

## 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. KEHOE: A bill (H. R. 15260) granting a pension to William Foster—to the Committee on Invalid Pensions.

By Mr. MERCER: A bill (H. R. 15261) granting an increase of pension to Louis Lowry—to the Committee on Invalid Pensions.

By Mr. NEVIN: A bill (H. R. 15262) to correct the military record of Christopher J. Sweetman—to the Committee on Military Affairs.

By Mr. RICHARDSON of Tennessee: A bill (H. R. 15263) granting an increase of pension to Sarah Waller—to the Committee on Pensions.

Also, a bill (H. R. 15264) to correct the military record of Dobson Johnson—to the Committee on Military Affairs.

By Mr. RIXEY (by request): A bill (H. R. 15265) for the relief of Priscilla J. Shipman, administratrix of the estate of John J. Shipman, deceased, for work done for and materials furnished to the District of Columbia—to the Committee on Claims.

By Mr. ROBB: A bill (H. R. 15266) for the relief of Anderson Coleman—to the Committee on War Claims.

By Mr. HENRY C. SMITH: A bill (H. R. 15267) granting a pension to Hattie Cutcher—to the Committee on Invalid Pensions.

By Mr. HAMILTON: A bill (H. R. 15268) for the relief of Elias Minnich—to the Committee on Military Affairs.

## PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. DALZELL: Petitions of Woman's Christian Temperance Union of Hoboken, and Sheet Metal Workers' Union No. 111, of Trenton, N. J., for increase of pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. FITZGERALD: Petition of American Association of Nurserymen, advocating the passage of House bill 10999, in favor of national quarantine of diseased and infected trees and plants—to the Committee on Agriculture.

By Mr. FOERDERER: Resolutions of the Commercial Exchange of Philadelphia, urging the passage of House bill 14022, to prevent interstate telegraph and telephone lines being used to promote gambling—to the Committee on the Judiciary.

Also, resolutions of the Trades' League of Philadelphia, Pa., favoring a bill to increase the efficiency of the foreign service of the United States, and to provide for the reorganization of the consular service—to the Committee on Foreign Affairs.

By Mr. GRAHAM: Petition of George W. Payne, of Philadelphia, Pa., urging the passage of Senate bill 1890, the per diem pension bill—to the Committee on Invalid Pensions.

Also, petition of Andrew Carnegie, Charles F. Adams, Carl Schurz, Edwin Burritt Smith, and Herbert Welsh, urging the appointment of a special committee to investigate the condition of affairs in the Philippine Archipelago—to the Committee on Insular Affairs.

By Mr. HILL: Petition of H. E. Northrop and others, of Danbury, Conn., in favor of House bill 178, for the reduction of the tax on alcohol—to the Committee on Ways and Means.

By Mr. HOWELL: Petition of Tin and Sheet Metal Workers' Union of Trenton, N. J., for increase of pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. KEHOE: Petitions of retail druggists of Ashland, Louisa, Maysville, and Catlettsburg, Ky., urging the reduction of the tax on alcohol—to the Committee on Ways and Means.

By Mr. KETCHAM: Resolution of Steam Engineers Union No. 105, of Poughkeepsie, N. Y., favoring the passage of the Grosvenor anti-injunction bill—to the Committee on the Judiciary.

By Mr. KNOX: Petition of the Second Corps of Cadets of the Massachusetts Volunteer Militia, of Salem, Mass., against the passage of House bill 11654—to the Committee on the Militia.

By Mr. LACEY: Petition of O. R. Corey and others, of Monroe County, Iowa, in favor of House bill 178, for the reduction of the tax on alcohol—to the Committee on Ways and Means.

Also, petition of T. M. Overlees and others, of Bartlesville, Ind. T., asking for the passage of the Cherokee treaty bill—to the Committee on Indian Affairs.

By Mr. MAYNARD: Petition of American Association of Nurserymen, advocating the passage of House bill 10999—to the Committee on Agriculture.

By Mr. NAPHEN: Resolutions of the city council of Fitchburg, Mass., indorsing House bill 6279, to increase the pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. RICHARDSON of Tennessee: Papers to accompany House bill granting an increase of pension to Sarah Waller—to the Committee on Invalid Pensions.

By Mr. ROBB: Papers to accompany bill for the relief of Anderson Coleman—to the Committee on War Claims.

By Mr. RYAN: Resolutions of Buffalo Business Men's Central Council, and petitions of W. H. Barnhart and 100 other citizens of Buffalo, N. Y., favoring a bill to authorize the Mather Power Company to construct experimental span in Niagara River at Buffalo, N. Y.—to the Committee on Interstate and Foreign Commerce.

Also, petition of Roderick Smith, of Buffalo, N. Y., presenting a substitute for the Philippine bill now pending—to the Committee on Insular Affairs.

Also, petition of The American Association of Nurserymen, of Rochester, N. Y., asking for the passage of House bill 10999—to the Committee on Agriculture.

By Mr. STEVENS of Minnesota: Petition of many citizens of St. Paul, Minn., in favor of free beef, veal, pork, and mutton—to the Committee on Ways and Means.

## SENATE.

THURSDAY, June 26, 1902.

Prayer by Rev. F. J. PRETTYMAN, of the city of Washington. 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. If there be no objection, the Journal will stand approved.

## LIST OF JUDGMENTS.

The PRESIDENT pro tempore laid before the Senate a communication from the Attorney-General, transmitting, in response to a resolution of the 23d instant, a list of judgments rendered against the Government by the circuit and district courts of the United States under the act of March 3, 1887, etc.; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

## CLAIM OF THE STATE OF VERMONT.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting, pursuant to law, the claim of the State of Vermont, amounting to \$280,453.56, allowed by the Auditor for the War Department under appropriations, the balances of which have been exhausted or carried to the surplus fund, the certification being in lieu of the amount transmitted to the Senate on the 25th instant; which, with the accompanying papers, 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 passed the following bills:

A bill (S. 4776) to authorize the construction of a bridge across the Emory River, in the State of Tennessee, by the Tennessee Railway or its successors;

A bill (S. 5434) to authorize the city of Little Falls, Minn., to construct a wagon and foot bridge across the Mississippi River within the limits of said city; and

A bill (S. 6270) to amend an act entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved June 13, 1902.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3360) for the promotion of First Lieut. Joseph M. Simms, Revenue-Cutter Service.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 13172) to ratify and confirm an agreement with the Choctaw and Chickasaw tribes of Indians, and for other purposes, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. CURTIS, Mr. LACEY, and Mr. LITTLE managers at the conference on the part of the House.

The message also returned to the Senate in compliance with its request the bill (S. 3560) to amend an act entitled "An act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their cars with automatic couplers and continuous brakes, and their locomotives with driving-wheel brakes, and for other purposes," approved March 2, 1893, and amended April 1, 1896.

The message further announced that the House had furnished to the Senate, in compliance with its request, a duplicate engrossed copy of the amendment of the Senate to the bill (S. 493) to amend an act entitled "An act to establish a code of law for the District of Columbia."

## ENROLLED BILLS SIGNED.

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

A bill (H. R. 3323) granting a pension to Daniel L. Mallicoat;  
A bill (H. R. 3500) granting an increase of pension to Kate O. Phillips;

A bill (H. R. 4556) to amend act entitled "An act to supplement existing laws relating to the disposition of lands, etc., approved March 3, 1901;

A bill (H. R. 5315) granting an increase of pension to Orrin J. Wells;

A bill (H. R. 6871) granting an increase of pension to Harman Scramlin;

A bill (H. R. 10178) granting an increase of pension to Daniel Thomas;

A bill (H. R. 10933) to provide for the erection at Fredericksburg, Va., of the monument to the memory of Gen. Hugh Mercer, which was ordered by Congress, on the 8th day of April, 1777, should be erected;

A bill (H. R. 12284) granting an increase of pension to George W. Shaw;

A bill (H. R. 12399) granting a pension to William C. Roberts;

A bill (H. R. 12507) granting an increase of pension to Ebenezer W. Oakley;

A bill (H. R. 12648) to establish a regular term of United States district court in Roanoke city, Va., and for other purposes;

A bill (H. R. 12800) granting an increase of pension to Horatio N. Whitbeck;

A bill (H. R. 13650) to correct the military record of James M. Olmstead;

A bill (H. R. 14111) to authorize the construction of a bridge across the Tennessee River, in the State of Tennessee, by the Harriman Southern Railroad Company;

A bill (H. R. 14221) granting an increase of pension to Nancy J. McArthur; and

A bill (H. R. 14691) to authorize the construction of a pontoon bridge across the Missouri River, in the county of Cass, in the State of Nebraska, and in the county of Mills, in the State of Iowa.

## PETITIONS AND MEMORIALS.

Mr. FOSTER of Washington presented a petition of the Chamber of Commerce of Seattle, Wash., praying for the enactment of certain legislation in behalf of the Territory of Alaska; which was referred to the Committee on Territories.

He also presented a petition of the Chamber of Commerce of Seattle, Wash., praying for the enactment of legislation providing for the election of a Delegate to Congress from the Territory of Alaska; which was referred to the Committee on Territories.

Mr. PLATT of New York presented a petition of sundry members of the Audubon Society of the State of New York of Poplar Ridge, Auburn, Orange, Belvedere, and Sherwood, all in the State of New York, praying for the enactment of legislation providing for the protection of game in Alaska, etc.; which was ordered to lie on the table.

Mr. HANSBROUGH presented a petition of sundry druggists of Fargo, N. Dak., praying for a reduction of the tax on alcohol; which was referred to the Committee on Finance.

Mr. FAIRBANKS presented a petition of the Grocers' Chemical Works, of Evansville, Ind., praying for the passage of the so-called pure-food bill; which was ordered to lie on the table.

He also presented a memorial of Cigar Makers' Local Union No. 54, of Evansville, Ind., remonstrating against the enactment of legislation providing for a reduction of 20 per cent on raw leaf tobacco; which was referred to the Committee on Finance.

He also presented a petition of the St. Joseph Valley Grange, No. 584, of South Bend, Ind., praying for the enactment of legislation providing for uniform mail boxes; which was referred to the Committee on Post-Offices and Post-Roads.

## BOWERS HYDRAULIC DREDGE PATENTS.

Mr. McCUMBER. I present the statements of Clarence W. De Knight and Lysander Hill, made before the Committee on Patents, United States Senate, Friday, June 20, 1902, on the application for extension of the Bowers hydraulic dredge patents. I move that the statements be printed as a document.

The motion was agreed to.

## REPORTS OF COMMITTEES.

Mr. BERRY, from the Committee on Commerce, to whom was referred the bill (S. 6281) to provide for the leasing of water power created by public works, reported it with an amendment, and submitted a report thereon.

Mr. QUARLES, from the Committee on the Census, to whom was referred the joint resolution (H. J. Res. 182) authorizing the Director of the Census to compile statistics relating to irrigation, reported it without amendment, and submitted a report thereon.

Mr. MASON, from the Committee on Commerce, to whom was referred the bill (H. R. 11987) relating to transportation of dutiable merchandise at subports of Tacoma and Seattle, State of Washington, reported it without amendment.

He also, from the same committee, reported an amendment proposing to appropriate \$25,000 for the improvement of the Ohio River between Cairo and Mound City, intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations.

Mr. WARREN. I report from the Committee on Claims sixteen bills, one amendment, and three joint resolutions, and ask that they be postponed indefinitely, as they have been provided for otherwise.

The bills, amendment, and joint resolutions were postponed indefinitely, as follows:

A bill (S. 3198) for the relief of the firm of Zeno Secor or its legal representatives;

A bill (S. 4058) for the relief of Sarah K. T. Baker;

A bill (S. 1710) for the relief of J. V. Davis;

A bill (S. 1213) to grant jurisdiction and authority to the Court of Claims in the case of Southern Railway Lighter No. 10, her cargoes, etc.;

A bill (S. 3088) for the relief of Julia A. Thomas, administratrix of the estate of I. S. O. G. Greer, deceased;

A bill (S. 572) for the relief of R. M. Probstfield;

A bill (S. 871) for the relief of the New Orleans and Bayou Sara Mail Company, of New Orleans, La.;

A bill (S. 3197) for the relief of Secor & Co., Perine, Secor & Co., and the firm of Zeno Secor or its legal representatives;

A bill (S. 105) for the relief of the heirs of C. C. Moore, deceased;

A bill (S. 1746) for the relief of the Globe Works, of Boston, Mass.;

A bill (S. 2956) for the relief of Francis King;

A bill (S. 3070) to pay the findings of the Court of Claims in certain French spoliation claims;

A bill (S. 5190) for the relief of J. B. Roberson, administrator of the estate of J. P. Roberson, deceased;

A bill (S. 1884) for the relief of the legal representatives of Tomlinson & Hartupe & Co.;

A bill (S. 1240) for the relief of John K. Nutt, administrator of Haller Nutt, deceased;

A bill (S. 355) for the relief of Henry R. Walton, administrator of John Walton, deceased;

A joint resolution (S. R. 29) authorizing the Secretary of the Treasury to ascertain, allow, and pay the claims of the several States for all moneys by them actually paid to aid the General Government in maintaining the national defense when carrying on the war of the rebellion;

A joint resolution (S. R. 14) in relation to the claims of the States of Ohio, Michigan, Illinois, and Indiana against the Government of the United States;

A joint resolution (S. R. 10) authorizing and directing the Secretary of the Treasury to pay certain claims of the State of Indiana; and

An amendment submitted by Mr. TURNER, relative to the claim of the heirs or legal representatives of Charles P. Culver, intended to be proposed to the sundry civil appropriation bill.

Mr. BEVERIDGE, from the Committee on Territories, to whom was referred the bill (S. 5422) authorizing the county of Maricopa, Territory of Arizona, to issue bonds for the construction of reservoirs and dams for water storage, and for other purposes, reported it with amendments.

## SHOAL IN NORTH RIVER, NEW YORK HARBOR.

Mr. PERKINS. I am directed by the Committee on Commerce, to whom was referred the joint resolution (S. R. 120) providing for the removal of shoal in North River of New York Harbor, to report it favorably without amendment and to ask unanimous consent for its immediate consideration.

The Secretary read the joint resolution, and, by unanimous consent, the Senate, as in Committee of the Whole, proceeded to its consideration.

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

DAVID H. JARVIS, ELLSWORTH P. BERTHOLF, AND SAMUEL J. CALL.

Mr. HANNA. I am directed by the Committee on Commerce, to whom was referred the bill (H. R. 11019) directing the Secretary of the Treasury to bestow medals upon First Lieut. David H. Jarvis, Second Lieut. Ellsworth P. Bertholf, and Samuel J. Call, surgeon, all of the Revenue-Cutter Service, to report it favorably without amendment and to ask for its immediate consideration.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration. It directs the Secretary of the Treasury to bestow a gold

medal of honor, of such design as he may approve, upon First Lieut. David H. Jarvis, Second Lieut. Ellsworth P. Bertholf, and Dr. Samuel J. Call, surgeon, all of the Revenue-Cutter Service and members of the overland expedition of 1897 and 1898 for the relief of the whaling fleet in the arctic regions, in recognition of the heroic service rendered by them in connection with that expedition, and appropriates \$1,000 for the purchase or manufacture of the medals.

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

#### FORT STEVENS NATIONAL MILITARY PARK.

Mr. PLATT of New York, from the Committee on Printing, reported the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That 500 copies of the letter, June 2, 1902, from the Fort Stevens Lincoln National Military Park Association, with the appendices A, B, C, and D, all in explanation of the object of the association as contemplated by Senate bill No. 4476, Fifty-seventh Congress, first session, to establish a national military park at the battlefield of Fort Stevens, in the District of Columbia, be printed for the use of the Senate.

JOHN MARBLE.

Mr. GALLINGER. The bill (H. R. 3519) granting an increase of pension to John Marble was mislaid in the committee room. It is a bill in behalf of a blind soldier, and is the last report that will be made from the Committee on Pensions at this session. I report the bill back favorably without amendment, and ask that it may be considered.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes to place on the pension roll the name of John Marble, late of the United States steamships *Ohio*, *Cohasset*, and *Ceres*, United States Navy, and to pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

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

#### BILLS AND JOINT RESOLUTION INTRODUCED.

Mr. PLATT of New York introduced a bill (S. 6287) for the relief of Theodore R. Timby; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Patents.

Mr. BLACKBURN introduced a bill (S. 6288) for the relief of Alex. Kennedy; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. MARTIN introduced a bill (S. 6289) for the relief of Harrison Capp; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. GAMBLE introduced a bill (S. 6290) to extend the provisions of section 2455 of the Revised Statutes of the United States as amended by act of February 26, 1895, relating to public lands; which was read twice by its title, and referred to the Committee on Public Lands.

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

A bill (S. 6291) for the relief of the estate of George C. Pearce, deceased; and

A bill (S. 6292) for the relief of the estate of John Norwood, deceased.

Mr. FORAKER introduced a joint resolution (S. R. 123) for the relief of Naval Cadet William Victor Tomb, United States Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

#### AMENDMENT TO THE DEFICIENCY APPROPRIATION BILL.

Mr. CLAY submitted an amendment proposing to appropriate \$6,014.60 for payment of final judgment, including cost of suit, of Georgia Venable Construction Company *v.* The United States, rendered in the United States circuit court, northern district of Georgia, etc., intended to be proposed by him to the general deficiency appropriation bill; which was ordered to lie on the table.

#### CLAIMS OF MAIL CARRIERS.

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

*Resolved by the Senate*, That the Postmaster-General be directed to send to the Senate the number of items and the total amount due to individuals for carrying the mails prior to May 1, 1861, in cases where the Confederate records on file in the Department fail to show payment by the Confederate Government.

#### DEFICIENCY APPROPRIATION BILL.

Mr. HALE. I move that the Senate proceed to the consideration of the deficiency appropriation bill.

Mr. PENROSE. I ask unanimous consent that a bridge bill may be taken up and passed. It will take but a moment. It is to provide for a bridge over the Monongahela River, and I want to have it pass the House to-morrow. I hope the Senator from Maine will let the bill be called up.

Mr. HALE. Let me get up the deficiency appropriation bill.

Mr. PENROSE. All right. I will then renew the request.

The PRESIDENT pro tempore. The Senator from Maine moves that the Senate proceed to the consideration of the bill (H. R. 15108) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1902, and for prior years, and for other purposes.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Appropriations with amendments.

Mr. HALE. I ask that the formal reading be dispensed with, and that the amendments of the committee be acted upon as they are reached.

The PRESIDENT pro tempore. The Senator from Maine asks unanimous consent that the formal reading of the bill be dispensed with, that it be read for amendment, and that the committee amendments shall first receive consideration. Is there objection? The Chair hears none, and it is so ordered.

Mr. PENROSE. I ask the Senator from Maine to yield to me to have a bridge bill passed. It will take only a minute, and I want to get it through the House to-morrow.

Mr. HALE. If it takes no time I will yield.

Mr. PENROSE. It will not take any time.

Mr. HALE. Very well.

#### MONONGAHELA RIVER BRIDGE.

Mr. PENROSE. I ask the Senate to proceed to the consideration of the bill (S. 4611) to authorize the West Elizabeth and Dravosburg Bridge Company to construct and maintain a bridge across the Monongahela River, in the State of Pennsylvania.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported from the Committee on Commerce with an amendment, in section 5, page 4, line 18, after the word "purposes," to insert:

And equal privileges in the use of said bridge shall be granted to all telegraph and telephone companies.

The amendment was agreed to.

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

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

#### DEFICIENCY APPROPRIATION BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15108) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1902, and for prior years, and for other purposes.

