval Affairs knows that when this paragraph was reached in the Committee on Naval Affairs, I was opposed to the whole paragraph; and I shall not only insist upon this point of order, but I expect to vote to strike out the paragraph.

The CHAIRMAN. The point of order is sustained.

Mr. WILLIAM W. KITCHIN. I move to strike out the paragraph just read. I will state, Mr. Chairman, this is known as the emergency fund.

The CHAIRMAN. The gentleman from North Carolina moves to strike out the paragraph. The Clerk will report the paragraph.

The Clerk again read the paragraph.

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. WILLIAM W. KITCHIN. Mr. Chairman—

The CHAIRMAN. Does the gentleman desire to discuss the amendment?

Mr. WILLIAM W. KITCHIN: I desire to call the attention of the committee to a few facts regarding this emergency fund.

The members of the committee will see that in the preceding paragraph there is an item providing for the contingent expenses of the Navy:

For all emergencies and extraordinary expenses arising at home or abroad but impossible to be anticipated or classified.

Now, that is known as the contingent fund under this section, and is \$10,000. In addition to this contingent fund there are numerous others running throughout the bill, and they amount, as I recollect it, to over \$300,000. This emergency fund, the one I move to strike out, is a different matter, and it originated during or immediately after the war with Spain. At one time it was \$500,000, in the last bill it was \$200,000, and now provision is made for \$100,000.

I will state that the Secretary of the Navy when he appeared before our committee stated that he had recommended \$250,000—or, I believe it was \$300,000—but he could get along with \$100,000. That is but one illustration of the point that the gentleman from Virginia [Mr. RIXEY] made yesterday, that it is our duty to scrutinize the recommendations of the Department, because here was a recommendation for two and one-half times as much as was admitted was necessary.

Now, when I move to strike this paragraph out, I think the motion ought to be carried, because all the payments which have absorbed this emergency fund are, and ought to be, either under the contingent fund or subject to the direct legislation of this body. For instance, I read from the hearings, and I am going to show you how the last emergency fund was disposed of, or a part of it.

Emergency fund, Navy Department, 1902.

Appropriated (act March 3, 1901) \$200,000.00

ALLOTMENTS.

1. June 22, 1901. To construct two-story building at Cavite for equipment.....	\$30,000.00
2. July 11, 1901. Lease of buildings occupied by Marine Corps troops at Cavite (renewal for 1902).....	3,600.00
3. August 27, 1901. Salaries of two civilian clerks for United States Marine Corps, Cavite.....	2,800.00
4. September 25, 1901. To pay natives of Tutulla for about 350 rifles turned in, at \$12.....	4,200.00
5. September 25, 1901. Completing extension of timber shed, Cavite.....	8,000.00
6. September 25, 1901. Completing ship-fitters' shop for construction and repairs on Machina Wharf, Cavite.....	10,000.00
7. October 4, 1901. To continue work of examining site of proposed naval station, Olongapo, Subig Bay.....	10,000.00
8. October 9, 1901. Expenses attending construction of commandant's residence at Tutulla, Zambo.....	15,000.00
9. August 24, 1901. Repairs of barracks and contingent expenses for Marine Corps at Cavite and other places in Philippines.....	20,000.00
10. November 1, 1901. To pay for supplies for marines in Philippines and Guam.....	7,785.05
11. November 29, 1901. For preparing and fitting one of the casemates at the naval station, Cavite, for storage of ice.....	2,600.00
12. January 4, 1902. For construction of permanent moorings at naval station, Cavite.....	6,505.00
	120,581.05

Not yet allowed 79,418.95

Now, Mr. Chairman, it does seem to me that when such items are charged to the emergency fund we ought to strike out that fund and let these improvements come under the direction of this body.

Mr. SMITH of Kentucky. I would like to ask the gentleman under what head in the last naval appropriation bill this fund out of which these sums he has enumerated were paid was carried.

Mr. WILLIAM W. KITCHIN. It was paid out of this emergency fund. Now, the contingent fund allowed to the Department and to its various bureaus usually protects these contingent and unforeseen emergencies as described in the paragraph previous to the one I move to strike out. Under that they pay similar expenses. I will not take the time to read them here, because any gentleman can find them in the hearings: "Secret service, safety deposit storage, wages to civilians, transportation, entertainment of Brazilian officers, services of barges, etc., pay of carriage hire for officers on official business." Entertainment by the officers of the *Brooklyn* or by the "U. S. S. *Brooklyn*," etc.

Now, such expenses as these have been paid out of the contingent fund. I submit that the emergency fund ought to be stricken out and the Department ought to be held down to its ordinary contingent expenses. I submit that no power ought to be continued in the Secretary that enables him to construct buildings such as I have mentioned and incur expenses of that character.

So, Mr. Chairman, whatever may have been the necessity for it when it was first placed in a naval bill it seems to me it is time for this emergency fund to be stricken out.

The CHAIRMAN. The question is on the amendment to strike out the provision.

Mr. DAYTON. Mr. Chairman, I hope the House will realize what this motion involves and will understand it before the vote

is taken. I want to say that this emergency fund grew out of the necessities of the Spanish war. It was originally \$500,000. There has never been a moment of time when members of the Naval Committee have not had an earnest desire and purpose to do away with this emergency fund so soon as it could be done without injury to the service. It has constantly been decreased and diminished. The last bill carried \$250,000. That fund has been cut down in the present bill to \$100,000.

In the presence of the full committee the Secretary of the Navy gave his statement that it was his purpose and desire to have this emergency fund done away with as speedily as possible. The matter was fully discussed, and he pointed out that there were contingencies and emergencies arising by reason of our foreign possessions that made it impossible for him to estimate item by item for everything necessary, and it was there determined in full committee that the fund could be cut down to \$100,000, and that would be satisfactory to the Department. And I confess, Mr. Chairman, that it is with a considerable degree of surprise that I notice this motion coming, after that satisfactory arrangement in the committee, from a member of the Naval Committee.

Mr. WILLIAM W. KITCHIN. May I ask the gentleman a question?

Mr. DAYTON. Yes, sir.

Mr. WILLIAM W. KITCHIN. Do you mean to intimate that that action in the committee was unanimous?

Mr. DAYTON. I mean to say that the statement in the hearings was that it was satisfactory; and my recollection distinctly is that no objection was made to it when the appropriation was reduced from \$250,000 to \$100,000.

Mr. WILLIAM W. KITCHIN. The gentleman's recollection is at fault.

Mr. DAYTON. Well, I want to say, Mr. Chairman, that there are two or three members of the Naval Committee on the other side whose standing some of us can never understand. When it comes to their action in the Naval Committee and from the Naval Committee to this House, it seems to me that the interests of the great naval establishment are not always considered, but that the chance to make objection is.

Mr. RIXEY. Will the gentleman permit a question?

Mr. DAYTON. Certainly.

Mr. RIXEY. The hearings show what occurred on that occasion?

Mr. DAYTON. Yes, sir.