The Secretary proceeded to read the bill. The first amendment of the Committee on Appropriations was, under the head of "Department of State," on page 2, after line 9, to insert:

To pay certain claims of British and German subjects growing out of the seizure of the British schooners *E. R. Nickerson* and *Wary* during the late war with Spain, as set forth in Senate Document No. 306 of the present session, \$6,005.

The amendment was agreed to.

The next amendment was, on page 2, after line 15, to insert:

To meet the pro rata part of the United States, under the agreement at the Second International American Conference, held in the city of Mexico during the year 1901, for the purpose of purchasing the complete edition of 1,200 copies of the Dictionary of Construction and Rules of the Spanish Language, fiscal year 1903, \$4,246.

The amendment was agreed to.

The next amendment was, under the subhead "Foreign intercourse," on page 4, after line 7, to insert:

For additional amount for the salary of the United States consul at Odessa, Russia, for the fiscal year 1903, \$500.

The amendment was agreed to.

The next amendment was, on page 4, after line 10, to insert:

That the appropriations made in the act making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1903, approved March 22, 1903, for the pay of the envoy extraordinary and minister plenipotentiary to Austria, and the secretaries of the legations to Austria, are hereby made applicable and payable to the ambassador extraordinary and minister plenipotentiary and secretaries for said embassy for Austria, and may be used for the pay of the ambassador of Austria and the secretaries of said embassy.

The amendment was agreed to.

The next amendment was, on page 4, after line 21, to insert:

To pay John C. White for services rendered as chargé d'affaires ad interim of the United States at Rio de Janeiro, Brazil, from December 23, 1878, to March 27, 1879, inclusive, and from April 11, 1880, to June 30, 1880, inclusive, \$2,030.63.

The amendment was agreed to.

The next amendment was, under the head of "Treasury Department," on page 9, after line 2, to insert:

For construction of a steel ferryboat to run between Ellis Island and the Battery, New York, to be paid out of the immigrant fund, \$80,000.

The amendment was agreed to.

The next amendment was, on page 9, after line 16, to insert:

Enforcement of the Chinese-exclusion act: To prevent unlawful entry of Chinese into the United States by the appointment of suitable officers to enforce the laws in relation thereto, and for expenses of returning to China all Chinese persons found to be unlawfully in the United States, including the cost of imprisonment and actual expense of conveyance of Chinese persons to the frontier or seaboard for deportation, \$15,000.

The amendment was agreed to.

The next amendment was, on page 11, after line 2, to insert:

Pan-American Exposition: To John G. Milburn, of Buffalo, N. Y., as trustee, for the payment of certain creditors of the Pan-American Exposition Company, \$500,000; the claims against said company to be paid pro rata by said Milburn as trustee aforesaid being for labor, material, services, and other expenses incident thereto and attending the work of said exposition. None of this money shall be paid to any stockholder of said corporation as a dividend upon such stock, nor to any claim against said company secured by mortgage, nor to any holder of bonds or securities of said company on account of said bonds or securities, nor shall any payment be made for rents of said grounds or for the restoration of the same. The said Milburn as trustee shall file with the Secretary of the Treasury a report giving the names of the creditors so paid and the respective amounts and on what account, accompanied with a voucher, under oath, showing the furnishing of such labor, material, services, and other expenses as aforesaid, and the payment therefor by said trustee. The unexpended balance, if any, shall be returned by said trustee to the Treasury with said report, which shall be filed within one year after said appropriation shall be paid to said trustee. In case of the death, resignation, or removal of said trustee, the circuit court of the United States for the western district of New York shall, upon application of any interested party, appoint a successor who shall discharge said trust.

The said trustee or his successor may be required by the Secretary of the Treasury to give a bond to be approved by him for the faithful discharge of said trust hereby created.

Mr. BAILEY. Mr. President, is it in order to move an amendment? Is the bill being read for amendment now?

The PRESIDENT pro tempore. It is not. Unanimous consent was given that the committee amendments should first receive consideration.

Mr. HALE. There will be an opportunity when we get through with the committee amendments.

Mr. BAILEY. I simply want to protest against that kind of a provision.

The PRESIDENT pro tempore. If an amendment was to be proposed to an amendment—

Mr. HALE. That of course is in order.

The PRESIDENT pro tempore. It would be in order.

Mr. HALE. If the Senator wants to move to amend the amendment, of course he can do so.

Mr. BAILEY. Probably, if there is any place in the United States which under all the circumstances would be entitled to this kind of a provision by Congress it would be Buffalo. Not only did her enterprising citizens provide a great exposition there at a loss, but the overwhelming calamity that came upon the entire Republic in the assassination of President McKinley fell with peculiar effect upon this exposition. But my judgment is when cities or individuals engage in an undertaking of this kind they ought to take the chances of loss and of profit. Nobody believes that if they had realized a handsome profit upon their investment they would have been tendering any portion of it to the Government of the United States. Neither does anybody believe that having incurred a loss the Congress of the United States ought to make it good.

For ten years in the other House of Congress I have been protesting against appropriations for purposes like this. I declared, I remember, in the first contest over it, that we would reach a time when there would scarcely be two years without an exposition in some part of the country. We reached it earlier than I expected. We have reached it, and I simply want to record my prediction now, that if Congress pays the deficiency provided for in this bill in the case of the Buffalo Exposition and the Charleston Exposition, it will be called upon to meet a very much greater deficiency in the great exposition which is to be held at the city of St. Louis.

If it is to be the policy of the Government that everybody who wants to hold an exposition can get Congressional appropriations for that purpose, and if, when they fail to meet their expenses, they can then return to Congress and procure appropriations to cover the deficiencies, let the country understand it.

I am exceedingly loath to make this point against the Buffalo Exposition. I know the men who were identified with it; I know they have borne their part as well as men could have done under the circumstances; but it is a principle with me. I believe this is a gross misapplication of public funds, and it can not pass without, at least, a protest on my part and a vote against it.

Mr. HALE. Mr. President, I am very glad the Senator has said what he has so well. This is undoubtedly a great departure from what in the olden days anybody thought would be done. My consolation in all that I have done in this matter is that I think the fate of this exposition and the fate of the Charleston Exposition has been such that it will dissuade the cities of the country from the mad pursuit they have been engaged in for expositions. They start with the theory that it would be of great advantage to the towns where they are to be held, and then they

ask Congress to give them a kind of national and international character by inviting foreign powers to participate, and when in compliance with that importunity we do that, the next step is that they claim we are committed to it as a Government exposition.

Now, the Committee on Appropriations has gone through all this so many times that it is worn out with the whole subject-matter. In the first place, we ought not again in a generation to take any part whatever in any of these expositions. As I have said, I hope the fate of these two will deter subsequent enterprises of this kind.

The committee put in this provision for two reasons. It does not make any difference in the amount of money whether you appropriate originally as a gift or appropriate afterwards as a deficiency. The Senate last year provided for \$500,000 additional to this exposition in the spirit of liberality that had led it to be very liberal to the St. Louis Exposition, but the House struck it out and we could not get it in conference. If we had done as the Senate had then decided unanimously to give it to them they would have had the money and would not have been here now. Therefore in reckoning up amounts the Committee on Appropriations saw that it was no more than the Senate had already committed itself to.

Then, of course, there was the other patent reason—the tragic event in Buffalo, which overshadowed not only the country, but the world, and prostrated this exposition. It was not the fault of the Government; it did not make a legal claim upon the Treasury; but, in connection with the fact that we had already provided for \$500,000, as I have said, beforehand as a gift, it appealed to the Senate committee very strongly that we should put it on.

We have guarded it and have left the expenditure of the money in the hands of a very eminent man in Buffalo, Mr. Milburn, who was the president, and who, I will say, after we had drafted the amendment and put it into his hands, telegraphed down that he preferred that we should add to the provision one making him accountable to the Treasury and submit vouchers and returns, and also asking that we put him under bonds, as is usual in such cases. The committee did not propose to do that, having so much confidence in him, but we complied with his request, and have provided that he shall account to the Treasury, make his returns there for this money, show how it has been expended, and if there is any balance pay it back; and that he shall also give bonds, as disbursing officers do who are intrusted with Government money.

So we have in the details guarded it as well as we can, and we have been influenced by this consideration. My opinions are in entire accord with those of the Senator from Texas. There is no real claim here in law, perhaps not in equity, but rather in sympathy, and, as I have said, there is the hope that this will be the end of this kind of business. I think it will.

Mr. SPOONER. Is there any language in the amendment, I ask the Senator, which would distinguish it from the ordinary deficit, so as to take it out from being a precedent which is to be followed hereafter? The assassination of the President at Buffalo undoubtedly, as the Senator says, had a very detrimental effect upon the exposition. That was an event which it is to be hoped and expected is absolutely unique and will not occur again. I should like to suggest to the Senator whether, if it be possible to put it in a law upon this peculiar ground, it would not be wise to do it?

Mr. HALE. The committee considered that, and we thought we would not embody anything of that kind in the bill, but let it be seen, as it will be, and remembered of all men hereafter, that that is one great reason. The other reason is a pretty strong one.

Mr. SPOONER. What will be remembered hereafter will be the appropriation to make up the deficit. I think the Senator from Texas is quite right. But I shall vote for this proposition. One reason why I shall vote for it is because I suppose it will be taken as a sort of understanding that hereafter the Government will not assume the ultimate expense and deficit, and that may be a satisfactory argument against embarking in any more of these expositions.

Mr. HALE. That is what I hope.

Mr. TELLER. Mr. President, I agree with the Senator from Texas as to these appropriations, and it was with great reluctance that I assented as a member of the committee to this item. But this is an exceptional case. If it has ever been justifiable for the Government to assist in these expositions, it is certainly justifiable that the Government should assist now in paying some of the expenses that will fall heavily and cruelly upon a certain portion of the community where this fair was held.

I am not a special friend of expositions. I think the experience in Buffalo will be beneficial, because I think it will retard other communities from trying them. The fair at Buffalo would undoubtedly have been a success but for the unfortunate occurrence

of the assassination of the President. Up to that time the fair was a promising one, but immediately upon the assassination the people of the United States were so horror-stricken with that terrible catastrophe that nobody wanted to go there. It is a fact that not only did the attendance immediately fall off—that is, people did not go—but people who had gone there intending to remain for some considerable time immediately departed from the city.

I have some acquaintances at Buffalo. I was brought up in the neighborhood of that city and I know a great many people there. The universal testimony is that the boarding houses and hotels which had been full of people and trains that were loaded with people coming in were in three or four days entirely emptied. It entailed a tremendous loss on the community, and the men who had taken hold of this enterprise with a zeal and courage that are commendable when they attempt such a thing have suffered an immense loss. They have not paid all of the debts, and the committee felt that there were certain classes of debts that ought to be paid by the Government. As we made an appropriation of \$500,000 which they did not get, we felt that under the circumstances we ought to put this provision in the bill. I believe it is one of those things which we ought to do, and then we ought to quit this kind of business.

Mr. BAILEY. Mr. President, if I could be sure that the hope of the Senator from Maine and of the Senator from Colorado is a well-founded one, that cities hereafter would be deterred by the failure of this and other expositions from attempting to hold more, I should be reconciled to the appropriation carried by this bill. I am afraid, however, if we advise these ambitious citizens that when they undertake an exposition and fail we will provide for their deficiencies we rather encourage than discourage them.

There is now only one more exposition recognized and provided for by the law of Congress. It is to celebrate a great event in the history of this country, and, as I believe, in the progress of the world. I sincerely hope that, inasmuch as that exposition has been undertaken, it will be a great success, and then I as sincerely hope that Congress will not again in fifty years authorize another enterprise of this kind.

Mr. HALE. I shall be glad to join with the Senator, and I know the Senator from Wisconsin [Mr. SPOONER] will join with us if he is here, as I hope he will be, in meeting these cases at the threshold, in limine, and in some way disconnect the Government from any exposition whatever. We have had enough of them. Our fault has been in encouraging them in the beginning, in taking the first step. That is the dangerous step.

Mr. SPOONER. Somebody prophesied here once that the holding of these expositions would get to be an industry.

Mr. HALE. Yes.

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

The amendment was agreed to.

The next amendment of the Committee on Appropriations was, on page 12, after line 6, to insert:

South Carolina Interstate and West Indian Exposition: For the payment of legal claims against the South Carolina Interstate and West Indian Exposition Company for labor, articles, and services rendered to said company for the work of said exposition, or for the reimbursement of any officer of said company who has advanced money or paid such claims, \$160,000, or so much thereof as may be necessary.

The amendment was agreed to.

The next amendment was, on page 13, after line 10, to insert:

Payment to Chamberlain, Delany & Scott: To enable the Secretary of the Treasury to pay Chamberlain, Delany & Scott, of the city of Richmond, State of Virginia, the sum of \$1,704.48, the amount provided for by the act approved June 3, 1902, it now appearing that all appropriations for the Marblehead light-house have been exhausted.

The amendment was agreed to.

The next amendment was, on page 14, line 9, after the word "cents," to insert "Maj. Dan C. Kingman, \$10.30; Capt. Charles L. Potter, \$79.65," and in line 9, before the word "cents," to strike out "five hundred and fourteen dollars and eighty-two" and insert "six hundred and four dollars and seventy-seven;" so as to make the clause read:

Credit in accounts of certain officers, Corps of Engineers: Authority is hereby granted to the accounting officers of the Treasury to allow and credit in the accounts of certain officers of the Corps of Engineers, United States Army, amounts standing against them on the books of the Treasury, as follows: Lieut. Col. W. H. H. Benyard, \$29.70; Maj. F. A. Mahan, \$15; Capt. C. H. McKinstry, \$9.22; Lieut. Col. O. H. Ernst, \$435.04; Maj. Dan C. Kingman, \$10.30; Capt. Charles L. Potter, \$79.65, and Capt. Henry S. Taber, \$1,025.88; in all, \$1,604.77.

The amendment was agreed to.

The next amendment was, on page 14, after line 20, to insert:

Relief of estate of George Lea Febiger: The estate of George Lea Febiger, late first lieutenant, Thirty-third United States Infantry Volunteers, is hereby relieved from accountability for subsistence funds in the sum of \$129.38, that being the amount of such funds with which he was charged and for which he was accountable on October 24, 1900, on which date he was killed in action.

The amendment was agreed to.

The next amendment was, on page 15, line 21, after the word

"to," to insert "and loss of time of;" in line 24, before the word "dollars," to strike out "six hundred and twenty-four" and insert "one thousand three hundred and forty-four;" so as to make the clause read:

Reimbursement to the Independent Line Steamers, of Tampa, Fla.: To pay to the Independent Line Steamers, of Tampa, Fla., in full settlement of all claims said steamer line may have against the United States for damages to and loss of time of the steamer Manatee, due to a collision with the U. S. S. Hillsboro, in Tampa Bay, Florida, on the night of November 18, 1901, \$1,344.18.

The amendment was agreed to.

The next amendment was, on page 16, after line 2, to insert:

Reimbursement to John and David West: To pay to John and David West, of Cathlamet, Wash., as reimbursement in full of all damages to their dock in the Columbia River at said Cathlamet by the U. S. dredge W. S. Ladd, as set forth in House Document No. 437 of the present session, \$88.50.

The amendment was agreed to.

The next amendment was, on page 16, after line 9, to insert:

Reimbursement to owners of Belgian steamer Ragner: To reimburse the owners of the Belgian steamer Ragner for damages sustained in consequence of a collision of the Army transport Sumner in Manila Bay, as found by United States Consul-General John Goodnow at Shanghai, China, arbitrator, \$8,524.10.

The amendment was agreed to.

The next amendment was, on page 16, line 21, to increase the appropriation "to defray the expenses of collecting the revenue from customs," on account of the fiscal year 1902, from \$50,000 to \$150,000.

The amendment was agreed to.

The next amendment was, on page 17, after line 10, to insert:

#### PUBLIC BUILDINGS.

For rental of temporary quarters for the accommodation of certain Government officials at Springfield, Ill., during the fiscal year 1903, \$2,500.

The amendment was agreed to.

The next amendment was, on page 17, after line 15, to insert:

To pay Rand, McNally & Co., for repairs and improvements to the quarters in Chicago, Ill., occupied as subtreasury and internal-revenue offices, \$1,145.

The amendment was agreed to.

The next amendment was, on page 17, after line 19, to insert:

#### ENGRAVING AND PRINTING.

The Secretary of the Treasury is hereby authorized and directed to transfer the sum of \$56,670 of the unexpended balance to the credit of each of the following appropriations, namely: Compensation of employees, Bureau of Engraving and Printing, 1902, and plate printing, Bureau of Engraving and Printing, 1902, to the appropriation for materials and miscellaneous expenses, Bureau of Engraving and Printing, 1902, and to use the sum so transferred as though it had been originally appropriated for the purposes of said appropriation for materials and miscellaneous expenses, Bureau of Engraving and Printing, 1902.

The amendment was agreed to.

The next amendment was, under the subhead "Revenue Cutter Service," on page 19, after line 9, to insert:

To pay Guy N. Stockslager for services performed for the months of August, September, and October, 1900, at the request of Lieut. D. H. Jarvis, Revenue-Cutter Service, acting special agent of the Treasury Department, in assisting him in investigating the condition and taking care of the Eskimos who were sick and dying along the coast near Cape Nome, Alaska, at a salary of \$200 per month, \$600.

The amendment was agreed to.

The next amendment was, under the subhead "Government in the Territories," on page 22, after line 5, to insert:

Territory of Hawaii: To pay in part the awards rendered under an act of the legislative assembly of the Territory of Hawaii by the fire claims commission of that Territory for property destroyed in the suppression of the bubonic plague in said Territory in the years 1899 and 1900, \$1,000,000. And the governor and secretary of said Territory are hereby authorized to issue the bonds of that Territory in such sum, not exceeding \$500,000, as, together with the money hereby appropriated, may be sufficient to pay all of said awards. Said bonds shall be payable in gold coin of the United States of America of the present standard weight and fineness, shall bear interest at the rate of 4 per cent per annum, payable semiannually, and be redeemable in not less than five years and payable in not more than fifteen years from the date of issuance. The principal and interest of all bonds shall be exempt from any and all taxes, and the payment thereof shall constitute a charge on the revenues of the Territory of Hawaii. Said bonds shall be sold at not less than their face value, and the proceeds thereof shall be applied to the payment of the awards aforesaid and to no other purpose, and they shall be of such form and denominations and be issued and sold under such rules and regulations as the Secretary of the Interior shall prescribe. Under no circumstances shall any claimant, or anyone claiming through him, be required to pay, nor shall any attorney or agent be entitled to charge, demand, or receive, directly or indirectly, more than 10 per cent upon the amount recovered as compensation for services or labor of any kind or character in the prosecution or establishment of the claim, and in cases of contracts or agreements providing for payment of less than 10 per cent the payment shall not be increased above the percentage so agreed upon. Before any such award shall be paid hereunder, the governor of said Territory must certify that the same is genuine and was duly rendered in pursuance of the act of the legislative assembly of the Territory; and the payment of said awards shall be in full satisfaction and discharge of any and all claims or demands against said Territory or the United States on account of any property destroyed in the said suppression of the bubonic plague.

The amendment was agreed to.

The next amendment was, under the head of "District of Columbia," on page 25, after line 3, to insert:

For contingent expenses, being an additional amount required for the office of the superintendent of insurance, including rent, furniture, stationery, printing, books, law books, books of reference, and periodicals, and other general necessary expenses of his office, \$300.

The amendment was agreed to.