Mr. RIXEY. The gentleman says that he understood that this was satisfactory to the whole committee and was so expressed. Now, I want to find the page on which that occurred, for it will be found—

Mr. DAYTON. I will yield to a question. I am not yielding for a statement. The gentleman will have his chance under the five-minute rule.

Mr. RIXEY. I am going to ask you now a question. The Secretary, after stating that he had wanted \$250,000, said: "I think we can get along with \$100,000." The gentleman from West Virginia [Mr. DAYTON] was the only gentleman of the committee who expressed any opinion whatever, and he said: "That would be entirely satisfactory."

Mr. DAYTON. I think that is exactly right; and I believe no member made any objection.

Mr. RIXEY. I want the gentleman to understand that he does not represent all the members of the committee.

Mr. DAYTON. Are you making my speech, or am I making it myself? I object to any further interruption. When I have a statement to make, I will not allow the gentleman from Virginia to make it for me, if I can help it. I say that the gentleman has quoted the hearings exactly right. The Secretary of the Navy stated in terms that it was the anxious purpose of the Department to do away with this emergency fund so soon as it could be done without detriment to the service. He said \$300,000 was too much, and upon consideration, as appears there in the committee hearings, he stated that he could get along with \$100,000. Then the remark came from me that that would be entirely satisfactory. And not a single other man made any objection, as I understood, at the time.

Mr. TATE. Will the gentleman allow me a question?

Mr. DAYTON. Yes, sir.

Mr. TATE. I know the gentleman does not desire to misrepresent gentlemen on this side of the House or anyone else, and therefore I want to call his attention to the fact that at the time this bill was reported to the House it was especially understood that as to any provision in this bill, if any member of the committee objected, the right was reserved to him to oppose it on the floor.

Mr. DAYTON. Unquestionably that was so.

[Here the hammer fell.]

Mr. WILLIAM W. KITCHIN. Mr. Chairman, in reply to the gentleman from West Virginia, who seems to want to make some

personal matter of this, I want to say that it was certainly known to every Democratic member of the committee that I would make this motion again as I have made it heretofore. The intimation that any other member of the minority of the committee, either by silence or otherwise, ever waived any of our rights in this matter is not true in fact.

And as for the difference of recollection, while it is unpleasant for me to refer to these things, yet when the gentleman in his blustering way undertakes to reflect upon members on this side, I feel like telling this House that it is only a few weeks since the gentleman made a most positive statement of his clear recollection of something which had taken place in committee, and 11 members of the committee stated their recollection exactly to the contrary. And yet the gentleman undertakes to say that he would not believe our recollection on this matter.

Mr. Chairman, when he wants to reflect upon three members of this committee—

The CHAIRMAN. The gentleman is out of order in referring to other members of the House in the second person.

Mr. DAYTON. I hope the gentleman may be allowed to proceed by unanimous consent.

Mr. WILLIAM W. KITCHIN. I do not wish—

The CHAIRMAN. The gentleman in debate should refer to other members in the third person.

Mr. WILLIAM W. KITCHIN. If I did not do so it was an unintentional omission.

Mr. Chairman, I regret that the first spark of personal feeling or difference should come from the gentleman from West Virginia. I regret that anything of that nature should be injected into this debate. But when the gentleman from West Virginia sees fit to say that there are three members on this committee who in antagonizing anything do not represent the views of a brave, intelligent, and enlightened constituency—if he means to say that these gentlemen are not as intelligent and as honest and as patriotic and as high-minded as any other members of this body, then I do think, Mr. Chairman, that it is time for the gentleman upon whom he would reflect to call the attention of the House to the fact and to repel such unjust insinuations.

So far as I am concerned, I have no apologies to make to any man for my actions here, and am responsible to none except to the good people who send me here as their Representative. I will not sit here and see a member, because he happens to be senior in service, or because he happens to be in the majority upon the pending bill, reflect upon my rights and privileges in this House.

The CHAIRMAN. The question is on agreeing to the motion of the gentleman from North Carolina.

Mr. CANNON. Mr. Chairman, I move to strike out the last word. This is an emergency fund for the Navy Department to meet unforeseen contingencies. My recollection is—and the gentleman will correct me if I am wrong—that an emergency fund for the Navy Department first appears in the naval appropriations at the commencement of the Spanish war.

Mr. DAYTON. It was for \$500,000.

Mr. CANNON. Now, it has been reduced until you recommend \$100,000?

Mr. DAYTON. That is correct.

Mr. CANNON. I am frank to confess that I do not like emergency-fund appropriations. I believe that all appropriations ought to be as specific as possible, and then the contingent fund for the general service, and that to apply to the Department instead of running to all the bureaus and to each branch of the service. Now, I am not prepared to say, as I have not investigated the question, whether we can dispense with the emergency fund at this time. I am quite content to take the opinion of the committee, and would not have said a word were it not that I wanted to express the hope that the time had about arrived when we could dispense with all emergency-fund appropriations in either the Navy, or the Army, or the service elsewhere.

Mr. FOSS. Mr. Chairman, I want to interrupt the gentleman just a moment and to say that that is the policy of the committee; that we have been gradually year after year reducing this fund, and we hope to wipe it out entirely next year; but the Secretary came before the committee and said it was necessary to maintain it this year, but recommended a reduction down to \$100,000.

Mr. CANNON. And the gentleman is satisfied it ought to be there for the good of the service?

Mr. FOSS. I am satisfied that for the good of the service it should remain, and I am opposed, as a general policy, to the insertion of the emergency fund.

Mr. CANNON. Very well. I withdraw the pro forma amendment.

Mr. WATSON. Mr. Chairman, I renew the motion to strike out the last word, for just a moment or two. It has been from the beginning the policy of this committee to oppose these emergency appropriations, but because of the unsettled condition

of affairs in the Philippines, and the condition generally which grew out of the Spanish-American war, it seemed to the committee that it was a necessity that there should be an emergency fund placed at the disposal of the President of the United States to be expended upon the suggestion of the Secretary of the Navy, and, as has already been said here, that fund at first was placed at \$500,000. Subsequently it was reduced to \$300,000. This year it was a very grave question with the committee as to whether or not the emergency fund might not be dispensed with altogether and no appropriation made. The matter was left open until the Secretary of the Navy appeared before our committee for the purpose of giving his testimony. When there, upon the general subject of the emergency fund, he used this language:

Most of these expenditures have been in the Philippines, where unforeseen contingencies arise.

Now, it was unforeseen contingencies that caused this emergency-fund appropriation, and if it was wise in the beginning it is wise to-day, because of the fact that these unforeseen contingencies have not passed away, but still exist. On the next page the Secretary used this language:

I am inclined to think that many things are still in such an unsettled condition that there ought to be some emergency appropriation. The estimate of \$300,000 is perhaps too large. I do not think we shall need it. I do not think we shall need \$250,000. I was talking to Admiral Kenney, who sees the propriety of getting rid of the emergency fund as soon as we can, and he suggested whether or not you could not increase my contingent fund. I have a contingent fund of from ten to twelve thousand dollars. It is an old form of appropriation for certain well-understood objects.