The next amendment was, on page 27, line 21, to increase the appropriation for the electrical department of the District of Columbia from \$2,000 to \$2,644.46.

The amendment was agreed to.

The next amendment was, on page 28, after line 22, to insert:

Indexing code of the District: To pay Edwin C. Brandenburg for indexing the code of laws for the District of Columbia, \$500.

The amendment was agreed to.

The next amendment was, on page 29, line 15, after the word "payment," to strike out:

Also the sum of \$7,246.81 interest allowed by the court, on the claim of the Camden Iron Works, from February 27, 1888, to the date when judgment was rendered.

So as to make the clause read:

Judgments: For payment of the judgments, including costs, against the District of Columbia, set forth in House Documents Nos. 536 and 613, of this session, \$24,763.11, together with a further sum to pay the interest, at not exceeding 4 per cent, on said judgments, as provided by law, from the date the same became due until the date of payment.

The amendment was agreed to.

The next amendment was, under the head of "War Department," on page 32, after line 21, to insert:

Statement of receipts and expenditures in Cuba and the Philippine Islands: To enable the Secretary of War to employ temporary force and to pay all necessary expenses, including rent of rooms not to exceed \$1,500, in compiling for the information of Congress a detailed statement of the receipts and expenditures by the military government of Cuba since May 1, 1900, in continuation and completion of the statement heretofore furnished of such receipts and expenditures covering the period from the beginning of American occupation to and including April 30, 1900; and to enable the Secretary of War to pay all necessary expenses in compiling for the information of Congress a similar statement relating to the Philippine Islands of all receipts and expenditures from the date of American occupation, \$30,000, or so much thereof as may be necessary, to be available until expended.

The amendment was agreed to.

The next amendment was, on page 33, after line 13, to insert:

Deposit of certain military stores funds: All funds received as the value of military stores transferred by the several staff departments of the Army to the insular government of the Philippines shall be deposited in the Treasury of the United States and remain available during the fiscal year 1903.

The amendment was agreed to.

The next amendment was, on page 33, after line 22, to insert:

Reimbursement of the Illinois Central Railroad Company: For reimbursement of the Illinois Central Railroad Company for damages to the roof of the Union Depot and train shed at Seventh and River streets, Louisville, Ky., by blasting operations conducted by the Government in connection with the improvement of the Ohio River, \$80.82.

The amendment was agreed to.

The next amendment was, on page 37, after line 4, to insert:

Governors Island, N. Y.: For continuing the enlargement of Governors Island by construction of wharf, dredging, bulkhead, and filling, \$300,000; and for the erection of storehouses and other necessary buildings, in accordance with the plan reported by a board composed of Maj. Gen. John R. Brooke, Col. George L. Gillespie, and Col. Amos S. Kimball, dated July 21, 1900, \$60,000; in all, \$360,000, to be available during the fiscal year 1903.

The amendment was agreed to.

The next amendment was, on page 37, after line 14, to insert:

Payment to the North American Transportation and Trading Company: For payment to the North American Transportation and Trading Company, Seattle, Wash., for Barge No. 3 and eight warehouse trucks wrecked October 17, 1900, while in service of the United States under impressment at St. Michael, Alaska, receiving supplies from Government transports, \$4,564.80.

The amendment was agreed to.

The next amendment was, on page 37, after line 23, to insert:

For payment to the North American Transportation and Trading Company, Seattle, Wash., of actual cost of damage sustained by their sailing vessel Mary Ann in collision with the U. S. S. Jeff. C. Davis, formerly the Du Chesnay, at Fort St. Michael, Alaska, July 21, 1900, \$405.

The amendment was agreed to.

The next amendment was, on page 38, after line 4, to insert:

For payment to the North American Transportation and Trading Company, Seattle, Wash., for supplies purchased from said company by Capt. W. P. Richardson, Eighth United States Infantry, for the relief of destitute Indians at Fort Yukon, Alaska, in March, April, and May, 1899, as detailed in House Document No. 341, Fifth-sixth Congress, second session, \$189.

The amendment was agreed to.

The next amendment was, on page 38, after line 13, to insert:

Payment to the Alaska Commercial Company: For payment to the Alaska Commercial Company, San Francisco, Cal., for 1 model barge, wrecked October 22, 1900, while in the service of the United States by authority of the commanding general, Department of Alaska, by whom pressed into service for the purpose of bringing ashore the main winter supply of coal for Fort St. Michael, Alaska, \$5,000.

The amendment was agreed to.

The next amendment was, on page 38, after line 21, to insert:

To pay E. A. McIlhenny in full compensation for rescuing, housing, feeding, clothing, and caring for shipwrecked sailors in the Arctic Ocean, in the years 1897 and 1898, \$4,785.55.

The amendment was agreed to.

The next amendment was, on page 40, after line 12, to insert:

NAVAL ESTABLISHMENT.  
GENERAL ACCOUNT OF ADVANCES.

To reimburse "General account of advances," created by the act of June 19, 1878, for amounts advanced therefrom and expended on account of the several appropriations named in excess of the sums appropriated therefor,

for the fiscal year given, found to be due the "general account" on adjustment by the accounting officers, there is appropriated as follows:

For emergency fund, Navy Department, 1899, \$135.19.  
For emergency fund, Navy Department, January 1, 1899, \$918.54.  
For pay of the Navy, 1897, \$84.65.  
For pay of the Navy, 1896, \$7.60.  
For contingent, Navy, 1901, \$1,022.12.  
For contingent, Navy, 1898 and 1899, \$240.08.  
For fuel, Marine Corps, 1901, \$2,063.20.  
For transportation and recruiting, Marine Corps, 1900, \$2,867.44.  
For contingent, Marine Corps, 1901, \$3,924.23;  
For contingent, Marine Corps, 1898 and 1899, \$4.16;  
For transportation, recruiting, and contingent, Bureau of Navigation, 1901, \$2,410.42;  
For transportation, recruiting, and contingent, Bureau of Navigation, 1900, \$2,001.03;  
For transportation, recruiting, and contingent, Bureau of Navigation, 1898 and 1899, \$58.53;  
For repairs, Bureau of Ordnance, 1901, \$8,199.48.  
For equipment of vessels, Bureau of Equipment, 1900, \$17,460.66.  
For equipment of vessels, Bureau of Equipment, 1898 and 1899, \$138.10.  
For contingent, Bureau of Equipment, 1898 and 1899, \$24.  
For maintenance, Bureau of Yards and Docks, 1901, \$15,248.68.  
For Medical Department, Bureau of Medicine and Surgery, 1898 and 1899, \$20.95.  
For Medical Department, Bureau of Medicine and Surgery, January 1, 1899, \$10;  
For contingent, Bureau of Medicine and Surgery, 1901, \$3,462.45;  
For contingent, Bureau of Medicine and Surgery, 1900, \$355.27;  
For contingent, Bureau of Medicine and Surgery, 1898-99, \$83.95;  
For provisions, Navy, Bureau of Supplies and Accounts, 1898-99, \$107.55;  
For provisions, Navy, Bureau of Supplies and Accounts, 1898, \$27;  
For contingent, Bureau of Supplies and Accounts, 1898-99, \$13.90;  
For steam machinery, Bureau of Steam Engineering, 1898-99, \$4,197.61;  
For steam machinery, Bureau of Steam Engineering, 1898, \$8;  
For repairs and preservation, Bureau of Yards and Docks, 1901, \$34,046.22; in all, \$99,641.01.

The amendment was agreed to.

The next amendment was, on page 48, after line 21, to insert:

Bureau of Supplies and Accounts: That the sum of \$1,000,000 of the unexpended balance of the appropriation of \$3,000,000 under "Provisions, Navy," made by the act approved March 3, 1899, for the fiscal year 1900, is hereby re-appropriated, and the accounting officers of the Treasury are hereby authorized and directed to transfer said amount to the naval supply fund.

The amendment was agreed to.

The next amendment was, on page 49, after line 4, to insert:

Bureau of Steam Engineering: Steam machinery, 1900: To pay balance due under contract for boilers for the United States steamer *Raleigh*, \$6,000.

The amendment was agreed to.

The next amendment was, on page 49, after line 8, to insert:

Naval Academy: For building and furnishing additional temporary quarters and recitation rooms for cadets, to be available for the fiscal year 1903, \$20,000.

The amendment was agreed to.

The next amendment was, on page 50, after line 5, to insert:

For payment of per diem to enlisted men detailed on extra duty as clerks, messengers, etc., in the offices at headquarters, United States Marine Corps, Washington, D. C., and the office of the assistant quartermaster, United States Marine Corps, Philadelphia, Pa., less the 20 per centum war increase already paid, from April 23, 1898, to May 25, 1900, inclusive, \$2,702.96.

The amendment was agreed to.

The next amendment was, on page 51, after line 5, to insert:

The Auditor for the Navy Department is hereby authorized and directed to credit on voucher No. 780, second quarter, 1900, in favor of the New York and Cuba Mail Steamship Company, for the transportation of 1 officer and 37 enlisted men of the Marine Corps, from Habana, Cuba, to New York in August, 1899, amounting to \$1,068, the sum of \$278 for quarantine fees.

The amendment was agreed to.

The next amendment was, on page 51, after line 15, to insert:

To reimburse Passed Assistant Paymaster Webb V. H. Rose amount paid for injuries inflicted by the United States steamship Monterey and checked against his accounts by the accounting officers of the Treasury, \$45.58.

The amendment was agreed to.

The next amendment was, on page 51, after line 20, to insert:

To reimburse Paymaster Livingston Hunt amount paid for an injury to a gondola car, No. 8144, belonging to the Philadelphia, Wilmington and Baltimore Railroad Company, damaged by sinking while on board a Government barge near the wharf at Indian Head, \$98.73.

The amendment was agreed to.

The next amendment was, on page 52, after line 2, to insert:

To reimburse Pay Inspector James A. Ring amount paid for repairs of the mainsail of schooner Solano checked against his accounts by the accounting officers of the Treasury, \$23.64.

The amendment was agreed to.

The next amendment was, on page 52, after line 6, to insert:

To reimburse W. G. Drees and W. J. Hansford for clothing lost, namely: W. G. Drees, \$22.45.  
W. J. Hansford, \$19.01.

The amendment was agreed to.

The next amendment was, on page 53, after line 23, to insert:

Maps prepared in the General Land Office: That the \$14,840 appropriated by the act approved April 17, 1900, for the connected and separate United States and other maps prepared in the General Land Office of the United States, which appropriation was made available for expenditure during the fiscal year 1902 by the act approved March 3, 1901, be, and the same is hereby, made available for expenditure during the fiscal year 1903; and that the \$14,840 appropriated by act of Congress approved March 3, 1901, for the connected and separate United States and other maps prepared in the General Land Office be, and the same is hereby, made available for expenditure during the fiscal year 1903.

The amendment was agreed to.

The next amendment was, on page 55, after line 13, to insert:

To reimburse Dallas Jones, Edward Minor, and Edward Poindexter for expenses and loss incurred in consequence of injuries received by the fall of a temporary roof over the Supreme Court chamber, Capitol, at \$250 each, \$750.

The amendment was agreed to.

The next amendment was, on page 57, line 3, after the word "on," to insert "or after;" so as to make the proviso read:

And provided further, That the disbursing clerk of the Census Office may pay out of the census fund on or after June 30, 1902, to employees of the office who are not to be reappointed on July 1, for whatever leave of absence the Director of the Census may, in his discretion, allow them, not to exceed, however, the annual leave authorized by existing law.

The amendment was agreed to.

The next amendment was, on page 57, after line 21, to insert:

Improvement of Mount Rainier National Park, Washington: For protection and improvement of the park and repairing and extension of roads, to be expended under the supervision of the Secretary of the Interior, to continue available during the fiscal year 1903, \$2,000.

The amendment was agreed to.

The next amendment was, on page 58, line 6, after the word "park," to strike out "construction of fences and trails;" and in line 24, before the word "thousand," to strike out "three" and insert "two;" so as to make the clause read:

Improvement of the Crater Lake National Park, Oregon: For protection and improvement of the park and repairing and extension of roads, to be expended under the supervision of the Secretary of the Interior, to continue available during the fiscal year 1903, \$2,000.

The amendment was agreed to.

The next amendment was, on page 58, after line 17, to insert:

Payment to Roland C. Nichols: For payment to Roland C. Nichols, late receiver of public moneys and special disbursing agent at the land office at Peavey, Alaska, the difference between the amount of salary at the rate of \$1,500 per annum, certified by the Commissioner of the General Land Office as due to him from July 1, 1900, to May 31, 1901, and the amount allowed and paid him in the settlement of his account for said period by the Auditor for the Interior Department, \$1,339.72.

The amendment was agreed to.

The next amendment was, on page 59, after line 3, to insert:

Payment to Albert E. Rose: For payment to Albert E. Rose, late register of the land office at Peavey, Alaska, the difference between the amount of salary at the rate of \$1,500 per annum, certified by the Commissioner of the General Land Office as due him from July 1, 1900, to May 31, 1901, and the amount allowed and paid him in the settlement of his account for said period by the Auditor for the Interior Department, \$1,339.72.

The amendment was agreed to.

The next amendment was, on page 64, after line 2, to insert:

To pay R. F. Pettigrew, administrator of the estate of Frederick W. Pettigrew, deceased, balance due on surveying contract No. 136, dated August 1, 1898, \$320.45.

The amendment was agreed to.

The next amendment was, on page 67, after line 11, to insert:

Yellowstone National Park: For the purchase of buffalo for the Yellowstone National Park, construction of a wire fence, and other suitable inclosure therefor, and the purchase of necessary feed for the herd for one year, \$20,000, to be expended under the supervision of the Secretary of the Interior, and to continue available during the fiscal year 1903.

The amendment was agreed to.

The next amendment was, on page 67, after line 19, to insert:

Surveys of Indian reservations: For survey of the Walker River Reservation, Nev., \$17,500; for survey of the Uintah Reservation, Utah, \$123,000; for survey of the Spokane Reservation, Wash., \$11,500; for allotment of lands to Indians on the Walker River Reservation, Nev., \$4,000; for allotment of land to Indians on the Uintah Reservation, Utah, \$12,000; for allotment of land to Indians on the Spokane Reservation, Wash., \$2,000; in all, \$175,000, to continue available during the fiscal year 1903.

The amendment was agreed to.

The next amendment was, on page 70, after line 11, to insert:

To reimburse Horace M. Rebok, formerly Indian agent for the Sac and Fox tribe in Iowa, and W. G. Malin, Indian agent for said tribe, for costs and expenses of defending suits brought in the United States circuit court at Cedar Rapids, Iowa, on behalf of Y. Ta Tah Wah, a tribal Indian, against said Rebok and Malin, respectively, for damages for false imprisonment, \$725.24.

The amendment was agreed to.

The next amendment was, under the head of "Post-Office Department," on page 71, after line 4, to insert:

To enable the Postmaster-General to pay Katie A. Nolan balance of salary due her as a stamp clerk in the post-office at San Antonio, Tex., from July 1, 1889, to July 1, 1893, \$800.

The amendment was agreed to.

The next amendment was, under the head of "Department of Justice," on page 73, after line 10, to insert:

For miscellaneous expenditures, including telegraphing, fuel, lights, foreign postage, labor, repairs of building and care of grounds, books of reference, periodicals, and other necessities, directly ordered by the Attorney-General, fiscal year 1901, \$346.09.

The amendment was agreed to.

The next amendment was, on page 75, after line 13, to insert:

For the payment of W. N. Landers for clerical services rendered in the office of the United States district attorney for the district of Alaska, second division, from July 24, 1900, to April 15, 1901, inclusive, at the rate of \$2,400 per annum, \$1,748.87.

The amendment was agreed to.

The next amendment was, on page 75, after line 20, to insert:

For the payment of Herman D. Crow for legal services rendered the United States from October 5 to October 10, inclusive, 1901, during the illness of the United States district attorney for the district of Washington, \$100.

The amendment was agreed to.

The next amendment was, under the head of "Legislative," on page 81, after line 13, to insert:

For the purchase from Prof. Francis N. Thorpe of manuscript for a new edition of 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, prepared by him, \$10,000: *Provided*, That he shall prepare a complete index of the work, and do all proof reading in connection with the preparation, printing, and publication thereof; and the Public Printer shall print and bind 6,000 copies of the work, of which 2,000 copies shall be for the use of the Senate and 4,000 copies for the use of the House of Representatives.

The amendment was agreed to.

The next amendment was, at the top of page 82, to insert:

For the purchase of the manuscript index of discussions of the United States Congress, 1789 to 1902, in three parts, by William A. Peffer, now in preparation, \$5,000: *Provided*, That \$1,000 of this amount shall be immediately available, and hereafter proportional payments may be made for the several parts of the index when completed to the satisfaction of the Librarian of Congress, and upon his certificate thereof.

The amendment was agreed to.

The next amendment was, on page 82, after line 9, to insert:

SENATE.

For compensation of the officers, clerks, messengers, and others in the service of the Senate, namely: Sixteen pages for the Senate Chamber, at the rate of \$2.50 per day each during the session, \$1,240, for the fiscal year 1903.

The amendment was agreed to.

The next amendment was, on page 82, after line 16, to insert:

To reimburse the official reporters of the proceedings and debates of the Senate for expenses incurred from March 4, 1901, to March 4, 1902, for clerk hire and other extra clerical services, \$3,900.

The amendment was agreed to.

The next amendment was, on page 82, after line 22, to insert:

To pay Paul Cockerille for services as a laborer in the Senate folding room in November, 1899, \$17.61.

The amendment was agreed to.

The next amendment was, at the top of page 83, to insert:

To pay R. G. Proctor for indexing and for extra services as clerk to the Committee on the Philippines, \$500.

The amendment was agreed to.

The next amendment was, on page 83, after line 3, to insert:

To pay J. H. Jones for extra services in the care of the Senate chronometer and for the work in connection therewith, \$100 for the first session of the Fifty-seventh Congress.

The amendment was agreed to.

The next amendment was, on page 83, after line 7, to insert:

To enable the Secretary of the Senate to pay the persons who performed the work of arranging and preparing the copy for and indexing the Executive Journals of the Senate from March 4, 1869, to March 3, 1891, \$4,800, which sum may be expended as additional pay or compensation to any officer or employee of the United States.

The amendment was agreed to.

The next amendment was, on page 83, after line 15, to insert:

To pay to A. H. Howe, for expenses incurred and for services in compiling and indexing the records, briefs, and arguments of counsel in the insular cases in the October term of the Supreme Court of the United States, 1900, including appendixes, provided for in House concurrent resolution of February 15, 1901, Fifty-sixth Congress, second session, the sum of \$1,000.

The amendment was agreed to.

The next amendment was, on page 83, after line 23, to insert:

To pay Dennis M. Kerr, for services as assistant clerk, by detail, to the Committee on Pensions, \$750.

The amendment was agreed to.

The next amendment was, on page 84, after line 2, to insert:

To pay John H. Walker, for extra services as clerk to the Committee on Pensions, \$500.

The amendment was agreed to.

The next amendment was, on page 84, after line 4, to insert:

To enable the Committee on Claims to prepare a record and index of private claims introduced in the Senate during the Fifty-sixth and Fifty-seventh Congresses, with a view of reporting the same to the Senate at the beginning of the next session of Congress, \$1,200, to be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee; and said sum, or any part thereof, in the discretion of the chairman, may be paid as additional compensation to any officer or employee of the United States.

The amendment was agreed to.

The next amendment was, under the subhead "House of Representatives," on page 87, after line 4, to insert:

To C. E. Wilson, \$2,000.

The amendment was agreed to.