And then the Secretary of the Navy went on to say that that would not be sufficient to meet the contingencies that might arise in the Philippines, but thought that \$100,000 would be ample and would be sufficient. We appropriated \$500,000 at first when the condition of affairs was more unsettled than it is to-day, when the contingencies that met us were more appalling than to-day. If it was proper then, why is it not now proper to appropriate \$100,000 and place it at the disposal of the President of the United States to meet such unforeseen contingencies as may arise in the Philippines? I hope this emergency fund will be permitted to remain this year, because it seems to be absolutely necessary for the successful maintenance of the naval establishment in our new possessions.

Mr. RIXEY. Mr. Chairman, I do not care to refer to the statement made by the gentleman from West Virginia [Mr. DAYTON] further than to state that at the time Secretary Long was before the committee, and that hearing took place to which reference has been made, I was not present. Afterwards, when the emergency paragraph came up for consideration in committee, I voted against it. I will state further that some of the gentlemen who are now favoring this provision also expressed their opinion against it.

This provision in the naval bill was carried for the first time during the Spanish-American war. There was no serious objection to it then, because we knew that many demands were made upon the Government which could not be foreseen. But now, four years after the close of that war, when the Secretary of the Navy has a contingent fund at his disposal, when almost every Bureau in the Navy Department, I believe without exception, has a contingent fund, there is no necessity for carrying this emergency fund longer. This emergency fund is nominally under the control of the President, but, as a matter of fact, it is used by the several bureaus and the Secretary of the Navy for other purposes. It seems to me that, four years after the close of the war, we can, without detriment to the service, cut out these extraordinary provisions, and the emergency fund which had its origin with the Spanish war ought to be cut off. We should legislate for the erection of buildings in the Philippine Islands, and for clerks there, to which this fund has been applied, just as we legislate for other items in the naval establishment. It does seem to me, Mr. Chairman, that it is time that we get rid of this emergency fund, and I hope the motion of the gentleman from North Carolina [Mr. WILLIAM W. KITCHIN] will prevail.

On motion of Mr. FOSS, the committee rose; and the Speaker having resumed the chair, Mr. SHERMAN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 14046) making appropriations for the naval service for the fiscal year ending June 30, 1903, and for other purposes, and had come to no resolution thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. JACKSON of Kansas, for ten days, on account of important business.

INDIAN APPROPRIATION ACT.

Mr. CURTIS. Mr. Speaker, I ask unanimous consent for the present consideration of Senate resolution 99.

The SPEAKER. The gentleman from Kansas asks unanimous

consent for the present consideration of a Senate joint resolution, which the Clerk will report.

The joint resolution (S. R. 99) fixing the time when certain provisions of the Indian appropriation act for the year ending June 30, 1903, shall take effect was read, as follows:

Resolved, etc., That the act entitled "An act making appropriations for the current and contingent expenses of the Indian Department and fulfilling treaty stipulations with the various Indian tribes for the fiscal year ending June 30, 1903, and for other purposes," shall take effect from and after July 1, 1902, except as otherwise specially provided therein.

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

Mr. RICHARDSON of Tennessee. Mr. Speaker, I desire to ask the gentleman if this resolution has been considered by the Committee on Indian Affairs?

Mr. CURTIS. A similar resolution was considered this morning, and a favorable report was directed limiting it to section 8 only. This is a general resolution, but its effect is similar to that of the one considered by our committee. The object is to fix the date for the taking effect of section 8 of the act, which creates a new judicial district in the Indian Territory. It is requested by the Attorney-General, and the report in favor of the resolution was unanimous.

Mr. RICHARDSON of Tennessee. Does it affect that one case only?

Mr. CURTIS. There are two or three other items that it might affect, but that is immaterial. It simply fixes July 1, 1902, as the date when certain provisions shall take effect, and there can be no objection to it.

The SPEAKER. Is there objection?

There was no objection.

The joint resolution was ordered to a third reading; and it was accordingly read the third time, and passed.

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

Mr. CURTIS. I also ask unanimous consent to print in the RECORD the letter of the Attorney-General asking for this legislation.

The SPEAKER. The gentleman from Kansas asks unanimous consent to print in the RECORD a letter from the Department bearing upon the resolution just passed. Is there objection?

There was no objection.

The letter is as follows:

DEPARTMENT OF JUSTICE,
Washington, D. C., May 12, 1902.

HON. JAMES S. SHERMAN,
Chairman Committee on Indian Affairs,
House of Representatives.

SIR: In the bill or act entitled "An act making appropriations for the current and contingent expenses of the Indian Department, and fulfilling treaty stipulations with the various Indian tribes for the fiscal year ending June 30, 1903, and for other purposes," there is legislation dividing the northern district of the Indian Territory into two districts; also authorizing the appointment of an additional United States marshal, an additional United States attorney, and other officers; also fixing additional places for holding terms of court, etc. It is deemed important that said legislation shall not take effect until July 1, 1902, in order that all necessary appointments may be made before that time and business arranged in accordance with the provisions of said act.

If said act shall be allowed to take effect immediately upon approval, much confusion is likely to result; also much additional expense will be caused thereby, as is more fully explained by the United States marshal for the northern district of the Indian Territory in his letter dated the 9th instant, a copy of which is inclosed herewith.

It is therefore considered important that a joint resolution (a draft of which is herewith inclosed) should be passed without delay, in order that it may be approved by the President before the date of the approval of the above-mentioned act.

Respectfully,

P. C. KNOX, *Attorney-General.*

HERMAN GAUSS.

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

The SPEAKER. The gentleman from New Hampshire asks unanimous consent for the present consideration of a resolution which will be reported by the Clerk.

The Clerk read as follows:

Resolved, That the Committee on Appropriations is authorized to provide in the general deficiency appropriation bill for the payment to Herman Gauss of \$750 for services as acting assistant clerk to the Committee on Invalid Pensions.

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

Mr. RICHARDSON of Tennessee. We would like to understand what this resolution is.

Mr. WILLIAMS of Mississippi. Mr. Speaker, let us have an explanation of this.

The SPEAKER. Two gentlemen ask for an explanation.

Mr. SULLOWAY. This is the allowance made to that gentleman, which usually goes into the general deficiency bill. Under the present system we come to the House and ask that it be inserted in the bill, and that the committee be directed to insert it.

Mr. RICHARDSON of Tennessee. Has the resolution been considered by the Committee on Accounts?

Mr. SULLOWAY. I am directed by the committee unanimously to ask for its passage.

Mr. RICHARDSON of Tennessee. By your committee. Ought it not to be considered by the Committee on Accounts?

Mr. SULLOWAY. There is no occasion for it to go to the Committee on Accounts. There is no reason why it should that I am aware of.

Mr. RICHARDSON of Tennessee. Matters of that kind usually go to the Committee on Accounts.

Mr. SULLOWAY. It might, perhaps, be done in that way.

Mr. CANNON. If the gentleman will allow me for a moment. The gentleman from Tennessee will recollect that heretofore on the deficiency bill a number of items have generally been reported by the Committee on Appropriations touching extra compensation. I think one of the most worthy items that the bill has ever carried has been giving the extra compensation to the clerk detailed from the Pension Office—you may say the expert clerk—that works with the Committee on Invalid Pensions.

Mr. RICHARDSON of Tennessee. I understand.

Mr. CANNON. Now, the Committee on Appropriations have concluded from this on, so far as it is concerned, not to insert items of this kind in the general deficiency bill unless requested to do so by action of the House. I have no doubt about the propriety of the item, so far as that is concerned.

Mr. RICHARDSON of Tennessee. The gentleman feels that it is a proper item?

Mr. CANNON. I am satisfied from what I know of this official and the work he is performing, and from the practice heretofore, that he might well have this additional allowance in addition to the pay he receives from the Government as a Pension Office clerk; and it has been usual to give it to him. I think it is one of the few cases where it is justified by the merit of the case.

Mr. RICHARDSON of Tennessee. I would like to ask the gentleman from New Hampshire if he will yield to me, if unanimous consent is given, to offer an amendment? I do not propose to hold him up on the proposition, but I desire to offer an amendment to the proposition; and still I say if he declines to permit me to offer an amendment I will not hold him up.

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

Mr. LOUD. Mr. Speaker, I want to say to the gentleman that while this has not gone to the Committee on Accounts, the Committee on Appropriations substantially refused to consider them; and I believe it would be an unwise precedent to establish in this House, without the consideration of a committee, to here now establish a precedent giving extra pay; and I will have to object.

The SPEAKER. Objection is made.

VETO MESSAGE OF THE PRESIDENT—CASE OF HARRY C. MIX.

The SPEAKER laid before the House the following message from the President of the United States, which was read:

To the House of Representatives:

I return without approval House bill No. 4446, entitled "An act for the relief of Harry C. Mix."

The Attorney-General writes me as follows concerning this bill: "A. F. Holt was postmaster at Valdosta, Ga., and as such became a defaulter to the Government. Suit was brought on his official bond, and the amount was finally recovered. Criminal proceedings were also commenced against him, and he gave a bond for his appearance at court, with Harry C. Mix surety thereon. The defendant failed to appear, and forfeiture was taken."

"Assistant Attorney William R. Leaken represented the Government in the proceedings to enforce the collection of the bond so given. The papers relative to said case were referred to Mr. Leaken January 12, 1901. In reply Mr. Leaken said:

"I do not think that this is a case where the proceedings ought to be discontinued. I do not know the history of the case prior to my appointment as assistant United States attorney, but as soon as the matter was placed in my hands it was called up, both for judgment on the bond in the civil case, at Macon, Ga., and upon the criminal bond at Savannah. One after another excuse was made by counsel for Mr. Mix, the surety on the criminal bond. * * *

"I have moved on three different occasions for a rule absolute against Mr. Mix, but Mr. Strohecker, his counsel, has succeeded in postponing the matter. The case was set for final disposition on the 5th of this month, but again deferred at the request of Mr. Strohecker. I inclose a letter from Mr. Strohecker, which to my mind shows that the judgment should be taken up *scire facias*."

"Mr. Strohecker was attorney for the defendant, Holt, and in his letter, dated March 21, 1899, to the assistant attorney, said:

"Please find out as soon as possible whether or not the nol. pros. can be obtained in the Holt case. If it can be, I am pretty sure the money due the Government on the defalcation can be obtained and we can produce the man; we will have him present anyway, but no money will be paid on that claim unless a nol. pros. is entered."

"I have found the man. He did not die as thought, but recovered, and I am in communication with him."

"Could it be arranged so that the nol. pros. could be entered at Macon during this term of court? If it can be, please use your efforts to have it so done. Mr. Irwin being disqualified, of course it will require your presence here. If you so direct, after you have heard from the Department, I will speak to the judge concerning the nol. pros. and payment."

"The defendant, Holt, it seems, went to Mexico and has never been tried. It is alleged that at one time Mr. Holt, the defendant, was about to be present at a term of court, when a deputy marshal said to him that the case would

not be up at that term of court and it would therefore not be necessary for him, the defendant, to be present. Of course the deputy marshal was not authorized to excuse Mr. Holt from attendance, as required by his bond.

"It seems useless to require persons charged with crime to give bond for their appearance in court if they can remain away and the sureties on their bonds be relieved from liability. To give relief in this particular case seems to be but to set a bad example."

In view of the statements above set forth, I am constrained to withhold my approval of the bill.

THEODORE ROOSEVELT.

WHITE HOUSE, May 15, 1902.

Mr. PARKER. Mr. Speaker, understanding that that bill was reported by the Committee on the Judiciary, I move that the bill and veto message be referred to the Committee on the Judiciary.

The SPEAKER. The gentleman from New Jersey moves to refer the message and the bill to the Committee on the Judiciary. The question was taken; and the motion was agreed to.

CHARLES D. PALMER.

Mr. GIBSON. Mr. Speaker, I present a conference report. The Clerk 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. 13571) granting an increase of pension to Charles D. Palmer, 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 1.

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same.

HENRY R. GIBSON,
W. A. CALDERHEAD,
ROBERT W. MIERS,

Managers on the part of the House.

J. H. GALLINGER,
N. B. SCOTT,
PARIS GIBSON,

Managers on the part of the Senate.

Mr. RICHARDSON of Tennessee. Was that the report or the statement?

Mr. GIBSON. The report.

The SPEAKER. Is there a statement?

Mr. GIBSON. There is a statement with the report.

Mr. RICHARDSON of Tennessee. It should at least be printed.

The SPEAKER. Without objection, the statement will be printed in the RECORD.

Mr. WILLIAMS of Mississippi. Let us have the statement read, or something that will explain the action.

Mr. GROSVENOR. If the gentleman will allow me a word, the only difference between the two Houses was that the Senate cut the rate \$10 a month and more accurately defined the service of the soldier. It was a bill I introduced, and it is entirely satisfactory, although the rate has been cut a little below what it should have been.

Mr. GIBSON. The statement contains the facts, and I ask that it be read.

The statement was read, as follows:

This bill originally passed the House at \$40 per month, but was amended in the Senate to \$30 per month. The result of the conference is that the House recedes from its disagreement to the Senate (second) amendment, and your conferees recommend that the bill pass at \$30 per month, as it was amended in the Senate, the Senate receding from its first amendment as to name of organization.

HENRY R. GIBSON,
W. A. CALDERHEAD,
R. W. MIERS,

Managers on the part of the House.

Mr. WILLIAMS of Mississippi. I just wanted to know what the report was. I have no objection.

The question was taken, and the conference report was agreed to.

ELIZABETH A. BURRILL.

Mr. GIBSON. Mr. Speaker, I call up the following conference report upon the bill H. R. 12054.

The Clerk read the report, 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. 12054) granting a pension to Elizabeth A. Burrill, 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.