The next amendment was, on page 87, after line 5, to insert:

To F. R. Lassiter, \$2,000.

The amendment was agreed to.

The next amendment was, on page 87, line 7, to increase the total appropriation for allowance to contestants and contestees for expenses incurred by them in contested election cases, as

audited and recommended by the Committee on Elections of the House of Representatives, from \$35,223.05 to \$39,223.05.

The amendment was agreed to.

The next amendment was, on page 90, after line 7, to insert:

To enable the Clerk of the House of Representatives to pay to George W. Nichols, father of Charles C. Nichols, deceased, the expenses of the last illness and burial of the said Charles C. Nichols in a sum not exceeding \$250, and the further sum of \$360, being six months' pay at the rate of compensation received by him at the time of his death as a laborer under the Door-keeper; in all, \$610.

The amendment was agreed to.

The next amendment was, on page 90, after line 15, to strike out:

For compiling, under the direction of the House Committee on the Judiciary, of the constitutions with all amendments thereto, and of the organic acts and enabling acts of the several States and Territories of the United States, \$1,000.

The amendment was agreed to.

The next amendment was, under the head of "Judgments, Court of Claims," on page 91, line 24, after the word "ninety-two," to insert "and Senate Document No. —," and on page 92, line 3, before the word "Provided," to strike out "\$71,474.53" and insert "\$236,578.87;" and in line 5, after the word "expired," to insert:

And provided further, That settlement of the judgment in the case of the State of Pennsylvania shall be made by the Auditor for War Department.

So as to make the clause read:

For the payment of the judgments rendered by the Court of Claims, reported to Congress at its present session in House Document No. 592, and Senate Document No. —, \$236,578.87: *Provided*, That none of the judgments herein provided for shall be paid until the right of appeal shall have expired: *And provided further*, That settlement of the judgment in the case of the State of Pennsylvania shall be made by the Auditor for War Department.

The amendment was agreed to.

The next amendment was, under the head of "Judgments, United States courts," on page 93, line 14, after the word "sixty," to insert "and Senate Document No. —;" so as to make the clause read:

For payment of the final judgments and decrees, including costs of suit, which have been rendered under the provisions of the act of March 3, 1887, entitled "An act to provide for the bringing of suits against the Government of the United States, certified to Congress at its precess session by the Attorney-General, in House Documents Nos. 593 and 600 and Senate Document No. — of this session, and which have not been appealed, \$922.60, together with such additional sum as may be necessary to pay interest on the respective judgments at the rate of 4 per cent per annum from the date thereof until the time this appropriation is made: *Provided*, That none of the judgments herein provided for shall be paid until the right of appeal shall have expired.

Mr. HALE. On page 93, lines 16 and 17, strike out the words "nine hundred and twenty-two dollars and sixty cents" and insert "seventeen thousand and sixty-two dollars."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 94, after line 2, to insert:

#### JUDGMENTS IN INDIAN DEPRECIATION CLAIMS.

For payment of judgments rendered by the Court of Claims in Indian depreciation cases, certified to Congress at its present session in Senate Document No. —, \$449,416; said judgments to be paid after the deductions required to be made under the provisions of section 6 of the act approved March 3, 1891, entitled "An act to provide for the adjustment and payment of claims arising from Indian depreciations," shall have been ascertained and duly certified by the Secretary of the Interior to the Secretary of the Treasury, which certification shall be made as soon as practicable after the passage of this act, and such deductions shall be made according to the discretion of the Secretary of the Interior, having due regard to the educational and other necessary requirements of the tribe or tribes affected, and the amounts paid shall be reimbursed to the United States at such times and in such proportions as the Secretary of the Interior may decide to be for the interests of the Indian Service: *Provided*, That no one of said judgments provided in this paragraph shall be paid until the Attorney-General shall have certified to the Secretary of the Treasury that there exists no grounds sufficient, in his opinion, to support a motion for a new trial or an appeal of said cause.

Mr. HALE. On page 94, line 6, fill in the number by inserting "423."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 95, line 15, after the word "fifty-nine," to insert "and Senate documents Nos. —," so as to make the section read:

SEC. 2. That for the payment of the following claims, certified to be due by the several accounting officers of the Treasury Department under appropriations the balances of which have been exhausted or carried to the surplus fund under the provisions of section 5 of the act of June 20, 1874, and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1899 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the act of July 7, 1884, as fully set forth in House documents Nos. 654, and 659, and Senate documents Nos. —, reported to Congress at its present session, there is appropriated as follows:

Mr. HALE. In section 2, page 95, line 16, strike out "Documents" and insert "Document," and fill the blank by inserting "425."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading was continued to line 22 on page 98.

Mr. BERRY. There are a number of State claims provided for, some put in by the House and some added by the Senate Commit-

tee on Appropriations, for repayment to States for expenses incurred during the war. I wish to ask the Senator from Maine whether in making up those accounts these States were allowed the difference between the value of gold and greenbacks at that time, or whether there are any items either for interest or principal in which allowance is made for that difference.

I will state to the Senator from Maine that I asked the chairman of the Committee on Appropriations, the Senator from Iowa, the question, and he stated that he was not sure, but that he would ascertain from the Secretary of the Treasury whether any such sum was included in the amounts that are to be paid to these States. If the Senator from Maine can give me the information, I should like to have it.

Mr. HALE. I have examined all the papers as far as I can and I have no doubt whatever that there is nothing of that kind included. In fact if there had been the amount would be four times what it is. We never have provided for that difference in any case where a claim has been allowed, and we ought not to do it.

Mr. BERRY. I am glad to hear the Senator say so. The reason why I asked the question was that at the last Congress when the matter was discussed in the Committee on Appropriations it was alleged that these States gave bonds of the State payable in gold and the Government in reimbursing them ought to pay them the difference between the premium on gold and the value of greenbacks at that time. As I stated before, the Senator from Iowa said he was not sure, but upon the assurance of the Senator from Maine of course I have nothing more to say in regard to it.

Mr. FAIRBANKS. The Senator from Maine is quite right. I am familiar with these claims. None of these items, so far as I am advised, embrace the difference between paper currency and gold.

The reading was resumed. The next amendment was under the subhead "Claims allowed by the Auditor for the War Department," on page 99, after line 2, to insert:

To the State of Vermont, \$201,408.56.

Mr. HALE. There is a correction to be made in the amendment. There is a mistake in the amount. I move to strike out "\$291,408.56" and to insert "\$280,453.56."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 99, after line 4, to insert:

The accounting officers of the Treasury are authorized to reopen and adjust the claims of Pennsylvania, Maine, New Hampshire, and Rhode Island on the basis of like claims of other States herein provided for.

The amendment was agreed to.

The reading of the bill was concluded.

Mr. HALE. I move as additional matter, which has come in from the Department, to insert what I send to the desk.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 103, after line 22, insert as an additional section the following:

SEC. 3. That for the payment of the following claims, certified to be due by the several accounting officers of the Treasury Department, under appropriations the balances of which have been exhausted or carried to the surplus fund under the provisions of section 5 of the act of June 20, 1874, and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1899 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the act of July 7, 1884, as fully set forth in Senate Document No. —, reported to Congress at its present session, there is appropriated as follows:

#### CLAIMS ALLOWED BY THE AUDITOR FOR THE TREASURY DEPARTMENT.

For contingent expenses, Treasury Department, freight, telegrams, etc., 97 cents.

For pay of assistant custodians and janitors, \$4.89.

For furniture and repairs of same for public buildings, \$97.25.

For materials and miscellaneous expenses, Bureau of Engraving and Printing, \$2.50.

For party expenses, Coast and Geodetic Survey, 20 cents.

For collecting the revenue from customs, \$12.

For Life-Saving Service, \$120.82.

For payment of judgments against internal-revenue officers, \$793.85.

For relief of Continental Fire Insurance Company and others, act February 28, 1901, \$20,275.56.

#### CLAIMS ALLOWED BY THE AUDITOR FOR THE WAR DEPARTMENT.

For pay, etc., of the Army, \$467.53.

For pay of volunteers, \$42.66.

For subsistence of the Army, \$263.54.

For regular supplies, Quartermaster's Department, \$16.

For incidental expenses, Quartermaster's Department, \$10.

For transportation of the Army and its supplies, \$20,110.09.

For barracks and quarters, \$212.

For medical and hospital department, \$589.60.

For artificial limbs, \$30.26.

For ordnance stores, repairs, \$5.

For National Home for Disabled Volunteer Soldiers, Southern Branch, \$15.

For gunboats on Western rivers, \$12.

For collecting, drilling, and organizing volunteers, \$85.20.

For pay of volunteers, Mexican war, \$14.70.

For pay, transportation, services, and supplies of Oregon and Washington volunteers in 1855 and 1856, \$20.42.

For claims for quartermaster stores and commissary supplies, act of July 4, 1864, \$220.

#### CLAIMS ALLOWED BY THE AUDITOR FOR THE NAVY DEPARTMENT.

For emergency fund, Navy Department, \$27.

For pay of the Navy, \$670.80.

For pay, Marine Corps, \$222.52.  
 For provisions, Navy, Bureau of Supplies and Accofints, \$4.50.  
 For destruction of clothing and bedding for sanitary reasons, \$5.80.  
 For indemnity for lost property, naval service, act March 2, 1865, \$566.48.  
 For indemnity for lost clothing, \$356.54.  
 For enlistment bounties to seamen, \$646.66.

CLAIMS ALLOWED BY THE AUDITOR FOR THE INTERIOR DEPARTMENT.

For investigation of pension cases, Pension Office, \$159.30.  
 For protecting public lands, timber, etc., \$37.86.  
 For surveying public lands, \$1,855.39.  
 For support of Sioux, Medawakanton band, \$5.28.  
 For payment to Edward Leader, a Chickasaw Indian, for stock stolen from him by Comanche Indians in 1836, \$2,153.34.  
 For Army pensions, \$97.

CLAIMS ALLOWED BY THE AUDITOR FOR THE STATE AND OTHER DEPARTMENTS.

STATE DEPARTMENT.

For salaries, consular service, \$3,783.52.  
 For contingent expenses, United States consulates, \$1.83.  
 For relief and protection of American seamen, \$22.60.

DEPARTMENT OF AGRICULTURE.

For general expenses, Weather Bureau, \$9.63.

DEPARTMENT OF JUSTICE.

For fees of clerks, United States courts, \$510.95.  
 For fees of witnesses, United States courts, \$100.  
 For fees of commissioners, United States courts, \$1,893.20.  
 For fees of jurors, United States courts, \$32.  
 For support of prisoners, United States courts, \$36.  
 For pay of bailiffs, etc., United States courts, \$145.  
 For miscellaneous expenses, United States courts, \$399.

CLAIMS ALLOWED BY THE AUDITOR FOR THE POST-OFFICE DEPARTMENT.

For rent, light, and fuel, \$10.  
 For free-delivery service, \$13.33.  
 For inland mail transportation (star), \$25.44.  
 For advertising, \$54.30.  
 For limited indemnity for lost registered mail, \$16.25.

The amendment was agreed to.

Mr. HALE. From the committee I offer the following amendment. On page 16, after line 16, I move to insert:

Payment to the Mobile and Ohio River Railroad Company: To pay the Mobile and Ohio River Railroad Company balance for transportation, as ascertained by the findings of the Court of Claims rendered on the 19th day of February, 1901, \$14,443.93.

The amendment was agreed to.

Mr. HALE. To correct a mistake, on page 17, after line 19, I move to insert:

For the continuation of post-office building at Muncie, Ind., under the present limit, \$10,000, in addition to the amount heretofore appropriated.

The amendment was agreed to.

Mr. HALE. On page 34, after line 5, I move to insert:

Rivers and harbors: For the improvement of the Ohio River between Cairo and Mound City, \$25,000, to continue available during the fiscal year 1903, and to be expended only if, in the opinion of the Secretary of War, an emergency exists making such an expenditure necessary.

The amendment was agreed to.

Mr. HALE. On page 55, after line 18, I move to insert:

To reimburse Joshua W. Barkley for expenses and loss incurred in consequence of injuries received during the work of remodeling the old Congressional Library and changing same to committee rooms, \$250.

The amendment was agreed to.

Mr. HALE. On page 81, after line 12, I move to insert:

To enable the Secretary of the Treasury to pay the unpaid expenses incurred on account of the last illness and death of President McKinley, including compensation of physicians, \$45,000, or so much thereof as may be necessary. *Provided*, That the Secretary shall pay only such expenses and services as he shall determine are just and reasonable and were necessary. All accounts shall be presented to him within two months from the date of the approval of this act, and no payment shall be made to any officer or employee of the Government for personal or professional services.

The amendment was agreed to.

Mr. HALE. On page 84, line 10, after the word "paid," I move to strike out in the amendment already agreed to the words "from the contingent fund of the Senate."

The amendment was agreed to.

Mr. HALE. In line 14, page 84, after the words "United States," I move to add the words "and to be available during the fiscal year 1903."

The amendment was agreed to.

The PRESIDENT pro tempore. The bill is still open to amendment as in Committee of the Whole.

Mr. JONES of Arkansas. I offer an amendment, to come in after line 7, on page 81.

The SECRETARY. On page 81, after line 7, insert:

That the Secretary of the Treasury be, and he hereby is, authorized and directed to pay to Mary E. Parker the sum of \$5,000, out of any money in the Treasury not otherwise appropriated, in full compensation for extra services rendered to the United States by her husband, I. C. Parker, deceased, late Judge of the United States district court for the western district of Arkansas.

The amendment was agreed to.

Mr. GALLINGER. I offer an amendment to come in under the head of "District of Columbia." I will simply say that it passed the Senate at the present session in the shape of a bill, and I hope the Senator from Maine will allow it to go in.

Mr. HALE. Let the amendment be read.

The SECRETARY. On page 32, after line 15, insert:

To pay to Elizabeth L. W. Bailey, of Washington, D. C., administratrix of the estate of Davis W. Bailey, deceased, the sum of \$10,519.20, and the lawful interest thereon from the 18th day of July, 1892, the day on which the award for that sum was made in favor of said administratrix and against said District and filed in the supreme court of the District of Columbia by J. J. Johnson, the arbitrator, to whom had been mutually submitted for arbitration by him, by the said Commissioners and the said administratrix, the case then pending and untried in said court between said administratrix as plaintiff and the District of Columbia as defendant, known and designated upon the calendar of said court as No. 24279, instituted therein for the recovery of damages by the plaintiff from the said defendant for alleged breach of contract by the said defendant for laying asphalt pavements in said District, and being the amount afterwards found and returned by the verdict of the jury upon a trial in said court involving the validity of said award, and upon which verdict judgment was duly entered in said court for said sum of \$10,519.20, besides costs, and which said judgment was in all things afterwards by the court of appeals of the District of Columbia affirmed, upon an appeal taken thereto by the said District, and which said judgment was afterwards reversed by the Supreme Court of the United States, upon appeal taken thereto by said District, solely upon a question of law in no way involving or affecting the merits of said judgment or said case. That one-half of said sum so awarded and the interest as aforesaid shall be paid out of the revenues of the said District of Columbia and one-half from the Treasury of the United States; and a sum sufficient to pay the same is hereby appropriated, out of any money in the Treasury not otherwise appropriated.

Mr. HALE. That is a claim. I must make the point of order on it.

The PRESIDENT pro tempore. The Chair sustains the point of order.

Mr. PRITCHARD. I offer an amendment, which I send to the desk.

The SECRETARY. On page 21, after line 16, insert:

To pay Calvin J. Cowles, late assayer in charge of the United States assay office at Charlotte, N. C., the sum of \$1,500 per annum for services as such from July 1, 1875, to October 16, 1876.

Mr. HALE. That is subject to a point of order.

Mr. PRITCHARD. I think not, because it is to pay an unpaid balance due as a salary. It seems to me that it properly belongs to this bill and ought to go in.

Mr. HALE. No; it is a claim. The committee considered it and rejected it on account of being a claim for salary when the salary did not by law apply.

The PRESIDENT pro tempore. The Chair is obliged to sustain the point of order.

Mr. HALE. I am obliged to make these points, Mr. President.

Mr. CLAY. I offered an amendment to the bill to come in on page 29. I have just conferred with the Senator in charge of the bill, and he informs me that the item of \$6,014 in favor of the Georgia Venable Construction Company has already been inserted in the bill this morning. If that be true, I desire to withdraw the amendment. I think that is correct. I ask the Senator from Maine if it is not.

Mr. GALLINGER. In this connection, if that has been done, I should like to ask the Senator in charge of the bill if it was not a private claim.

Mr. CLAY. It was not a private claim. It was a judgment rendered in the circuit court for the northern district of Georgia after trial. A judgment was rendered in favor of the Georgia Venable Construction Company for six thousand and fourteen dollars and some cents besides costs. The case was reported to the Department of Justice, and after thorough investigation the Department of Justice declined to recommend an appeal, and the Attorney-General has recommended that the claim be paid.

Mr. HALE. The case was not put in the bill by the committee, because we had not received the document at the time the bill was reported. It came in afterwards, and was included in the bill, being a judgment.

Mr. CLAY. I am informed that several other judgments of a similar nature were inserted in the bill.

Mr. MORGAN. I desire to offer an amendment. I am trying to find the right place. I will offer the amendment and locate the place afterwards.

Mr. HALE. Let us hear what the amendment is.

Mr. MORGAN. It is an amendment to pay Mrs. C. A. Darling \$5,683. It was reported by the Committee on War Claims of the House. It has been very often reported to the Senate, and has passed both Houses at different times.

Mr. HALE. I am very sorry, but I shall have to make the same point of order with that that I have made on the others. It is undoubtedly a good claim; but it is a claim, and therefore can not go on this bill.

Mr. MORGAN. I hope the Senator will waive the point of order, because if we do not pay the poor old woman, who is now dying really of starvation, we shall have to pay the sum to her administrator after she is dead and gone. I want her to get the benefit of it.

Mr. HALE. Other Senators about me, against whom I have just made the point of order, appeal to me, and as I have made the point against their amendments I must make it in this case. There is no discretion on my part in the matter.

Mr. MORGAN. I do not know what latitude the Senator gives.

The PRESIDENT pro tempore. The Chair sustains the point of order.

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.

ACCOUNTS OF ARMY OFFICERS.

Mr. ALDRICH. I desire to enter a motion to reconsider the vote by which the bill (S. 2341) to authorize the readjustment of the accounts of Army officers in certain cases, and for other purposes, was passed yesterday. I move that the House of Representatives be requested to return the bill to the Senate. It is a bill relating to longevity pay for officers of the Army, involving several million dollars. I did not know the character of the bill when it was passed.

The PRESIDENT pro tempore. The motion to reconsider will be entered. The Senator from Rhode Island moves that the House be requested to return the bill to the Senate.

The motion was agreed to.

ABANDONED PROPERTY IN INSURRECTIONARY DISTRICTS.

Mr. MONEY. I move to take up for consideration Senate bill 362.

Mr. ALDRICH. What is the nature of the bill?

The PRESIDING OFFICER (Mr. GALLINGER in the chair). The title will be read.

The SECRETARY. A bill (S. 362) to revive and amend an act to provide for the collection of abandoned property and the prevention of frauds in the insurrectionary districts within the United States, and acts amendatory thereof.

The PRESIDING OFFICER. The question is on the motion of the Senator from Mississippi to proceed to the consideration of the bill the title of which has just been read.

Mr. ALDRICH. Let the bill be read for information.

The PRESIDING OFFICER. The bill will be read for the information of the Senate.

The Secretary read the bill.

Mr. ALDRICH. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from Rhode Island suggests the absence of a quorum, and the roll will be called.

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

Aldrich,	Deboe,	Lodge,	Pettus,
Bacon,	Dillingham,	McCumber,	Platt, Conn.
Bailey,	Dryden,	McEnery,	Platt, N. Y.
Bard,	Fairbanks,	McLaurin, Miss.	Quarles,
Bate,	Foraker,	McMillan,	Quay,
Berry,	Foster, Wash.	Mason,	Spooner,
Beveridge,	Gallinger,	Millard,	Taliaferro,
Blackburn,	Gamble,	Money,	Teller,
Burnham,	Heitfeld,	Morgan,	Tillman,
Burton,	Jones, Ark.	Nelson,	Warren,
Clapp,	Kean,	Patterson,	Wellington,
Clay,	Kittredge,	Perkins,	Wetmore.

The PRESIDING OFFICER. Forty-eight Senators have answered to their names. A quorum is present. The question is on the motion of the Senator from Mississippi [Mr. MONEY].

Mr. SPOONER. Mr. President, I am quite aware that debate is not in order upon this motion, but I want to ask the Senator from Mississippi whether he wishes this bill taken up in order to have it voted upon or only in order to submit remarks upon it.

Mr. MONEY. I wish to have the bill taken up for consideration, Mr. President. It has been on the Calendar for three years, with six or eight favorable reports, with no adverse report, and no minority report—

Mr. ALDRICH. Debate is out of order, Mr. President. I ask that the vote be taken by yeas and nays on the motion to take up the bill.

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

Mr. PLATT of Connecticut (when Mr. HAWLEY's name was called). I wish to state that my colleague [Mr. HAWLEY] is absent on account of indisposition, and will be absent for the remainder of the session. By an arrangement between the Senator from Utah [Mr. RAWLINS] and the Senator from Ohio [Mr. HANNA], my colleague will stand paired with the Senator from Utah, and the Senator from Ohio will be at liberty to vote.

Mr. MCCUMBER (when his name was called). I have a pair with the junior Senator from Louisiana [Mr. FOSTER], and therefore refrain from voting.

Mr. TALIAFERRO (when Mr. MALLORY's name was called). My colleague [Mr. MALLORY] is absent from the city. He has a general pair with the senior Senator from Vermont [Mr. PROCTOR].

Mr. NELSON (when his name was called). I have a general pair with the junior Senator from Missouri [Mr. VEST], and withhold my vote on that account.

Mr. PETTUS (when his name was called). I have a general pair with the senior Senator from Massachusetts [Mr. HOAR], but an exchange of pairs has been arranged by the Senator from North Dakota [Mr. HANSBROUGH].

Mr. HANSBROUGH. I suggested to the Senator from Alabama that we transfer pairs, I being paired with the senior Senator from Virginia [Mr. DANIEL], so that the Senator from Virginia will stand paired with the senior Senator from Massachusetts [Mr. HOAR], allowing the Senator from Alabama [Mr. PETTUS] and myself to vote. I vote "nay."

Mr. PETTUS. I vote "yea" on that understanding.

Mr. DILLINGHAM (when Mr. PROCTOR's name was called). I desire to announce that my colleague [Mr. PROCTOR] is unavoidably absent. As has already been stated, my colleague is paired with the Senator from Florida [Mr. MALLORY].

Mr. QUARLES (when his name was called). I have a general pair with the senior Senator from Texas [Mr. CULBERSON]. He being absent, I withhold my vote.

Mr. SPOONER (when his name was called). I have a general pair with the Senator from Tennessee [Mr. CARMACK], who does not seem to be in the Chamber. I do not know how that Senator would vote if present, and therefore I am not at liberty to vote. If I were at liberty to vote, I should vote "nay."

Mr. BERRY. I suggest to the Senator from Wisconsin to transfer his pair to the Senator from Maryland [Mr. MCCOMAS], who will then stand paired with the Senator from Tennessee [Mr. CARMACK]. I have already voted in the affirmative.

Mr. SPOONER. That is entirely agreeable to me, and I vote "nay."

Mr. TALIAFERRO (when his name was called). I have a general pair with the junior Senator from West Virginia [Mr. SCOTT]. I suggest to the Senator from Wisconsin [Mr. QUARLES] that we transfer pairs, so that both of us will be at liberty to vote.

Mr. QUARLES. That is entirely agreeable to me, and that will relieve the Senator from Florida [Mr. TALIAFERRO] and myself of our pairs, so that we can both vote. I vote "nay."

Mr. TALIAFERRO. I vote "yea."

The roll call was concluded.

Mr. BAILEY. I desire to announce that my colleague [Mr. CULBERSON] is unavoidably detained from the Senate. If he were here, he would vote "yea."

Mr. MARTIN. I have a general pair with the senior Senator from Illinois [Mr. CULLOM] and withhold my vote for that reason. If he were present, I should vote "yea."

Mr. CLAPP (after having voted in the negative). I have a general pair with the junior Senator from North Carolina [Mr. SIMMONS]. Observing his absence, I ask to recall my vote.

The PRESIDING OFFICER. The Senator from Minnesota [Mr. CLAPP] withdraws his vote.

Mr. PRITCHARD. I am paired with the junior Senator from South Carolina [Mr. MCLAURIN]. If he were present, I should vote "yea."

Mr. NELSON. As I have already announced, I have a general pair with the junior Senator from Missouri [Mr. VEST]; but, in order to make a quorum, I will transfer that pair to the Senator from New York [Mr. DEPEW], who is absent, and vote "nay."

Mr. MONEY. Has the vote been concluded?

The PRESIDING OFFICER. It has not been.

Mr. CARMACK. I desire to have my vote recorded in the affirmative.

Mr. ALDRICH. A pair was announced with the Senator.

Mr. CARMACK. I was not aware of that, and withdraw my vote.

Mr. MONEY. I desire to ask a question for information. I notice from the statements of pairs being made that this seems to be regarded on the other side as a political question—

The PRESIDING OFFICER. Debate is not in order.

The result was announced—yeas 18, nays 30; as follows:

YEAS—18.

Bacon,	Clay,	McLaurin, Miss.	Taliaferro,
Bailey,	Cockrell,	Money,	Teller,
Bate,	Heitfeld,	Morgan,	Tillman.
Berry,	Jones, Ark.	Patterson,	
Blackburn,	McEnery,	Pettus,	

NAYS—30.

Aldrich,	Dillingham,	Hansbrough,	Platt, Conn.
Allison,	Dolliver,	Kean,	Platt, N. Y.
Bard,	Dryden,	Kittredge,	Quarles,
Beveridge,	Fairbanks,	Lodge,	Spooner,
Burnham,	Foraker,	McMillan,	Wellington,
Burrows,	Gallinger,	Millard,	Wetmore.
Burton,	Hale,	Nelson,	
Deboe,	Hanna,	Perkins,	

## NOT VOTING—40.

Carmack,	Elkins,	Kearns,	Proctor,
Clapp,	Foster, La.	McComas,	Quay,
Clark, Mont.	Foster, Wash.	McCumber,	Rawlins,
Clark, Wyo.	Frye,	McLaurin, S. C.	Scott,
Culberson,	Gamble,	Mallory,	Simmons,
Cullom,	Gibson,	Martin,	Simon,
Daniel,	Harris,	Mason,	Stewart,
Depew,	Hawley,	Mitchell,	Turner,
Dietrich,	Hoar,	Penrose,	Vest,
Dubois,	Jones, Nev.	Pritchard,	Warren.

So Mr. MONEY's motion was rejected.

## MESSAGE FROM THE HOUSE.

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

A joint resolution (S. R. 103) providing for the binding and distribution of public documents held in the custody of the Superintendent of Documents unbound, upon order of Senators, Representatives, Delegates, and officers of Congress, when such documents are not called for within two years after printing; and

A joint resolution (S. R. 111) limiting the gratuitous distribution of the Woodsman's Handbook to the Senate, the House of Representatives, and the Department of Agriculture.

The message also announced that the House had agreed to the report of the committees of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the following bills:

A bill (H. R. 3110) to provide for the construction of a canal connecting the waters of the Atlantic and Pacific oceans;

A bill (H. R. 6570) to amend the act of May 12, 1900, authorizing the Commissioner of Internal Revenue to redeem or make allowance for internal-revenue stamps; and

A bill (H. R. 8327) to amend an act entitled "An act for the protection of the lives of miners in the Territories."

The message further announced that the House insists upon its amendment to the bill (S. 493) to amend an act entitled "An act to establish a code of law for the District of Columbia," 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. JENKINS, Mr. SAMUEL W. SMITH, and Mr. COWHERD managers at the conference on the part of the House.

The message also announced that the House had agreed to the concurrent resolution of the Senate to print and bind 15,000 copies of the memorial addresses delivered before the two Houses of Congress on the life and character of Abraham Lincoln, James G. Blaine, and James A. Garfield.

The message further announced that the House had passed a concurrent resolution to print and bind, in cloth, 3,000 copies of a Congressional Directory embracing the biographies of all members of Congress from the Continental Congress to the Fifty-seventh Congress, inclusive, etc.; in which it requested the concurrence of the Senate.

The message also returned to the Senate the enrolled bill (S. 5718) providing for the sale of sites for manufacturing and industrial plants in the Indian Territory, with the information that the House had considered the request of the Senate that the House vacate the action of the Speaker in signing the enrolled bill, and that the unanimous consent necessary to enable such action to be taken was refused.

## ISTHMIAN CANAL.

Mr. MORGAN submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 3110) to provide for the construction of a canal connecting the waters of the Atlantic and Pacific oceans having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

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

JOHN T. MORGAN,  
M. A. HANNA,  
A. B. KITTREDGE,  
*Managers on the part of the Senate.*  
W. P. HEPBURN,  
L. FLETCHER,  
R. C. DAVEY,  
*Managers on the part of the House.*

The report was agreed to.

## APPEALS FROM DECISIONS OF SPANISH CLAIMS COMMISSION.

Mr. PETTUS. I move that the Senate proceed to the consideration of House bill 12764.

The PRESIDING OFFICER. The Senator from Alabama moves that the Senate proceed to the consideration of a bill, the title of which will be stated.

The SECRETARY. A bill (H. R. 12764) amending the act of March 2, 1901, entitled "An act to carry into effect the stipulations of article 7 of the treaty between the United States and Spain," etc.

The PRESIDING OFFICER. The question is on the motion

of the Senator from Alabama [Mr. PETTUS] to proceed to the consideration of the bill. [Putting the question.] The "ayes" have it.

Mr. NELSON. I object, and suggest the absence of a quorum, Mr. President.

The PRESIDING OFFICER. The Senator from Minnesota suggests the absence of a quorum. The roll will be called.

Mr. NELSON. I do that only to get a vote on the motion to take up that bill.

The PRESIDING OFFICER. The roll call will proceed.

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

Aldrich,	Cockrell,	Jones, Ark.	Pettus,
Allison,	Deboe,	Kean,	Platt, Conn.
Bailey,	Dillingham,	Kittredge,	Platt, N. Y.
Bard,	Dryden,	Lodge,	Quarles,
Bate,	Fairbanks,	McCumber,	Spooner,
Berry,	Foraker,	McEnery,	Taliaferro,
Beveridge,	Foster, Wash.	McLaurin, Miss.	Teller,
Blackburn,	Frye,	Money,	Tillman,
Burnham,	Gallinger,	Morgan,	Wellington,
Burrows,	Hanna,	Nelson,	Wetmore.
Carmack,	Hansbrough,	Patterson,	
Clapp,	Heitfeld,	Perkins,	

The PRESIDING OFFICER. Forty-six Senators have answered to their names. A quorum of the Senate is present. The bill is in the Senate, as in Committee of the Whole, and open to amendment.

Mr. NELSON. What bill is that, Mr. President?

The PRESIDING OFFICER. The bill will again be stated by title.

The SECRETARY. A bill (H. R. 12764) amending the act of March 2, 1901, entitled "An act to carry into effect the stipulations of article 7 of the treaty between the United States and Spain," etc.

Mr. NELSON. There was an absence of a quorum, and I wanted to call for the yeas and nays on the question of the consideration of that bill.

Mr. PETTUS. I thought that question was decided.

Mr. GALLINGER. I will state the parliamentary situation, Mr. President. The Senator from Alabama [Mr. PETTUS] moved to take up the bill. The question was put, and it was declared that the "ayes" had it. Then the suggestion of the absence of a quorum was made, and the roll was called. Before leaving the chair the temporary occupant declared that the bill was before the Senate as in Committee of the Whole.

Mr. NELSON. I suggested the absence of a quorum in the Senate, and intended to follow that with a request for the yeas and nays upon the motion to consider.

The PRESIDENT pro tempore. The Chair will recognize the right of the Senator to make the demand for the yeas and nays now on the motion.

Mr. NELSON. I ask for the yeas and nays on the motion to proceed to the consideration 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 am paired with the Senator from Maryland [Mr. MCCOMAS], and therefore withhold my vote.

Mr. BEVERIDGE (when his name was called). I am paired with the Senator from Montana [Mr. CLARK], and therefore withhold my vote.

Mr. CLAPP (when his name was called). I am paired with the Senator from North Carolina [Mr. SIMMONS], and therefore withhold my vote.

Mr. MCCUMBER (when his name was called). I have a pair with the Senator from Louisiana [Mr. FOSTER], but I transfer that pair to the Senator from Maryland [Mr. MCCOMAS], and vote "nay."

Mr. NELSON (when his name was called). I have a general pair with the junior Senator from Missouri [Mr. VEST], but I transfer that pair to the senior Senator from Oregon [Mr. SIMON], and vote "nay."

Mr. PETTUS (when his name was called). I have a general pair with the senior Senator from Massachusetts [Mr. HOAR]; but the senior Senator from Massachusetts being in favor of this bill, I feel at liberty to vote, and I vote "yea."

Mr. TALIAFERRO (when his name was called). I have a general pair with the Senator from West Virginia [Mr. SCOTT], who is absent, and I therefore withhold my vote.

The roll call having been concluded, the result was announced—yeas 20, nays 16; as follows:

## YEAS—20.

Bate,	Fairbanks,	McLaurin, Miss.	Platt, Conn.
Blackburn,	Foraker,	Millard,	Platt, N. Y.
Burnham,	Heitfeld,	Money,	Spooner,
Carmack,	Jones, Ark.	Patterson,	Teller,
Dryden,	Kean,	Pettus,	Tillman.

## NAYS—16.

Allison,	Frye,	Kittredge,	Perkins,
Bard,	Gallinger,	McCumber,	Quarles,
Deboe,	Hale,	McMillan,	Wellington,
Foster, Wash.	Hanna,	Nelson,	Wetmore.

## NOT VOTING—52.

Aldrich,	Cullom,	Hawley,	Penrose,
Bacon,	Daniel,	Hoar,	Pritchard,
Bailey,	Depew,	Jones, Nev.	Proctor,
Berry,	Dietrich,	Kearns,	Quay,
Beveridge,	Dillingham,	Lodge,	Rawlins,
Burrows,	Dolliver,	McComas,	Scott,
Burton,	Dubois,	McEnery,	Simmons,
Clapp,	Elkins,	McLaurin, S. C.	Simon,
Clark, Mont.	Foster, La.	Mallory,	Stewart,
Clark, Wyo.	Gamble,	Martin,	Taliaferro,
Clay,	Gibson,	Mason,	Turner,
Cockrell,	Hansbrough,	Mitchell,	Vest,
Culberson,	Harris,	Morgan,	Warren.

The PRESIDENT pro tempore. No quorum has voted.

Mr. ALDRICH. I move that the Senate adjourn.

Mr. KEAN. I hope the Senator will withhold that motion.

Mr. ALDRICH. No business can be done.

Mr. GALLINGER. There is no quorum.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Rhode Island that the Senate adjourn.

The motion was agreed to; and (at 2 o'clock and 47 minutes p. m.) the Senate adjourned until to-morrow, Friday, June 27, 1902, at 12 o'clock meridian.

## HOUSE OF REPRESENTATIVES.

THURSDAY, June 26, 1902.

The House met at 11 o'clock a. m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

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

FOOT BRIDGE ACROSS MISSISSIPPI RIVER AT LITTLE FALLS, MINN.

Mr. MORRIS. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 5434) to authorize the city of Little Falls, Minn., to construct a wagon and foot bridge across the Mississippi River within the limits of said city.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the city of Little Falls, in the State of Minnesota, through its corporate authorities, is hereby authorized and empowered to construct and maintain a wagon and foot bridge, with necessary approaches, across the Mississippi River, for the purpose of connecting Broadway street east with Broadway street west, in said city. Said bridge shall be constructed to provide for the passage of wagons and vehicles of all kinds, animals, foot passengers, and for all road travel.

Sec. 2. That the said bridge authorized to be constructed under this act shall be built and constructed upon plans to be approved by the Secretary of War, and shall be subject to the free use of the public under such rules and regulations as may be prescribed by the city of Little Falls.

Sec. 3. That said bridge shall be a lawful structure, and shall be recognized and known as a post route, and shall enjoy the rights and privileges of other post roads in the United States; and no higher charge shall be made for the transmission over the same of the mails, troops, and munitions of war of the United States than the rate per mile paid for the transportation over the road or roads leading to said bridge. Equal privileges in the use of said bridge shall be granted to all telegraph companies, and the United States shall have the right of way across said bridge and its approaches for postal-telegraph purposes, and all changes in said bridge required by the Secretary of War at any time, or its entire removal, shall be at the expense of the corporation owning or operating said bridge.

Sec. 4. That the right to alter, amend, or repeal this act is hereby expressly reserved.

Sec. 5. That this act shall be null and void unless the bridge authorized is commenced within one year and completed within three years from the date of approval thereof.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. SULZER. Mr. Speaker, I would like to ask the gentleman from Minnesota if this bill has been unanimously reported from the committee.

Mr. MORRIS. It has; it is a unanimous report from the Committee on Interstate and Foreign Commerce.

Mr. SULZER. If I understand it, it simply gives the Government consent to building this bridge across the river.

Mr. MORRIS. That is all.

Mr. SULZER. It takes no public money out of the Treasury?

Mr. MORRIS. No.

Mr. SULZER. Then I have no objection.

The bill was ordered to be read the third time, was read the third time, and passed.

On motion of Mr. MORRIS, a motion to reconsider the last vote was laid on the table.

## MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed without amendment bills of the following titles:

H. R. 2641. An act for the relief of Albion M. Christie;

H. R. 2978. An act for the relief of Joseph H. Penny, John W.

Penny, Thomas Penny; and Harvey Penny, surviving partners of Penny & Sons;

H. R. 14182. An act granting an increase of pension to Susan B. Lynch;

H. R. 18598. An act granting a pension to John J. Southerland;

H. R. 12056. An act granting an increase of pension to Warren C. Plummer;

H. R. 10964. An act granting an increase of pension to Francis M. Beebe;

H. R. 10856. An act granting a pension to Jacob Findley;

H. R. 9308. An act granting an increase of pension to Edwin P. Johnson;

H. R. 9187. An act granting an increase of pension to Caroline A. Hammond; and

H. R. 6005. An act granting a pension to James A. Chalfant.

## PORT OF WILMINGTON, N. C.

Mr. SWANSON. Mr. Speaker, at the request of Mr. BELLAMY, I ask unanimous consent for the present consideration of the bill (H. R. 14801) to make Wilmington, N. C., a port through which merchandise may be imported for transportation without appraisal, which I will send to the desk and ask to have read.

The Clerk read as follows:

*Be it enacted, etc.,* That the privileges of the first section of the act approved June 10, 1880, governing the immediate transportation of dutiable merchandise without appraisal, be, and the same are hereby, extended to the port of Wilmington, N. C.