HENRY R. GIBSON,
W. A. CALDERHEAD,
ROBERT W. MIERS,

Managers on the part of the House.

J. H. GALLINGER,
WM. J. DEBOE,
GEO. TURNER,

Managers on the part of the Senate.

The Clerk also read the following statement:

The service of the soldier in this bill was amended in the Senate from the "Fiftieth New York Volunteer Engineers," as it passed the House of Representatives, to the "Fiftieth New York Volunteer Infantry." The Senate amendment was an error, and the result of the conference is that the Senate recedes from its amendment, and the bill is recommended as it was originally passed by the House of Representatives.

HENRY R. GIBSON,
W. A. CALDERHEAD,
R. W. MIERS,

Managers on the part of the House.

Mr. GIBSON. Mr. Speaker, I move that the House agree to the conference report.

The conference report was agreed to.

LEAVE TO EXTEND REMARKS.

Mr. GAINES of Tennessee. Mr. Speaker, I ask unanimous consent to extend in the RECORD my remarks this afternoon upon the naval bill.

The SPEAKER. Without objection, this order will be made. There was no objection.

Mr. FOSS. Mr. Speaker, I move that the House do now adjourn.

ENROLLED BILLS PRESENTED TO THE PRESIDENT OF THE UNITED STATES.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had presented this day to the President of the United States for his approval bills and joint resolution of the following titles:

- H. J. Res. 189. Joint resolution making an additional appropriation for expenses of the dedication of the statue of Marshal de Rochambeau to be unveiled in the city of Washington;
- H. R. 2436. An act granting an increase of pension to James W. Roath;
- H. R. 7982. An act granting an increase of pension to William T. Peterson;
- H. R. 5600. An act granting an increase of pension to John G. Sanders;
- H. R. 5190. An act granting an increase of pension to Alvin J. Hartzell;
- H. R. 8788. An act granting an increase of pension to Jacob Weidel;
- H. R. 9156. An act granting an increase of pension to Uriah Garber;
- H. R. 8016. An act granting an increase of pension to Hannibal C. Saint Clair;
- H. R. 8913. An act granting an increase of pension to Rachel S. Lyman;
- H. R. 9819. An act granting an increase of pension to Robert A. Pinn;
- H. R. 10122. An act granting an increase of pension to John S. Burket;
- H. R. 10396. An act granting an increase of pension to Elvin A. Esty;
- H. R. 9656. An act granting an increase of pension to Lunsford Y. Bailey;
- H. R. 2129. An act granting an increase of pension to Warren W. H. Lawrence;
- H. R. 1479. An act granting an increase of pension to Michael Marnane;
- H. R. 1380. An act granting an increase of pension to Mary Tate;
- H. R. 5217. An act granting an increase of pension to Elizabeth P. Sigfried;
- H. R. 5183. An act granting an increase of pension to William Holdridge;
- H. R. 6441. An act granting an increase of pension to William H. Wood;
- H. R. 6645. An act granting an increase of pension to Ann E. Austin;
- H. R. 7840. An act granting an increase of pension to Oliver Kerr;
- H. R. 7507. An act granting an increase of pension to James M. Ashley;
- H. R. 2486. An act granting an increase of pension to William Matthews;
- H. R. 3756. An act granting an increase of pension to James C. G. Smith;
- H. R. 5110. An act granting an increase of pension to William H. Dixon;
- H. R. 7901. An act granting a pension to Dewitt Clinton Letts;
- H. R. 8351. An act granting a pension to Matthew V. Ellis;
- H. R. 9777. An act granting a pension to Helen F. Lasher;
- H. R. 10496. An act granting a pension to James T. Steele;
- H. R. 1681. An act granting a pension to Erma G. Harvey;
- H. R. 4622. An act granting a pension to Frank W. Lynn;
- H. R. 6434. An act granting a pension to Mary J. Fitch;
- H. R. 3277. An act granting a pension to Frances J. Abercrombie;
- H. R. 4927. An act granting a pension to George Tucker;
- H. R. 4993. An act granting a pension to Mary Shelton Huston;
- H. R. 7018. An act for the relief of Robert J. Spottswood, and the heirs of William C. McClellan, deceased;
- H. R. 2316. An act to correct the military record of Albert Boker;
- H. R. 53. An act for the protection of cities and towns in the Indian Territory, and for other purposes; and

H. R. 11353. 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, 1903, and for other purposes.

ENROLLED BILLS SIGNED.

Mr. WACHTER, 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. 9037. An act to allow the commutation of homestead entries in certain cases and providing for fees and commissions;
- H. R. 11920. An act granting an increase of pension to George W. Wertz;
- H. R. 11894. An act granting a pension to Hannah A. Timmons;
- H. R. 12148. An act granting an increase of pension to Frederick O. Clark;
- H. R. 11051. An act granting an increase of pension to Henry E. Williams;
- H. R. 11117. An act granting an increase of pension to William T. Hamilton;
- H. R. 11850. An act granting an increase of pension to Susan A. Volkmar;
- H. R. 12855. An act granting an increase of pension to Milton Brown;
- H. R. 4393. An act reserving from the public lands in the State of Oregon, as a public park, etc.;
- H. R. 5096. An act to place the name of Paul Crum on the muster rolls of Company B, First Regiment North Dakota Volunteer Infantry;
- H. R. 5254. An act granting an increase of pension to Enos G. Budd;
- H. R. 5870. An act granting an increase of pension to Oscar W. Lowery;
- H. R. 8007. An act granting an increase of pension to James W. Lewis;
- H. R. 12145. An act granting an increase of pension to Caleb W. Story;
- H. R. 12015. An act granting an increase of pension to Edgar T. Daniels;
- H. R. 11181. An act granting a pension to Alice D. H. Krause;
- H. R. 12239. An act granting an increase of pension to Agnes Clark;
- H. R. 11325. An act granting an increase of pension to James Merrick;
- H. R. 11662. An act granting an increase of pension to Albion P. Stiles;
- H. R. 12552. An act granting a pension to Erwin A. Burke, alias Burt A. Erwin;
- H. R. 11665. An act granting an increase of pension to Caleb C. Briggs;
- H. R. 11695. An act granting an increase of pension to George W. Hatton;
- H. R. 11787. An act granting a pension to John J. Manner;
- H. R. 12788. An act granting a pension to Elizabeth McDonald;
- H. R. 11783. An act granting an increase of pension to Charles M. Montgomery;
- H. R. 12713. An act granting an increase of pension to Bernard McCormick;
- H. R. 13076. An act to apportion the term of office of Senators elected at the first general election in the Territory of Hawaii;
- H. R. 13093. An act granting a pension to Eliza A. Brownlow;
- H. R. 12899. An act granting an increase of pension to William H. Rightmire;
- H. R. 13416. An act granting an increase of pension to Isabella H. Thompson;
- H. R. 13288. An act to authorize the construction of a bridge across the Tennessee River in Marion County, Tenn.; and
- H. R. 13439. An act granting an increase of pension to William Blanchard.
- The SPEAKER announced his signature to enrolled bills and joint resolution of the following titles:
- S. 1295. An act to amend an act authorizing the construction of a railway, street railway, motor, wagon, and pedestrian bridge over the Missouri River near Council Bluffs, Iowa, and Omaha, Nebr., approved February 13, 1891, and amended by an act approved January 28, 1893, and by an act approved April 21, 1898, and to authorize the Omaha Bridge and Terminal Railway Company, successor to the Interstate Bridge and Street Railway Company, to complete, reconstruct, and change a bridge for railway and street railway purposes over the Missouri River near Council Bluffs, Iowa, and Omaha, Nebr.;
- S. 2951. An act granting an increase of pension to Maria J. Wilson; and
- S. R. 82. Joint resolution providing for the printing annually of franks required for sending out seeds.