The SPEAKER. The gentleman from Virginia asks unanimous consent for the present consideration of the bill which the Clerk has read. Is there objection? [After a pause.] The Chair hears none. The question is on the engrossment and third reading of the bill.

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

On motion of Mr. SWANSON, a motion to reconsider the last vote was laid on the table.

## INTERNAL-REVENUE TAX ON FERMENTED LIQUORS.

Mr. TAWNEY. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 13674) amendatory of sections 3339 and 3341 of the Revised Statutes of the United States, relative to internal-revenue tax on fermented liquors, which I will send to the desk and ask to have read.

The Clerk read as follows:

*Be it enacted, etc.,* That section 3339 of the Revised Statutes of the United States be, and the same is hereby, amended by striking out of said section the following:

"In estimating and computing such tax, the fractional parts of a barrel shall be halves, thirds, quarters, sixths, and eighths; and any fractional part of a barrel containing less than one-eighth shall be accounted one-eighth; more than one-eighth and not more than one-sixth shall be accounted one-sixth; more than one-sixth and not more than one-fourth shall be accounted one-fourth; more than one-fourth and not more than one-third shall be accounted one-third; more than one-third and not more than one-half shall be accounted one-half; more than one-half and not more than 1 barrel shall be accounted 1 barrel; and more than 1 barrel and not more than 63 gallons shall be accounted 2 barrels, or a hoghead. The said tax shall be paid by the owner, agent, or superintendent of the brewery or premises in which such fermented liquors are made, and in the manner and at the time hereafter specified."

And by inserting in lieu thereof the following:

"In estimating and computing the tax imposed by law, the fractional part of a barrel shall be halves, thirds, quarters, and sixths; and any fractional part of a barrel containing less than one-sixth shall be accounted one-sixth; more than one-sixth and not more than one-fourth shall be accounted one-fourth; more than one-fourth and not more than one-third shall be accounted one-third; more than one-third and not more than one-half shall be accounted one-half; more than one-half and not more than 1 barrel shall be accounted 1 barrel; and more than 1 barrel and not more than 63 gallons shall be accounted 2 barrels, or a hoghead. The said tax shall be paid by the owner, agent, or superintendent of the brewery or premises in which such fermented liquors are made, and in the manner and at the time hereinafter specified."

Sec. 2. That section 9 of the act entitled "An act to provide revenue for the Government and to encourage the industries of the United States," approved July 24, 1897, be, and the same is hereby, amended so as to read as follows:

Sec. 9. That section 3341 of the Revised Statutes of the United States be, and hereby is, amended to read as follows:

Sec. 2. That section 3341 of the Revised Statutes of the United States as amended by section 9 of an act approved July 24, 1897, be, and the same is hereby, further amended so as to read as follows:

"Sec. 3341. The Commissioner of Internal Revenue shall cause to be prepared, for the payment of such tax, suitable stamps denoting the amount of tax required to be paid on the hogheads, barrels, and halves, thirds, quarters, and sixths of a barrel of such fermented liquors (and shall also cause to be prepared suitable permits for the purpose hereinafter mentioned), and shall furnish the same to the collectors of internal revenue, who shall each be required to keep on hand at all times a sufficient supply of permits and a supply of stamps equal in amount to two months' sales thereof, if there be any brewery or brewery warehouse in his district; and such stamps shall be sold and permits granted and delivered by such collectors only to the brewers of their districts, respectively. Such collectors shall keep an account of the number of permits delivered and of the number and value of the stamps sold by them to each brewer: *Provided*, That this act shall not take effect until July 1, 1904.

The following committee amendments were read by the Clerk: On page 1, line 8, strike out the word "eights" and insert in lieu thereof the word "eighths."

On page 2, line 14, after the words "sixth and not more than one-fourth," insert the words "shall be accounted."

On page 2 strike out lines numbered 24 and 25, and on page 3 strike out lines 1 to 6, both inclusive, and insert in lieu thereof the following:

"SEC. 2. That section 8341 of the Revised Statutes of the United States as amended by section 9 of an act approved July 24, 1897, be, and the same is hereby, further amended so as to read as follows:"

The SPEAKER. The gentleman from Minnesota asks unanimous consent for the present consideration of the bill which the Clerk has read. Is there objection?

Mr. WANGER. Mr. Speaker, reserving the right to object, I would like to ask the gentleman what the main effect of this proposed legislation is.

Mr. TAWNEY. This bill is reported unanimously from the Ways and Means Committee. It is the same bill that passed the House in the Fifty-sixth Congress by unanimous consent. The only effect of the bill is to eliminate the eighth package from the classification of various parts of a barrel, which classification was adopted in 1866, and also to eliminate the stamp that has heretofore and is now being used for the purpose of paying the revenue that is put on an eighth package of beer. That is the only effect of it, but it was necessary to reenact the remainder of the section in order to get that elimination out of the section.

Mr. SULZER. Mr. Speaker, just a word. I understand this bill has the approval of the American Brewers' Association?

Mr. TAWNEY. National and State; and the small brewers in the United States have indicated also their desire for the passage of this bill.

Mr. WANGER. Do I understand that the bill which was passed in the last Congress was identical with this?

Mr. TAWNEY. Identical, so far as the elimination of eighths is concerned. This bill, however, I should have said, does not eliminate the one-sixth package. The bill passed in the last Congress also eliminated that.

Mr. WANGER. That bill was decidedly objectionable to the small brewers. I do not know that this would be.

Mr. TAWNEY. This is not.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question now is on the engrossment and third reading of the bill.

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

On motion of Mr. TAWNEY, a motion to reconsider the last vote was laid on the table.

#### LOCK AND DAM AT HARPEATH SHOALS, TENNESSEE.

Mr. SNODGRASS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table for immediate consideration the bill (S. 6270) to amend an act entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved June 13, 1902, which I will ask to have read.

The Clerk read as follows:

*Be it enacted, etc.,* That the act entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved June 13, 1902, be, and the same is hereby, amended so that the two paragraphs thereof providing for the improvement of the Cumberland River, Tennessee, below Nashville, and of the Cumberland River, Tennessee, above Nashville, shall read as follows:

"Improving Cumberland River, Tennessee, below Nashville: For the completion of the lock and dam at Harpeth Shoals and for maintenance, \$180,000.

"Improving Cumberland River, Tennessee, above Nashville: Continuing improvement, and for maintenance, \$200,000, of which so much as may be necessary shall be used for the completion of Lock and Dam No. 1. And the Secretary of War is hereby authorized, in his discretion, to grant leases or licenses to the highest responsible bidder for the use of water power created by said dam, at such a rate and on such conditions and for such periods of time as may seem to him expedient; and he is also authorized, in his discretion, to issue permits for the construction, maintenance, and operation of inlet and outlet canals and other structures, on such plans as he may approve, for the diversion of the water aforesaid: *Provided*, That any lease or license so granted shall be limited to the use of the surplus water not required for navigation, and no structures shall be built and no operations be conducted which shall in any manner injure navigation, interfere with the operations of the Government, or impair the usefulness of any improvement made by the Government for the benefit of navigation; and the right of Congress to alter, amend, or repeal the provisions of this paragraph is hereby expressly reserved: *Provided further*, That before leasing or licensing such water privileges, or issuing permits for the construction and operation of such canals, or otherwise disposing of any water power or privilege, the Secretary of War shall first advertise the same in one or more daily papers at Nashville, for sixty days immediately preceding, stating specifically the right or privilege proposed to be leased or conveyed, with its exact limitations, inviting bids for the same, and he may, in his discretion, then lease the same for a specific term of years at so much per year, to be paid semi-annually in cash into the Treasury, and the Secretary of War shall reserve the right to reject any or all bids."

The SPEAKER. The gentleman from Tennessee asks unanimous consent to take from the Speaker's table for immediate consideration the bill which has just been read. Is there objection? [After a pause.] The Chair hears none. The question is on the third reading of the Senate bill.

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

On motion of Mr. SNODGRASS, a motion to reconsider the last vote was laid on the table.

#### SISSETON MILITARY RESERVATION, S. DAK.

Mr. MARTIN. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 4450) confirming in the State of South Dakota the title to a section of land heretofore granted to said State, which I will ask to have read.

The Clerk read as follows:

*Be it enacted, etc.,* That the title of the State of South Dakota to the section of land described in section 3 of chapter 1257 of the act of Congress approved October 1, A. D. 1890, be, and is hereby, confirmed and made absolute in the said State freed from the conditions therein imposed; the proceeds thereof, if sold, to be used in aid of the militia of the State of South Dakota.

The SPEAKER. The gentleman from South Dakota asks unanimous consent for the present consideration of the bill which the Clerk has just read. Is there objection?

Mr. SULZER. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from South Dakota if there are any Indians on these lands at the present time.

Mr. MARTIN. None whatever, and there never have been. This is a part of an old military reservation which was granted by Congress to the State of South Dakota some ten or twelve years ago for the purpose of the militia of the State. It is now desired to make the parade grounds of the militia more central, this being in the northeast corner of the State. This confirms the title to the land.

Mr. SULZER. I just wanted to know if it was or had been an Indian reservation, and if there were any Indians on it now. If so, I did not want their rights jeopardized.

Mr. MARTIN. No.

Mr. RICHARDSON of Tennessee. Will the gentleman state how much is involved?

Mr. MARTIN. Six hundred and forty acres. It simply confirms the title heretofore granted.

The SPEAKER. Is there objection?

There was no objection.

The amendments were agreed to.

The bill as amended was ordered to a third reading; and was accordingly read the third time, and passed.

On motion of Mr. MARTIN, a motion to reconsider the last vote was laid on the table.

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had disagreed to the amendment of the House of Representatives to the bill (S. 493) to amend an act entitled "An act to establish a code of law for the District of Columbia," had asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. PRITCHARD, Mr. DILLINGHAM, and Mr. MARTIN as the conferees on the part of the Senate.

#### BRIDGE ACROSS EMORY RIVER, HARRIMAN, TENN.

Mr. RICHARDSON of Alabama. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 4776) to authorize the construction of a bridge across the Emory River, in the State of Tennessee, by the Tennessee Central Railway or its successors.

The bill was read. It provides that the Tennessee Central Railway, a corporation created and organized under the laws of the State of Tennessee, and its successors be, and it and they are hereby, authorized to construct and maintain a bridge and approaches thereto over the Emory River, in the State of Tennessee, at such point at or near the city of Harriman as said company or its successors may deem suitable for the passage of its or their railroad over said river.

The SPEAKER. Is there objection?

There was no objection.

The bill was ordered to a third reading; and was accordingly read the third time, and passed.

On motion of Mr. RICHARDSON of Alabama, a motion to reconsider the last vote was laid on the table.

#### BRIDGE ACROSS CALUMET RIVER, HAMMOND, IND.

Mr. MANN. Mr. Speaker, I ask unanimous consent for the present consideration of the bill which I send to the Clerk's desk.

The bill (H. R. 15003) to authorize the construction of a bridge by the New York, Chicago and St. Louis Railroad Company and the Chicago and Erie Railroad Company across the Calumet River at or near the city of Hammond, Ind., at a point about 1,200 feet east of the Indiana and Illinois State line and about 100 feet east of the location of the present bridge of the New York, Chicago and St. Louis Railroad Company across said river; also to authorize the construction of a bridge by the Chicago and State

Line Railroad Company across said river at the point where said company's railroad crosses said river in Hyde Park Township, Chicago, Ill., being at the location of the present bridge of said company across said river in said township, was read.

The SPEAKER. Is there objection?

Mr. SULZER. I should like to ask the gentleman from Illinois if this bill has been unanimously reported from the Committee.

Mr. MANN. Mr. Speaker, this bill has the unanimous report of the Committee on Interstate and Foreign Commerce, and also of the War Department.

The SPEAKER. Is there objection?

There was no objection.

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

On motion of Mr. MANN, a motion to reconsider the last vote was laid on the table.

#### COURT OF APPEALS, FORT WORTH, TEX.

Mr. LANHAM. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 15140) 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 Fort Worth, in the State of Texas, on the first Monday in November in each year.

The bill was read, as follows:

*Be it enacted, etc.*, That the circuit court of appeals of the fifth judicial circuit of the United States is hereby authorized and required to hold one term of said court in the city of Fort Worth, in the State of Texas, on the first Monday in November in each year.

SEC. 2. That all appeals, writs of error, and other appellate proceedings which may, after the date of this act, be taken or prosecuted from the circuit or district courts of the United States in the State of Texas to the court of appeals of the fifth circuit shall be heard and disposed of by the said court of appeals at the terms of the court held in Fort Worth in pursuance of this act.

SEC. 3. That this act shall not operate to prevent the said court from holding other terms in the city of Fort Worth or in such other places in the said fifth judicial district as said court may from time to time designate.

SEC. 4. That chapter 517 of 26 United States Statutes at Large is hereby amended in accordance with the provisions of this act.

The following committee amendments were read:

Amend by adding to section 2 the following:

*Provided*, That nothing herein contained shall prevent the court from hearing appeals or writs of error whenever the said courts shall sit, in cases of injunctions and in all other cases which under the statutes and the rules, or in the opinion of the court, are entitled to be brought to a speedy hearing.

Amend by adding the following:

SEC. 5. That the clerk of said court is authorized and permitted to pay out of the fees and emoluments of his office (1) the expenses incurred by him in transporting from his office in New Orleans, La., to Atlanta, Ga., and in transporting from Atlanta, Ga., to New Orleans, La., the records, books, papers, files, dockets, and supplies necessary for the use of the court at its terms to be held in Atlanta, Ga.; (2) an allowance for actual expenses not exceeding \$10 per day to cover travel and subsistence for each day he may be required to be present at Atlanta, Ga., on business connected with his said office, such expenses and allowance to be approved and allowed by the senior circuit judge of the fifth judicial circuit.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. LANHAM. Mr. Speaker, I wish to move an amendment to the second committee amendment.

The amendment was read, as follows:

Strike out the words "Atlanta, Ga.," where they appear in lines 19, 20, and 23, on page 2, and in line 1, on page 3, and insert in lieu thereof the words "Fort Worth, Tex."

The amendment to the amendment was agreed to.

The committee amendments as amended were agreed to.

The bill as amended was ordered to be engrossed and read a third time, and was accordingly read the third time, and passed.

On motion of Mr. LANHAM, a motion to reconsider the last vote was laid on the table.

#### EULOGIES ON PRESIDENTS LINCOLN, GARFIELD, AND M'KINLEY.

Mr. HEATWOLE. Mr. Speaker, I am directed by the Committee on Printing to ask consideration for the following privileged resolution.

The SPEAKER. The gentleman from Minnesota, chairman of the Committee on Printing, by direction of that committee, calls up the following resolution.

The resolution was read, as follows:

*Resolved by the Senate (the House of Representatives concurring)*, That there be printed and bound in one volume, in cloth, 15,000 copies of the three separate memorial addresses delivered before the two Houses of Congress, as follows: On February 12, 1866, by Hon. George Bancroft, on the life and character of Abraham Lincoln, late President of the United States; on February 27, 1882, by Hon. James G. Blaine, on the life and character of James A. Garfield, late President of the United States; on February 27, 1902, by Hon. John Hay, on the life and character of William McKinley, late President of the United States, 10,000 copies of which shall be for the use of the House of Representatives and 5,000 copies for the use of the Senate. The Joint Committee on Printing are hereby authorized to have the copy prepared for the Public Printer, who shall procure suitable portrait etchings to be bound in with these memorials, and shall use such paper and bindings as will make the volumes worthy of a place in the libraries of the land.

Mr. RICHARDSON of Tennessee. I desire to ask if this has been reported by the Committee on Printing?

Mr. HEATWOLE. It has.

Mr. RICHARDSON of Tennessee. I should like to have the report printed with the resolution, in order that we may see the cost of the printing.

Mr. HEATWOLE. There is no objection to that.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that the report be printed in the RECORD. Is there objection?

There was no objection.

Mr. RICHARDSON of Tennessee. The report ought to show the cost. Does it show the cost of the printing?

Mr. HEATWOLE. I will say that I have repeatedly told the gentleman from Tennessee that the cost in every instance where it is obtainable is in the report.

Mr. RICHARDSON of Tennessee. The rule requires it.

The SPEAKER. It is in the report, which will be printed, if there be no objection. There was no objection.

The question was taken, and the resolution was agreed to.

The report is as follows:

Your Committee on Printing, having had under consideration Senate concurrent resolution No. 42, providing for the publication of one volume of the three separate memorial addresses delivered before the two Houses of Congress, as follows: By Hon. George Bancroft, on the life and character of Abraham Lincoln; by Hon. James G. Blaine, on the life and character of James A. Garfield; and by Hon. John Hay, on the life and character of William McKinley; it is recommended that the resolution be agreed to.

The Public Printer estimates the cost of the publication at \$6,475.

#### CONGRESSIONAL BIOGRAPHIES FROM THE CONTINENTAL CONGRESS TO THE FIFTY-SEVENTH CONGRESS.

Mr. HEATWOLE. Mr. Speaker, I also present the following privileged report.

The Clerk read as follows:

House concurrent resolution No. 57.

*Resolved, etc.*, That there be printed, and bound in cloth, 3,000 copies of a Congressional Directory which embraces the biographies of all members of Congress from the Continental Congress to the Fifty-seventh Congress, inclusive, compiled by O. M. Enyart, 2,000 copies for the use of the House of Representatives and 1,000 copies for the use of the Senate.

The resolution was agreed to.

#### BINDING AND DISTRIBUTION OF PUBLIC DOCUMENTS.

Mr. HEATWOLE. Mr. Speaker, I am also directed by the Committee on Printing to ask unanimous consent for the consideration of the following resolution.

The Clerk read as follows:

Senate joint resolution 103, providing for the binding and distribution of public documents held in the custody of the Superintendent of Documents, unbound, upon orders of Senators, Representatives, Delegates, and officers of Congress, when such documents are not called for within two years after printing.

*Resolved, etc.*, That hereafter the documents reserved for binding upon orders of Senators, Representatives, Delegates, and officers of Congress, as provided in paragraph 8, section 54, of an act approved January 12, 1885, providing for the public printing and binding and the distribution of public documents, if not called for and delivered within two years after printing, shall be bound in first grades of cloth and delivered to the Superintendent of Documents for distribution to libraries; and the Public Printer is hereby authorized and directed to bind in cloth all such documents heretofore delivered to the Superintendent of Documents for like distribution.

The SPEAKER. Is there objection?

Mr. ADAMS. Reserving the right to object, I would like to ask the gentleman if this applies to the quota of members?

Mr. HEATWOLE. Members' quotas in the folding room will not be disturbed.

Mr. ADAMS. If they do not take them within the two years.

Mr. HEATWOLE. This relates to members' binding list, so called, in the printing law. There are a number of members who have failed to have their quota bound. There are at present 175,000 volumes of these documents in loose sheets and put up in bundles that should be bound and distributed. Another thing, the room should be available for other purposes. It has been very strongly urged by the Public Printer.

Mr. PAYNE. The joint resolution allows the two years for the members to get them?

Mr. HEATWOLE. Certainly.

Mr. WANGER. And this has nothing to do with the members' quota in the folding room?

Mr. HEATWOLE. Not in the least.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The Senate joint resolution was ordered to a third reading; and it was accordingly read the third time, and passed.

#### WOODSMAN'S HANDBOOK.

Mr. HEATWOLE. Mr. Speaker, I am further directed by the Committee on Printing to ask unanimous consent for the present consideration of the following resolution.

The Clerk read as follows:

Senate joint resolution No. 111, limiting the gratuitous distribution of the Woodsmen's Handbook to the Senate, the House of Representatives, and the Department of Agriculture.

Whereas the proprietors of certain copyrighted log scales and other copyrighted matter have consented to the use of such copyrighted matter in the

Woodman's Handbook, a publication prepared in the Bureau of Forestry of the United States Department of Agriculture, under the restriction that no copies whatsoever be sold by any Government office, and, furthermore, that no copies be furnished to any dealer for the purpose of sale; and

Whereas sufficient authority to publish and pay for the printing of said Woodman's Handbook is given in the bill making appropriations for the Department of Agriculture:

*Resolved, etc.,* That, in consideration of such consent given by said proprietors, no copies of said Woodman's Handbook shall be printed or distributed otherwise than by the Senate, the House of Representatives, and the United States Department of Agriculture, and none shall be sold or distributed by the Superintendent of Documents, or furnished to others for sale, anything in the act of January 12, 1895, entitled "An act providing for the public printing and binding and the distribution of public documents," to the contrary notwithstanding.

SEC. 2. That said copyrighted matter, wherever it appears in said Woodman's Handbook, shall be plainly marked as copyrighted matter, and shall be as fully protected under the copyright laws as though published by the proprietors themselves; and the permission for the use of said matter shall be deemed to be limited to the purposes of this resolution.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. UNDERWOOD. Mr. Speaker, I would like to ask the gentleman from Minnesota for an explanation of this resolution.

Mr. HEATWOLE. I send a letter of the Secretary of Agriculture to the Clerk's desk to be read.

The SPEAKER. In reply to the gentleman from Alabama, the gentleman from Minnesota submits the following to be read:

The Clerk read as follows:

PROTECTION OF COPYRIGHTED MATTER IN THE WOODSMAN'S HANDBOOK.  
DEPARTMENT OF AGRICULTURE, OFFICE OF THE SECRETARY,  
Washington, D. C., June 21, 1902.

Hon. J. P. HEATWOLE,

Chairman Committee on Printing,  
House of Representatives, Washington, D. C.

SIR: I have the honor to recommend the adoption of the concurrent resolution which was passed by the United States Senate providing for the protection of certain copyrighted matter which it is very desirable to publish in the Woodman's Handbook, a bulletin prepared in the Bureau of Forestry. In order to give this publication its greatest value, it is necessary to embody certain copyrighted tables of log scales. Permission has been obtained from the proprietors of such copyrighted material to use the data, with the provision that no copies whatsoever be sold by any Government office, and that no copies be furnished to any dealer for the purpose of sale. Existing law does not permit such restrictions. Should this resolution fail of passage, it would be necessary to issue the publication without these log scales, and thus greatly reduce the value of the bulletin.

Very respectfully,

JAMES WILSON, Secretary.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The Senate joint resolution was ordered to a third reading and; it was accordingly read the third time, and passed.

On motion of Mr. HEATWOLE, a motion to reconsider the several votes by which the foregoing resolutions were adopted was laid on the table.

#### REQUEST OF SENATE.

The SPEAKER. The Chair lays before the House the following request of the Senate, which was read:

IN THE SENATE OF THE UNITED STATES, June 23, 1902.

*Resolved,* That the Secretary be directed to return to the House of Representatives the enrolled copy of the bill (S. 5718) providing for the sale of sites for manufacturing or industrial plants in the Indian Territory, and request the House of Representatives to vacate the action of the Speaker in signing said enrolled bill and the message of the Senate agreeing to the amendment of the House of Representatives to said bill to the Senate.

The SPEAKER. This being a request for the erasing of name of the Speaker from a bill, and there being no allegation that the request is for the purpose of correcting an error, the Chair feels that this should be done by unanimous consent.

Mr. STEPHENS of Texas. I object, Mr. Speaker.

The SPEAKER. Objection is made by the gentleman from Texas.

Mr. DALZELL. Mr. Speaker, I offer the following resolution in regard to the matter just before the House.

The SPEAKER. The gentleman from Pennsylvania offers the following resolution in regard to the request just read.

The Clerk read as follows:

*Ordered,* That the Clerk be directed to return to the Senate the enrolled bill (S. 5718) providing for the sale of sites for manufacturing or industrial plants in the Indian Territory, with the information that the House has considered the request of the Senate that the House vacate the action of the Speaker in signing said enrolled bill, and that the unanimous consent necessary to enable such action to be taken was refused.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. STEPHENS of Texas. I object.

The SPEAKER. Objection is made.

Mr. DALZELL. One moment. I would like to have the attention of the gentleman from Texas who made the objection.

Mr. STEPHENS of Texas. Certainly.

Mr. DALZELL. The purpose of the resolution is to inform the Senate of the action of the House in answer to its request.

Mr. STEPHENS of Texas. I withdraw the objection.

Mr. DALZELL. It is absolutely necessary as a matter of comity.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The question was taken, and the resolution was agreed to.

#### CODE OF LAW FOR THE DISTRICT OF COLUMBIA.

The SPEAKER laid before the House the bill (S. 493) to amend an act entitled "An act to establish a code of law for the District of Columbia," with House amendments disagreed to by the Senate.

The Senate amendments were read.

Mr. JENKINS. Mr. Speaker, I move that the House insist on its amendments, and agree to the conference asked for by the Senate.

The motion was agreed to.

The SPEAKER appointed as conferees on the part of the House Mr. JENKINS, Mr. SAMUEL W. SMITH, and Mr. COWHERD.

#### LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. HAUGEN, one week, on account of sickness.

To Mr. WHEELER, for the balance of the session, on account of important business.

#### PROTECTION OF LIVES OF MINERS.

Mr. MOODY of Oregon. Mr. Speaker, I call up the conference report on the bill (H. R. 8327) to amend an act entitled "An act for the protection of the lives of miners in the Territories," and I ask that the reading of the report be omitted and the statement only be read.

The SPEAKER. Have the report and statement been printed in the RECORD?

Mr. MOODY of Oregon. They have.

The SPEAKER. The gentleman from Oregon asks unanimous consent that the reading of the report be omitted, and that the statement only be read. Is there objection? [After a pause.] The Chair hears none.

The Clerk read the statement, as follows:

The effect of the agreement of the conferees will be:

First. To strike out the limitation as to "depth of 100 feet or more," thus making the law applicable to mines of any depth.

Second. The Senate amendments providing for sprinkling the mines or removing the dust is accepted by the House conferees.

Third. As to shot firing, the conferees agree to make that feature of the bill applicable to the Indian Territory only, in mines employing 20 men or more. The necessity for this provision exists chiefly in that Territory, and your conferees have deemed it best to accept this limitation.

MALCOLM A. MOODY,  
CHAS. F. SCOTT.

[For conference report see page 7416.]

The conference report was agreed to.

On motion of Mr. MOODY of Oregon, a motion to reconsider the last vote was laid on the table.

#### REDEMPTION OF CERTAIN INTERNAL-REVENUE STAMPS.

Mr. PAYNE. Mr. Speaker, I call up the conference report on the bill (H. R. 6570) to amend the act of May 12, 1900, authorizing the Commissioner of Internal Revenue to redeem or make allowance for internal-revenue stamps. I ask that the reading of the report be omitted and that the statement only be read.

The SPEAKER. The gentleman from New York asks that the reading of the report be omitted, and that the statement only be read. Without objection, that course will be pursued.

There was no objection.

The Clerk read the statement, as follows:

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6570) to amend the act of May 12, 1900, authorizing the Commissioner of Internal Revenue to redeem or make allowance for internal-revenue stamps, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report:

The House managers recede from the disagreement to the Senate amendments and agree to the same with an amendment striking out all after line 6, page 1, of the House bill, and inserting new language, which is simpler in form and carries out exactly the provision and intention of the House in the original act.

SERENO E. PAYNE,  
JOHN DALZELL,  
JAMES D. RICHARDSON,  
Managers on the part of the House.

[For conference report see page 7416.]

Mr. UNDERWOOD. Mr. Speaker, I would like to ask the gentleman from New York to explain this report.

Mr. PAYNE. The original bill extended the limit for the redemption of unused stamps, document stamps, and other stamps issued under the war-revenue act for the term of two years. The amendment, if adopted, extends the time to the 1st of July, 1904, and provides for the redemption under the original act passed in May, 1900.

The conference report was agreed to.

On motion of Mr. PAYNE, a motion to reconsider the last vote was laid on the table.

## ISTHMIAN CANAL.

Mr. HEPBURN. Mr. Speaker, I desire to call up the conference report upon House bill 3110, to provide for the construction of a canal connecting the Atlantic and Pacific oceans.

The SPEAKER. The gentleman from Illinois calls up the conference report on the canal bill.

Mr. HEPBURN. I ask, Mr. Speaker, that the report and statement be read.

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. 3110) to provide for the construction of a canal connecting the waters of the Atlantic and Pacific oceans, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

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

W. P. HEPBURN,  
L. FLETCHER,  
R. C. DAVEY,

*Managers on the part of the House.*

JOHN T. MORGAN,  
M. A. HANNA,  
A. B. KITTREDGE,

*Managers on the part of the Senate.*

The Clerk read the statement, as follows:

The effect of the action of the conferees, if approved by the House, will be to eliminate all of the provisions of the bill as passed by the House and enact into legislation all of the provisions of the Senate amendment.

Mr. HEPBURN. Mr. Speaker, in making the motion that I shall make to adopt the report of the conference committee, I desire to say that I have not changed in the slightest degree the opinion that I have had of the wisdom of the House of Representatives when, on the 9th day of last January, it adopted a measure looking to the construction of this great enterprise.

The SPEAKER. The Chair desires to state to the gentleman that the papers are not in the possession of the House.

Mr. HEPBURN. The papers have never been in the hands of the conference committee. I presumed they were in the hands of the Clerk.

The SPEAKER. They were delivered to the committee, as the Chair is informed.

Mr. HEPBURN. They were not delivered to the committee.

Mr. PAYNE. I suppose they should be in the hands of the Senate. This was a House bill with Senate amendments.

The SPEAKER. It is impossible to consider this matter unless the papers are before the House, and they do not seem to be in the possession of the House.

Mr. HEPBURN. They must be in the possession of the House.

The SPEAKER. The records show that the papers were messengered over to the Senate and we have no evidence of their being returned.

Mr. SULZER. A parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SULZER. Mr. Speaker, as I understand it, the conference report and statement of the conferees have been printed in the RECORD and are officially now before the House. What other papers are now necessary to consider this matter?

The SPEAKER. The report and statement of the conferees are in our possession, but the House is not in possession of the papers; and it has been repeatedly held, and long ago thrashed out, that business can not be done by this body unless the papers are in its possession.

Mr. SULZER. Mr. Speaker, a parliamentary inquiry. I would like to know what papers are necessary.

The SPEAKER. The bill itself and the substitute bill and all of the original papers in the case. The Chair will state that nothing can be done until these original papers are found.

Mr. HEPBURN. Then, Mr. Speaker, at a later time I will call this up.

Mr. RICHARDSON of Tennessee. Mr. Speaker, I desire to ask the gentleman from Iowa whether the papers are in the possession of the Senate.

Mr. HEPBURN. I do not know, sir, whether they are or not.

Mr. RICHARDSON of Tennessee. Who asked for the conference—which body?

Mr. HEPBURN. The Senate asked for the conference.

Mr. LOUD. The papers ought to be here.

Mr. RICHARDSON of Tennessee. Then the House, granting the conference, ought to have the papers.

Mr. HEPBURN. The papers were not delivered. It is one of those peculiar cases, as I learned on slight investigation of the case, where those who are familiar with those matters, or at least many gentlemen, thought that the rule would not apply—that it might be that this case could be taken up in either House, as they asked for a conference on a disagreement on the part of the House—and the situation is of that peculiar nature.

Mr. RICHARDSON of Tennessee. Has the Senate itself acted upon the conference report?

Mr. HEPBURN. That I can not tell. I do not know.

The SPEAKER. The Chair has stated to the House that there is no use of taking up unnecessarily the time of the House. The papers are not in our possession and we can not proceed.

Mr. RICHARDSON of Tennessee. Mr. Speaker, I was not seeking delay, but to learn where the papers are.

The SPEAKER. The Chair was not referring to the gentleman's inquiries.

Mr. HEPBURN. Mr. Speaker, a parliamentary inquiry. Is it competent for the House, by unanimous consent, to proceed with this business at this time?

The SPEAKER. Not without the original papers. The matter will have to go over until they are found.

JOSEPH M. SIMMS.

Mr. ADAMSON. Mr. Speaker, I call up a conference report on the bill (S. 3360) for the promotion of First Lieut. Joseph M. Simms, Revenue-Cutter Service, submitted yesterday.

The SPEAKER. The gentleman from Georgia calls up a conference report. Does the gentleman desire to have both the report and the statement read?

Mr. ADAMSON. I ask unanimous consent that the reading of the report be omitted and that the statement only be read.

The SPEAKER. The gentleman from Georgia asks unanimous consent to dispense with the reading of the report and that the statement only be read. If there is no objection this course will be pursued.

There was no objection.

The Clerk read the statement, to be found in the proceedings of June 25, 1902.

Mr. ADAMSON. Mr. Speaker, I move that the House concur in the conference report.

The SPEAKER. The question is on agreeing to the conference report.

The question was taken; and the report was agreed to.

On motion of Mr. ADAMSON, a motion to reconsider the last vote was laid on the table.

## PHILIPPINE GOVERNMENT.

The SPEAKER. In pursuance of the continuing order of the House, it will resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill S. 2295, the Philippine government bill, and the gentleman from Massachusetts [Mr. GILLET] will take the chair.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill S. 2295, with Mr. GILLET of Massachusetts in the chair.

Mr. PERKINS. Mr. Chairman, my recollection is that when we adjourned last night I had the floor on a motion to amend section 15 of this act, the act authorizing the taking of land belonging to the friars.

The CHAIRMAN. Does the gentleman submit an amendment?

Mr. PERKINS. Yes; I submit an amendment.

The CHAIRMAN. The gentleman from New York submits an amendment to section 15, which the Clerk will report.

The Clerk read as follows:

Insert in line 13, page 74, after the word "purposes," the following: "An appeal may be taken to the Supreme Court of the United States, in the manner provided by the sixth section, from any final judgment or decree or order authorizing the taking of the lands of any association, corporation, community, or religious order, or fixing the compensation to be paid therefor."

Mr. COCHRAN. Mr. Chairman, I make the point of order that the debate was closed on that section.

The CHAIRMAN. The recollection of the Chair is that the gentleman was on the floor at the time of adjournment. The Chair will consult the RECORD. That is the Chair's recollection. The gentleman from New York is recognized.

Mr. PERKINS. Mr. Chairman, this section is one giving very extraordinary powers. It provides, in the first place, that the lands of any religious association may be taken by eminent domain under what circumstances? I ask the attention alike of the committee and of the Committee of the Whole. It says that where it is thought that the ownership of the land by communities or religious orders shall injuriously affect the peace and welfare of the people of the islands, then this power may be exercised.

Now, let me suggest the question whether we have the power to pass such a law. It is hoped by all that it may be possible, by agreement between Governor Taft and the religious authorities, to avoid the necessity, but it may be necessary to resort to those legal proceedings. Does anyone think that this Congress would have the power to say that because some individual or religious association owned land in these United States to such a large extent that it might be deemed injurious to the welfare of the community, that for that reason we should have the power by eminent domain to condemn the title to the land?

Certainly, Mr. Chairman, this is a very serious question. But I do not care to discuss here the constitutionality of the provision.

Let me make another suggestion, which I feel confident will appeal to all members of the committee. Certainly we all desire that if the lands of the friars in the Philippines, or if any other land in the Philippines or out of the Philippines, is to be taken by eminent domain, fair compensation shall be given therefor.

Now, I think, Mr. Chairman, that the committee, inadvertently no doubt, have failed to secure for these associations the full protection of the law to which they are entitled. We all know that there is in those islands a strong feeling against the friars. We all know that there is a strong desire that the land of the friars shall be taken for public purposes.

I am not here, Mr. Chairman, in any way to question the wisdom or the propriety of such a course; but I do say that we owe it to ourselves to see that if this land is taken it shall only be taken upon payment of full and fair compensation. Now, we have many illustrations of what may be done when the land of a religious association is taken, and there is strong feeling in the community in reference to it. The lands of the religious associations in France were taken a century ago, and while there was a pretense of compensation, every one knows that the result was confiscation. We do not want to have anyone say that the land of any religious association in the Philippines, taken under the guise of compensation, shall finally be taken by a process that amounts to confiscation.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. PERKINS. I ask unanimous consent that I may have five minutes additional only.

The CHAIRMAN. Unanimous consent is asked that the time of the gentleman from New York be extended five minutes. Is there objection?

Mr. SULZER. I do not want to object to the request of my colleague from New York; but yesterday when I asked unanimous consent for five minutes' additional time the gentleman from Indiana [Mr. CRUMPACKER] objected. Now, I will be more liberal than the gentleman from Indiana, and I do not object. [Applause.]

The CHAIRMAN. The Chair hears no objection.

Mr. PERKINS. Mr. Chairman, under the proceedings by eminent domain, authorized by this bill, the value of the land to be taken from these religious associations, which is stated to amount not only to hundreds of thousands but to millions of dollars, would be finally determined by the judges of the Philippine Islands, without any right of appeal. Now, the committee, in the act which they have prepared, have said in section 6 that in any case involving the amount of \$25,000 the right of appeal shall be given to the Supreme Court of the United States. Yet here, in a case where popular feeling may be strongly excited and where the amount involved may be so large, no appeal is given to the Supreme Court.

Mr. GAINES of Tennessee. Will the gentleman yield for a question?

Mr. PERKINS. Certainly.

Mr. GAINES of Tennessee. Is the gentleman familiar with the fact that Governor Taft and the Taft Commission agreed with the friars in charge of these lands to submit a request to Congress that an appeal from the judgment of the Philippine Islands supreme court in the proposed litigation on this subject may be taken to the Supreme Court of the United States?

Mr. PERKINS. I was not aware of that.

Mr. GAINES of Tennessee. That was their opinion, and it is stated in one of the reports that they made. It is in the line of the suggestion that the gentleman is now making.

Mr. PERKINS. Then it seems to me all the more necessary, as we provide in this act a method by which these lands may be condemned, that such an appeal should lie.

Mr. Chairman, I have only to say, in conclusion, that it is our boast that we allow full and fair legal rights to every man in this land, no matter what may be his race, his creed, or his color. I do not want it to be said that in an act passing Congress at this session the rights which we secure to all other men, of full and final justice, was denied to the Philippine friar.

Mr. CRUMPACKER. Mr. Chairman, the bill contains adequate protection for the rights of all parties that may be affected under this particular section. The section authorizes the Government to secure the control of the friar lands, and its purposes are in a large measure political—for the purpose of pacification. Authority is given the insular government to buy and hold and dispose of lands owned and held by individuals, associations, or otherwise, where the holdings are in such large tracts or in such manner as to seriously affect the peace and welfare of the archipelago. The gentleman who offered the amendment suggests that there is a serious doubt about the power of the Government to take the lands under those circumstances, under the power of eminent domain. If he is right about that, then of course his amendment ought to fail. The amendment, as I understand it,

provides for appeals in all this class of cases, without regard to the amount of property involved, from the courts of final resort in the archipelago to the Supreme Court of the United States, doubtless on the theory that the appeal is on the part of the land-owner alone.

Mr. PERKINS. I am entirely willing that the gentleman should modify the amendment in any respect he thinks fit.