SENATE BILL REFERRED.

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

S. 5383. An act providing that the circuit court of appeals of the fifth judicial circuit of the United States shall hold at least one term of said court annually in the city of Atlanta, in the State of Georgia, on the first Monday in October in each year—to the Committee on the Judiciary.

The motion was agreed to; accordingly (at 4 o'clock and 57 minutes) the House adjourned until to-morrow at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred, as follows:

A letter from the Secretary of State, announcing the transmission to Congress of certified copies of franchises granted by the executive council of Porto Rico—to the Committee on Insular Affairs and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of William E. Carhart against the United States—to the Committee on War Claims and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. ADAMSON, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the Senate (S. 5406) to authorize the construction of a bridge across the Savannah River from the mainland of Aiken County, S. C., to the mainland of Richmond County, Ga., reported the same without amendment, accompanied by a report (No. 2045); which said bill and report were referred to the House Calendar.

Mr. LOVERING, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the Senate (S. 1026) to fix the compensation of district superintendents in the Life-Saving Service, reported the same without amendment, accompanied by a report (No. 2046); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MONDELL, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 14107) adjusting certain conflicts respecting State school indemnity selections in lieu of school sections in abandoned military reservations, reported the same without amendment, accompanied by a report (No. 2048); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. WOOTEN, from the Committee on the Library, to which was referred the bill of the House (H. R. 10933) to provide for the erection, at Fredericksburg, Va., of the monument to the memory of Gen. Hugh Mercer, which it was ordered by Congress on the 8th day of April, 1777, should be erected, reported the same with amendment, accompanied by a report (No. 2054); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, Mr. SCHIRM, from the Committee on Claims, to which was referred the bill of the House (H. R. 11329) for the relief of Mrs. Inez Shorb White, reported the same without amendment, accompanied by a report (No. 2049); which said bill and report were referred to the Private Calendar.

ADVERSE REPORTS.

Under clause 2 of Rule XIII, Mr. HEPBURN, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the Senate (S. 1568) to restore Henry D. Hall to the Revenue-Cutter Service, reported the same adversely, accompanied by a report (No. 2047); which said bill and report were laid on the table.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles; which were thereupon referred, as follows:

A bill (H. R. 11093) granting a pension to Nannie M. Kim-

berly—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 14392) for the relief of the estate of Ramsay Crooks—Committee on Invalid Pensions discharged, and referred to the Committee on Indian Affairs.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. JONES of Washington: A bill (H. R. 14441) to authorize the Secretary of War, in his discretion, to favor American-built ships in the transportation of Government supplies to the Philippines across the Pacific Ocean—to the Committee on Military Affairs.

By Mr. TRIMBLE: A bill (H. R. 14442) to establish a fish-hatching and fish-culture station in north central Kentucky (Seventh Congressional district)—to the Committee on the Merchant Marine and Fisheries.

By Mr. METCALF (by request): A bill (H. R. 14443) to establish a national conservatory of music and art for the education of advanced pupils in music in all its branches, vocal and instrumental, as well as painting, drawing, and etching—to the Committee on Education.

By Mr. LACEY: A bill (H. R. 14464) to amend the law relating to the salmon fisheries of Alaska—to the Committee on the Merchant Marine and Fisheries.

By Mr. LAWRENCE: A joint resolution (H. J. Res. 191) to authorize the officer in charge of the new building for the Government Printing Office to pay full wages to per diem employees carried on the pay rolls of said building on September 17, 18, and 19, 1901, when work was suspended out of respect to the memory of the late President of the United States—to the Committee on Claims.

By Mr. RICHARDSON of Tennessee: A resolution (H. Res. 260) to provide for a clerk for the conference minority—to the Committee on Accounts.

By Mr. CONRY: Resolutions of the great and general court of Massachusetts, in favor of the construction of war vessels in the United States navy-yards—to the Committee on Naval Affairs.

By Mr. GREENE of Massachusetts: Resolutions of the senate and house of representatives of the Commonwealth of Massachusetts, in favor of construction of war vessels in the United States navy-yards—to the Committee on Naval Affairs.

By Mr. ROBERTS: Resolutions of the Massachusetts legislature, in favor of building war vessels in United States navy-yards—to the Committee on Naval Affairs.

By Mr. THAYER: A resolution of the Massachusetts legislature, relating to the building of war vessels in navy-yards of the United States—to the Committee on Naval Affairs.

By Mr. MCCALL: Petition of legislature of Massachusetts, in favor of passage of bill to provide for the construction of United States war vessels in Government navy-yards—to the Committee on Naval Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BULL: A bill (H. R. 14444) granting an increase of pension to Frances Bennett—to the Committee on Invalid Pensions.

By Mr. CANNON: A bill (H. R. 14445) granting an increase of pension to Joseph Reed—to the Committee on Invalid Pensions.

Also, a bill (H. R. 14446) granting an increase of pension to Charles S. Mumford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 14447) granting a pension to Jennie Blackburn Johnston—to the Committee on Invalid Pensions.

By Mr. CLARK: A bill (H. R. 14448) granting a pension to James M. Cartmill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 14449) granting a pension to Ignatz Bohnert—to the Committee on Invalid Pensions.

Also, a bill (H. R. 14450) granting a pension to Almond T. Vaughn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 14451) granting a pension to Dr. John A. Blackwell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 14452) granting a pension to Peter Berg—to the Committee on Invalid Pensions.

By Mr. DOUGHERTY: A bill (H. R. 14453) granting an increase of pension to John H. Poynter—to the Committee on Invalid Pensions.

By Mr. HAUGEN: A bill (H. R. 14454) granting a pension to Addison L. Brown—to the Committee on Invalid Pensions.

By Mr. JACKSON of Maryland: A bill (H. R. 14455) authorizing the appointment and retirement of Charles Chaillé-Long with the rank of colonel, United States Army—to the Committee on Military Affairs.

By Mr. KEHOE: A bill (H. R. 14456) granting a pension to Lois Van Thom—to the Committee on Invalid Pensions.

By Mr. MIERS of Indiana: A bill (H. R. 14457) granting a pension to Emily C. Brasier—to the Committee on Invalid Pensions.

By Mr. MUDD: A bill (H. R. 14458) granting a pension to Hattie M. Whitney—to the Committee on Pensions.

By Mr. RYAN: A bill (H. R. 14459) for the relief of the heirs and legal representatives of Hercules Webster Bauld, who was drowned from the United States steamer Lancaster at Bridgetown, Barbados, West Indies—to the Committee on Claims.

By Mr. SPIGHT: A bill (H. R. 14460) for the relief of Henry C. McElroy—to the Committee on Military Affairs.

By Mr. TRIMBLE: A bill (H. R. 14461) to increase the pension of John F. Rodgers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 14462) granting an increase of pension to Davis Preston—to the Committee on Invalid Pensions.

Also, a bill (H. R. 14463) granting an increase of pension to William Fuller—to the Committee on Invalid Pensions.

By Mr. FORDNEY: A bill (H. R. 14465) granting an increase of pension to Nathan R. Jersey—to the Committee on Invalid Pensions.

By Mr. PUGSLEY: A bill (H. R. 14466) for the relief of Kate Fogarty—to the Committee on the District of Columbia.

By Mr. MOODY of Oregon: A bill (H. R. 14467) to remove the charge of desertion standing against Jerome Brown—to the Committee on Military Affairs.

By Mr. WILLIAMS of Illinois: A bill (H. R. 14468) granting a pension to James K. P. White—to the Committee on Invalid Pensions.

By Mr. SULLOWAY: A resolution (H. Res. 261) to provide for paying Herman Gauss \$750—to the Committee on Accounts.

By Mr. LOUDENSLAGER: A resolution (H. Res. 262) to provide for paying D. S. Porter \$500—to the Committee on Accounts.

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. BATES: Resolution of Typographical Union No. 181, of Meadville, Pa., urging the passage of the Senate amendment to the sundry civil bill increasing the appropriation to the United States Geological Survey—to the Committee on Appropriations.

By Mr. BOUTELL: Memorials of German societies of Chicago, Ill., for a monument to Baron Steuben in Washington—to the Committee on the Library.

Also, petition of the National Business League, favoring the creation of a department of commerce—to the Committee on Interstate and Foreign Commerce.

By Mr. BURK of Pennsylvania: Petition of citizens of Philadelphia, Pa., in favor of House bills 178 and 179, reducing the tax on distilled spirits—to the Committee on Ways and Means.

By Mr. CANNON: Papers to accompany House bill 14447, granting a pension to Jennie Blackburn Johnston—to the Committee on Invalid Pensions.

Also, papers to accompany House bill 14446, granting an increase of pension to Charles S. Mumford—to the Committee on Invalid Pensions.

Also, papers to accompany House bill 14445, granting an increase of pension to Joseph Reed—to the Committee on Invalid Pensions.

By Mr. DARRAGH: Petition and papers in support of bill 13714, to increase the pension of William C. Niles—to the Committee on Invalid Pensions.

By Mr. DOUGHERTY: Papers to accompany House bill 14453, granting an increase of pension to John H. Paynter—to the Committee on Invalid Pensions.

By Mr. ESCH: Resolutions of the common council of Kenosha, Wis., urging the passage of House bill 163, to pension employees and dependents of Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of common council of Milwaukee, Wis., for legislation against the meat trust—to the Committee on Ways and Means.

By Mr. FITZGERALD: Resolution of Drug Section of New York Board of Trade and Transportation, favoring the passage of House bill 11308, allowing the payment of a drawback in the case of certain imported articles—to the Committee on Ways and Means.

By Mr. FOWLER: Petition of J. W. Powelson and other citizens of Elizabeth, N. J., for the repeal of the tariff on beef, veal, mutton, and pork—to the Committee on Ways and Means.

Also, petition of J. A. Liggett and others of Rahway, N. J., for

an amendment to the Constitution preventing polygamous marriages—to the Committee on the Judiciary.

Also, petition of F. Berg and others of Essex County, N. J., in support of the present tariff law—to the Committee on Ways and Means.

Also, petition of A. Walters and others of Jersey City and Trenton, N. J., and vicinity, favoring the passage of House bill 10793, prohibiting the use of "Jim Crow" cars in interstate business—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of Carpenters and Joiners' Union No. 7574, of Elizabeth, N. J., favoring the construction of war vessels in the United States navy-yards—to the Committee on Naval Affairs.

Also, petition of German Liquor Dealers' Association, of Elizabeth, N. J., in favor of House bills 178 and 179, reducing the tax on distilled spirits—to the Committee on Ways and Means.

By Mr. GREENE of Massachusetts: Resolutions of the Ladies Branch of the New Bedford Port Society, urging the passage of House bill 163, to pension employees and dependents of Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

By Mr. HAMILTON: Resolutions of the common council of South Haven, Mich., urging the passage of House bill 163, to pension employees and dependents of Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

By Mr. HANBURY: Resolutions of Seventh Assembly Democratic Association, of Brooklyn, N. Y., indorsing House bill 6279, to increase the pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

Also, resolution of the drug-trade section of the New York Board of Trade and Transportation, allowing the payment of a drawback in cases where certain imported materials can not be positively identified, as shown in House bill 11308—to the Committee on Ways and Means.

By Mr. HOWELL: Petition of board of education of Hoboken, N. J., favoring the passage of House bill 6279, to increase the pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. HULL: Resolutions of Mine Workers' Union No. 55, of Des Moines, Iowa, for more rigid restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. MAHONEY: Petitions of National Polish Alliance Societies Nos. 348 and 503, of Chicago, Ill., favoring the erection of a statue to the late Brigadier-General Count Pulaski at Washington—to the Committee on the Library.

By Mr. McCALL: Petition of citizens of Massachusetts, protesting against cattlemen taking lands of Sioux Indians—to the Committee on Indian Affairs.

By Mr. PUGSLEY: Petitions of O. A. Ebbinghaus, of New York City, and John A. Phelan, of Yonkers; John J. Mellin and others, of Tarrytown, N. Y., and resolutions of the Tammany Hall general committee of the Thirty-fifth assembly district of New York City, for the repeal of the duties on beef, veal, mutton, and pork—to the Committee on Ways and Means.

Also, resolutions of Iron Trades Council of San Francisco, Cal., urging the construction of Government vessels in navy-yards—to the Committee on Naval Affairs.

Also, resolutions of the Union Republican Club of New York City, Bricklayers' General Executive Board of Greater New York, and Woman's Republican Association of the State of New York, in favor of the proposed increase of pay to letter carriers—to the Committee on the Post-Office and Post-Roads.

Also, resolution of the Maritime Association of the Port of New York, that all American sailing vessels under 1,000 tons register, and of rating not inferior to A1½, should participate in all of the general provisions of the ship-subsidy bill—to the Committee on the Merchant Marine and Fisheries.

Also, resolutions of the drug-trade section of the New York Board of Trade and Transportation, favoring the enactment of House bill 11308—to the Committee on Ways and Means.

By Mr. RUPPERT: Resolutions of the New Century Study Circle and French Chamber of Commerce of New York, indorsing House bill 6279, to increase the pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. RUSSELL: Petition of Central Labor Union of New London, Conn., favoring the passage of House bill 6279, increasing the salary of letter carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. RYAN: Resolution of the New York Board of Trade and Transportation, in favor of House bill 11308—to the Committee on Ways and Means.

By Mr. SCOTT: Resolutions of the Shreveport, La., Board of Trade, favoring the elevation of the Division of Statistics of the Department of Agriculture to the standing of a bureau—to the Committee on Agriculture.

By Mr. SULZER: Resolutions of the French Chamber of Commerce of New York, and New Century Study Circle, of New

York, indorsing House bill 6279, to increase the pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. TRIMBLE: Petition of Davis Preston, for increase of pension—to the Committee on Invalid Pensions.

Also, paper to accompany House bill 14463, granting a pension to William Fuller—to the Committee on Invalid Pensions.

By Mr. WILSON: Resolution of the drug trade section of the New York Board of Trade and Transportation, in favor of House bill No. 11308—to the Committee on Ways and Means.

SENATE.

FRIDAY, *May 16, 1902.*

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

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. SCOTT, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. Without objection, the Journal stands approved.

FRANCHISES IN PORTO RICO.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of State, transmitting copies of five franchises which have been granted by the executive council of Porto Rico in conformity with the act temporarily to provide revenue and civil government for Porto Rico; which, with the accompanying papers, was referred to the Committee on Pacific Islands and Porto Rico and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. C. R. MCKENNEY, its enrolling clerk, announced that the House had passed the following bill and joint resolution:

A bill (S. 89) to construct a road to the national cemetery at Dover, Tenn.; and

A joint resolution (S. R. 99) fixing the time when certain provisions of the Indian appropriation act for the year ending June 30, 1903, shall take effect.

The message also announced that the House had agreed to the reports of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the following bills:

A bill (H. R. 12054) granting a pension to Elizabeth A. Burrill; and

A bill (H. R. 13371) granting an increase of pension to Charles D. Palmer.

The message further announced that the House insists upon its amendment to the bill (S. 1172) granting an increase of pension to Catharine F. Edmunds, disagreed to by the Senate, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. LOUDENSLAGER, Mr. BROMWELL, and Mr. RICHARDSON of Alabama 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. 5809) for the further distribution of the reports of the Supreme Court; and

A bill (H. R. 12796) providing for free homesteads in the Ute Indian Reservation, in Colorado.

ENROLLED BILLS SIGNED.

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

S. 1295. An act to amend an act authorizing the construction of a railway, street railway, motor, wagon, and pedestrian bridge over the Missouri River near Council Bluffs, Iowa, and Omaha, Nebr., approved February 13, 1891, and amended by an act approved January 28, 1893, and by an act approved April 21, 1898, and to authorize the Omaha Bridge and Terminal Railway Company, successor to the Interstate Bridge and Street Railway Company, to complete, reconstruct, and change a bridge for railway and street railway purposes over the Missouri River near Council Bluffs, Iowa, and Omaha, Nebr.;

S. 2951. An act granting an increase of pension to Maria J. Wilson;

H. R. 4393. An act reserving from the public lands in the State of Oregon, as a public park, etc.;

H. R. 5096. An act to place the name of Paul Crum on the muster rolls of Company B, First Regiment North Dakota Volunteer Infantry;

H. R. 5254. An act granting an increase of pension to Enos G. Budd;

H. R. 5870. An act granting an increase of pension to Oscar W. Lowery;

H. R. 8007. An act granting an increase of pension to James W. Lewis;

H. R. 9037. An act to allow the commutation of homestead entries in certain cases and providing for fees and commissions;

H. R. 11051. An act granting an increase of pension to Henry E. Williams;

H. R. 11117. An act granting an increase of pension to William T. Hamilton;

H. R. 11181. An act granting a pension to Alice D. H. Krause;

H. R. 11325. An act granting an increase of pension to James Merrick;

H. R. 11662. An act granting an increase of pension to Albion P. Stiles;

H. R. 11665. An act granting an increase of pension to Caleb C. Briggs;

H. R. 11695. An act granting an increase of pension to George W. Hatton;

H. R. 11783. An act granting an increase of pension to Charles M. Montgomery;

H. R. 11787. An act granting a pension to John J. Manner;

H. R. 11850. An act granting an increase of pension to Susan A. Volkmar;

H. R. 11894. An act granting a pension to Hannah A. Timmons;

H. R. 11920. An act granting an increase of pension to George W. Wertz;

H. R. 12015. An act granting an increase of pension to Edgar T. Daniels;

H. R. 12145. An act granting an increase of pension to Caleb W. Story;

H. R. 12148. An act granting an increase of pension to Frederick O. Clark;

H. R. 12239. An act granting an increase of pension to Agnes Clark;

H. R. 12552. An act granting a pension to Erwin A. Burke, alias Burt A. Erwin;

H. R. 12713. An act granting an increase of pension to Bernard McCormick;

H. R. 12788. An act granting a pension to Elizabeth McDonald;

H. R. 12855. An act granting an increase of pension to Milton Brown;

H. R. 12899. An act granting an increase of pension to William H. Rightmire;

H. R. 13076. An act to apportion the term of office of senators elected at the first general election in the Territory of Hawaii;

H. R. 13093. An act granting a pension to Eliza A. Brownlow;

H. R. 13288. An act to authorize the construction of a bridge across the Tennessee River in Marion County, Tenn.;

H. R. 13416. An act granting an increase of pension to Isabella H. Thompson;

H. R. 13439. An act granting an increase of pension to William Blanchard;

H. R. 12996. An act making appropriations for the diplomatic and consular service in the Republic of Cuba; and

S. R. 82. Joint resolution providing for the printing annually of franks required for sending out seeds.

PETITIONS AND MEMORIALS.

Mr. PLATT of New York presented a petition of the drug trade section of the New York Board of Trade and Transportation, of New York City, praying for the enactment of legislation allowing the payment of a drawback in cases where certain imported materials can not be positively identified, etc.; which was referred to the Committee on Finance.

He also presented a petition of Lucky Thought Lodge, No. 232, Brotherhood of Locomotive Firemen, of Middletown, N. Y., praying for the passage of the so-called Hoar anti-injunction bill, to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases, and remonstrating against the passage of any substitute therefor; which was ordered to lie on the table.

He also presented petitions of sundry members of the Audubon Society of Brooklyn, New Lebanon, Mount Lebanon, Brentwood, New York City, Central Slip, and Lebanon Springs, all in the State of New York, and of Jersey City, N. J., praying for the enactment of legislation providing for the protection of game in Alaska, etc.; which were referred to the Committee on Forest Reservations and the Protection of Game.

He also presented petitions of the Manhattan Republican Club, of the Twenty-third assembly district; of the French Chamber of Commerce; of the New Century Study Circle, and of the Seventeenth Assembly District Republican Club, all in the city of New York, praying for the enactment of legislation increasing the compensation of letter carriers; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. QUARLES presented petitions of the common council of Kenosha and of the common council of Racine, in the State of