Mr. CRUMPACKER. I do not believe that any appeals ought to be provided in addition to those that section 6 contemplates. In the first place, appeal from the supreme court of the archipelago to the Supreme Court of the United States is a most vexatious, tedious, and expensive process; and that was the reason why the limitation was fixed in this bill at \$25,000 in amount. Then the third clause of section 6 provides that in any and all controversies between the Government and religious associations involving the title to or ownership or the administration of trust land of a pious or religious character appeals will lie from the final judgments of the supreme court of the archipelago to the Supreme Court of the United States.

Mr. PERKINS. You do not claim that this allows an appeal in a proceeding to condemn the title of land and fix its value, because clearly it would not.

Mr. CRUMPACKER. Perhaps not. Some members of the committee believed that the provision is broad enough to cover it, and we all believe that questions arising out of ordinary condemnation proceedings may safely be vested in the supreme court of the archipelago. The members of that court are appointed by the President and confirmed by the United States Senate. It is composed of a majority of Americans, and probably will be long after these questions are settled.

Mr. PERKINS. Then, if that is the opinion of the gentleman from Indiana, why does he allow an appeal in case of a judgment exceeding \$25,000?

Mr. COCHRAN. I make the point of order that the committee is not in order.

The CHAIRMAN. The gentleman will suspend until the committee is in order.

Mr. CRUMPACKER. It was the opinion of the committee that in cases involving such a large amount as \$25,000 the ends of justice would be promoted by allowing appeals in that class of cases from the judgment of the court below. It was further thought that the right of appeal might be abused by corporations and those who had the means and facilities to protract litigation and wear out the poor man or the man of small means, and therefore a large limitation was fixed.

Mr. PERKINS. One more question, if the gentleman will yield to me.

Mr. CRUMPACKER. I will.

Mr. PERKINS. Does not the gentleman from Indiana know that the question of the title and condemnation of the lands of the friars involves vastly more than \$25,000?

Mr. CRUMPACKER. Let me say to the gentleman, in answer to that, that if it involves more than \$25,000, there is a right of appeal under section 6, because under that section in all cases involving \$25,000 or more an appeal will lie from the final judgment of the supreme court of the islands to the Supreme Court of the United States, and that embraces the proceedings under this section the same as all other kinds of litigation.

Mr. GAINES of Tennessee. I move to strike out the last word.

The CHAIRMAN. That is not in order.

Mr. GAINES of Tennessee. Then I move to strike out the word "gold."

The CHAIRMAN. That is not in order. No amendment is in order.

Mr. GAINES of Tennessee. Then I move to strike out the paragraph.

The CHAIRMAN. That is not in order.

Mr. GAINES of Tennessee. I wish to oppose the amendment.

The CHAIRMAN. It has already been opposed.

Mr. GAINES of Tennessee. Not on this side.

The CHAIRMAN. The time for debate on this amendment is exhausted.

Mr. GAINES of Tennessee. Then I ask unanimous consent to address the committee for five minutes.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to address the committee for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. GAINES of Tennessee. Mr. Chairman, it was suggested by the Taft Commissioners that a lawsuit or an agreed statement of facts should be made up and was made up and published in one of their reports. The supreme court in the Philippine Islands was to decide the ownership or title to these friar lands, with a right of appeal to the Supreme Court of the United States. That was recommended by Governor Taft, who said to me that that question should be finally adjudged by the Supreme Court of the United

States. The supreme court in the Philippine Islands is composed of three Americans and three Filipinos, and yet the distinguished gentleman from Indiana wants three Americans and three Filipinos to settle a question between the friars and the Filipinos. These agricultural lands alone, this report shows, page 63 in S. Paya's evidence, were worth \$4,000,000 to \$5,000,000 before the revolution of 1896. They are more valuable now I have no doubt.

The issue is, who owns these lands, whether Spain owned them and ceded them to the United States, or whether friars as friars or as individuals own them, or whether the Catholic Church owns them, or whether some one else owns them. As a matter of fact, the friars have sold all their land, as gentlemen can read in Senate Document No. 190, pages 54 and 61. They sold the lands to a man named Andrews, who represented a corporation. He got up this corporation to make this purchase and paid off the friars in stock, of which they own a majority. So you see that the friars, by their own testimony, and here it is in print, sold these lands. I will read a word or two, with the indulgence of the House.

Q. You were paid in shares, so that you own a majority of the shares in the corporation now?

A. Yes.

This is on page 54, Senate Document No. 190.

Then, over on another page (61) you will find the matter discussed at length. Governor Taft, of the Commission, inquired into the whole thing. He states:

You have sold all to a corporation, but, of course, you control the corporation, because you hold a majority of the stock. Therefore you could, for that corporation, sell this property to the Government?

A. All we have now, of course, is shares of stock.

Q. Yes; but that majority is in your control. You control the corporation and you would be willing to sell that to the Government?

A. We have the obligation which we have complied with to sell to Andrews; the sale was made to Andrews, and he afterwards got up the company.

Q. But with the understanding that he was to get up the company?

A. That was one of the clauses in the contract—that he would form an association and that we would take a part of the stock.

Q. Of course you know that the Government could take the property if it chooses—that is, for school purposes—that is, as they say in the Spanish law, "expropriate;" as we say in America "condemn" it, paying its value. But it is a great deal better if we conclude that we need it to settle the matter out of the courts, for court proceedings involve expenses, and it leaves a better feeling to settle the matter by contract, and I would like to know if you are in a situation to arrive at an agreement if we want the property?

A. Besides the understanding we have with Andrews, we would have to consult the Holy See.

Q. The Holy See has the good sense to trust to the discretion of the able head of the order who is here. It has been suggested—a Senator of the United States suggested it to me—that one of the means of avoiding the trouble which seemed to exist here was to purchase the property of the religious orders, and that if that evidence of their ownership was removed and the lands made Government property by the payment of money, a large part of the feeling against the orders would be removed. I only ask it with a view to bringing before the Commission the exact state of the case, so that we may judge of that suggestion.

A. The real reason why we conveyed our property to another party was to have nothing further to do with the administration of these agricultural lands, and to remove that complaint which was made against us that the friars owned all the lands and were making all the money.

So that, Mr. Chairman, it is very important to deal fairly with whoever owns this property, to deal with it with clean hands, and demand that those who deal with us shall have clean hands. If the friars own it, or anyone, high or low, they have the right under the law, a right regardless of the Constitution; they have it under the practice of this country, they have it under the Constitution of the United States, to be paid a just compensation; but the question is, Who owns it? That is the question, as Governor Taft states here in his report, and of course is one of law.

There is not a more gifted lawyer in the United States than Governor Taft, and not a better anywhere than Gen. Luke Wright.

Now, they say it is a question of law; and shall we submit that question to three Filipino judges and three American judges, or shall we submit it to the whole six and stop it there? Again, there may be some one who has title to these friar lands that is not worth \$25,000. Why say \$25,000? A man's property that is worth a thousand dollars or less is enough to give him an unimpeachable title, and he ought to have the same rights in a court of justice as the man who has \$25,000. Give everybody a chance to appeal in this matter.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

The question was taken on the amendment; and on a division (demanded by Mr. CRUMPACKER) there were 37 yeas and 67 noes. Mr. GAINES of Tennessee. Tellers, Mr. Chairman.

The question was taken, and tellers were refused.

Mr. JONES of Virginia. Mr. Chairman, on page 73, line 24, I move to strike out the word "five," the last word in line 24, and insert "four."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 73, line 24, strike out the word "five," and insert the word "four;" so as to read "not exceeding 4 per cent per annum."

Mr. JONES of Virginia. Mr. Chairman, the bonds which are provided for here are gold bonds. The principal and interest is to be payable in gold. It is expressly provided that they are to be exempt from all taxes by the Philippine government, by any local authority in the Philippine Islands, and by the Government of the United States. They are practically, and will so be regarded, as obligations of the United States Government. There is no question in my mind—and I do not believe any gentleman in this House doubts it—that these bonds can be sold and disposed of if made to bear 3 per cent interest, certainly at 3½, and it seems to me the maximum limit ought not to be more than 4 per cent. The Senate bill contains a provision providing for the purchase of these very lands and the bonds there provided are to bear not exceeding 4½ per cent interest.

Mr. LOUD. Does not the Government guarantee in that instance?

Mr. JONES of Virginia. The Government does not expressly guarantee, but it practically guarantees the payment of these bonds. It will be claimed by the purchasers that the United States is morally bound to see them paid.

Mr. COOPER of Wisconsin. Does not the gentleman from Virginia recall the fact that while the bill proposes to exempt these bonds from the payment of taxes or duties to the government of the islands, or any local authority in the islands, or the Government of the United States, it nevertheless does leave them open to taxation by States or municipalities in this country? They are only five-year bonds, and the committee thought there were enough there to increase the risk, so that 5 per cent was not out of the way.

Mr. JONES of Virginia. There is nothing in this bill which limits the sale of these bonds to citizens of the United States.

Mr. COOPER of Wisconsin. And I will say to the gentleman that there is nothing that prevents them from being sold here.

Mr. JONES of Virginia. Nothing in the world. They probably will be sold here, every one of them. When the gentleman says that the bonds provided for in this bill need not run for more than five years, he must know that the maximum limit is thirty years, and that the probability is that those who will control the issue and sale of these bonds will provide that they shall run for thirty years.

Now, the amount as I understand which it will require to purchase these lands will be somewhere between seven and eight millions of dollars. It has been stated upon the floor of this House, and it is true, that the Philippine treasury to-day has over seven millions of money in it. Now, I do not think that there is any necessity for giving the Commission such a wide latitude as this. There is no question that these bonds can be disposed of if the interest is fixed at 3 per cent. Certainly, 4 per cent bonds can be sold, and I hope that the House will not give this latitude to the Commission, when there is no earthly reason or necessity for it. They are gold bonds, they are to be exempt from taxation in the Philippine Islands and the Government of the United States can not tax them, the interest is payable in gold, and they can be sold upon the markets of the United States if made to bear 3½ per cent interest, or even less. Will anybody deny this?

Mr. GAINES of Tennessee. Mr. Chairman, I rise to a parliamentary inquiry. I made a motion just now to strike out the word "gold." The Chair ruled that that was out of order.

The CHAIRMAN. It was.

Mr. GAINES of Tennessee. Is it now in order?

The CHAIRMAN. No. The question is on the adoption of the amendment offered by the gentleman from Virginia.

Mr. LOUD. Mr. Chairman, I hope the amendment of the gentleman from Virginia will not prevail. This is not a political question, permit me to say, but a question of expediency. There is no doubt in the world but what if the Government of the United States would guarantee these bonds, they might be sold for 3 per cent. Taking into consideration all of the contingencies, all of the liability to taxation by municipalities and counties in the United States, the committee thought that it was wise to place the limitation of 5 per cent upon these bonds. I have no doubt in the world but what the Commission would issue these bonds at the best terms which they can secure.

The CHAIRMAN. The question is on the adoption of the amendment offered by the gentleman from Virginia.

The question was taken; and the amendment was rejected.

Mr. COOPER of Wisconsin. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. GILLET of Massachusetts, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill S. 2295, the Philippine government bill, and had come to no resolution thereon.

## ISTHMIAN CANAL.

Mr. HEPBURN. Mr. Speaker, I now call up the conference report on the bill (H. R. 3110) for the construction of a canal connecting the waters of the Atlantic and the Pacific oceans.

The SPEAKER. The gentleman from Iowa calls up the conference report on the canal bill. The papers are now in the possession of the House, having been found in the Senate. The report and the statement have both been read. If there is no objection, they need not be again read.

There was no objection.

Mr. HEPBURN. Mr. Speaker, I move the adoption of the report by the House.

The SPEAKER. The gentleman from Iowa moves the adoption of the conference report.

Mr. HEPBURN. Mr. Speaker, in making this motion, I desire to say that I have not in any manner modified the opinions that I have heretofore had as to the wisdom of the action of the House on the 9th day of last January, when it adopted a bill authorizing the construction of this great waterway. I still believe that that measure was the wiser one that has received at any time the attention of the House. It was short, compact, and yet contained every provision, in my judgment, necessary to accomplish that work. It was drawn with this as the central idea, that in the construction of that great canal, many miles away from this capital and from this country, removed from that critical espionage that attends every work of that kind by reason of the press, it was essentially necessary, in order to avoid scandals and corruption, that there should be centralized in one person all power and all responsibility, that there should be one charged by the American people with this work, and that there should be no one with whom the responsibility should be divided or behind whom any man might hide.

The bill that the House passed accomplished that purpose. It contained all the provisions conferring authority—authority for negotiation, authority for purchase of the zone of the canal. It contained provisions with reference to appropriations. So that all power needed for the accomplishment of the work was fully contemplated in that bill and freely given. It also selected a route—a route approved by more than half a score of those commissions that had been charged with the duty of selection. It adopted a route that had been approved after fifty years of careful, patient investigation. It approved a route that the legislatures of the States in great majority, conventions of the people all over the country, and three great national conventions had specifically and by name approved. The press of the country was almost a unit upon this subject; and when any man spoke of this great enterprise and its accomplishment he had in his mind the Nicaragua route as determined upon by every medium that could voice public opinion.

The measure that is now reported is primarily for another route, although conditions are in the act adopted by the other branch of Congress which, in my belief, may still look to and possibly still accomplish the construction of the Nicaragua Canal. But the whole theory of construction is changed. Instead of having one directing mind, there are to be seven. Instead of having one whose interest would be for speedy completion, the present act suggests delay and makes it the interest of a commission of seven persons to prolong the labor, for they are to hold office until the completion of the canal unless the President should see fit at an earlier day to dispense with their services. It is a commission that is to cost thousands and tens of thousands of dollars a year, with a provision for a great staff, unlimited in number, and the expense of which at this day no man can compute; nor can he do so until he searches the minds of all those who will have influence and power to bring to bear upon the commission for places for their friends.

But, after all, Mr. Speaker, the conference committee concluded that with all these defects it was better to start; it was better to do something. Under the terms of this bill, before a pick can be struck upon the Isthmus in furtherance of the general design of the bill months and months, if not years, must elapse; so that if mistakes have been made there will be opportunity for correction before great evil other than delay can result. And so we have made this report, recommending the adoption of the Senate legislation and the beginning of some work in the direction of the accomplishment of the enterprise.

Mr. Speaker, I desire to reserve my time.

Mr. RICHARDSON of Tennessee rose.

Mr. HEPBURN. I yield to the gentleman from Tennessee.

The SPEAKER. How much time?

Mr. RICHARDSON of Tennessee. I do not want any time; I just want to ask the gentleman from Iowa a question or two. As to the exercise by the President of the option to acquire the Panama Canal and to continue the work upon that route, how much time is given him in the bill?

Mr. HEPBURN. A reasonable time.

Mr. RICHARDSON of Tennessee. Has the gentleman any idea what that means as to the length of time? Because I think that is a matter which would operate largely with many members in regard to the casting of their votes upon this proposition. If it can be understood that the meaning is not too long a time, it seems to me that would be an inducement to support the measure.

Mr. HEPBURN. Mr. Speaker, I am not able with any accuracy to enlighten the gentleman. But I may say this: A proposition was made in another branch of Congress for a limitation—in fact, there were three such propositions, one a limitation for six months, which was not agreed to; another for twelve months, which was not agreed to; and another for eighteen months, with a like result.

Mr. RICHARDSON of Tennessee. Does the gentleman understand that any action taken elsewhere is to be regarded as an indication that such delay is desired upon the part of Congress? For one I would not want to vote for the measure—I do intend for this report, but I would not wish to do so if I thought that it meant that such delay was intended by Congress. I think that quite a large number of gentlemen on this side of the House, and perhaps on the other side, too (for I have heard expressions to that effect), would not vote for this proposition if it was understood that the intention on the part of Congress was that there should be delay even for six months.

Mr. HEPBURN. Mr. Speaker, I think it proper for me to say that the House conferees sought an amendment which would limit that discretion to six months, stating that in their opinion the action of the other body might be regarded as a legislative construction of what a "reasonable time" would mean—as something in excess of eighteen months. It was stated on the other hand that there was nothing of that sort implied in the action taken; that the voting down of those motions meant nothing of that kind. As was stated, those matters were regarded as simply in opposition to the general bill which was under consideration, and could not possibly have any such legislative construction. I think it proper that I should say that.

Mr. RICHARDSON of Tennessee. Mr. Speaker, may I ask the gentleman further, on account of his great familiarity with this question and his experience as a legislator, is it, in the opinion of the gentleman, possible for us to get any other canal route secured at this session of Congress or during this Congress if this report is rejected?

Mr. HEPBURN. Mr. Speaker, if I had thought it was possible to secure other legislation than this I would not have consented to the action I now recommend. I consent to it because I believe that at this time it is this or nothing.

Mr. WILLIAMS of Mississippi. I will ask the gentleman if it would be too late now for the House itself to put a time limit upon the exercise of this discretion by the President?

Mr. HEPBURN. I think it is.

Mr. WILLIAMS of Mississippi. Does the gentleman think that an attempt of that kind on the part of the House would defeat the bill?

Mr. HEPBURN. I think so. I will say in justification of that opinion that all of the amendments that were suggested by your conferees were rejected; that there was no semblance of disposition manifested to yield anything in the way of change or amendment; that we ran up against an adamant wall.

Mr. WILLIAMS of Mississippi. Does not the gentleman think that perhaps if we reenforced the opinion of our conferees by action of the House fixing a period for the exercise of this discretion we might be able to get over that wall?

Mr. HEPBURN. Well, with all of my hopefulness for securing the passage of the House bill, with all of the firm belief I have that we were right, I say to the gentleman, in all sincerity, that I would never have consented to this adjustment if I had believed that there was any better possible—

Mr. WILLIAMS of Mississippi. I hope the gentleman understands me. I am in most hearty sympathy with the gentleman upon this question. We always have been perfectly at one about it. My idea now is to help him as far as I can; but the idea just struck me that perhaps if the House were to agree with an amendment fixing a period within which this discretion should be exercised that the Senate might possibly accept that amendment. If the gentleman from his knowledge of the actual condition—and his knowledge is so much greater than mine that mine is not worth being mentioned in the same breath—thinks that is impossible or impracticable, why, I think his opinion is worth more upon the subject than mine; but if there is a chance to do it at all, I should think it is worth trying.

Mr. HEPBURN. Mr. Speaker, it is my belief that it is this legislation or no legislation by this Congress.

Mr. RICHARDSON of Alabama. Will the gentleman allow me?

Mr. HEPBURN. Certainly.

Mr. RICHARDSON of Alabama. I should like to call the gentleman's attention to the first section of the bill, in which the amount of \$40,000,000 is provided, and particularly to call the gentleman's attention to the use of the word "own" in referring to the New Panama Canal Company. What is the gentleman's opinion as to the limitation of that word "own" as used in that section? Does it not mean that the \$40,000,000 will have to be paid to the New Panama Company whether it owns these things or not?

Mr. HEPBURN. Mr. Speaker, I have no doubt that the language of that law would authorize the payment of \$40,000,000 to the New Panama Canal Company for whatever it may have, much or little, but I have no belief that the President of the United States would pay that amount of money until he was satisfied that he was securing a title to all the property that may be owned by the New Panama Canal Company or by its predecessor company, including franchises, visible property, and everything.

Mr. RICHARDSON of Tennessee. But as a lawyer, does not the gentleman admit that that paragraph and the use of that language is mandatory upon the President of the United States?

Mr. HEPBURN. No, sir; I do not think that it is mandatory, in the sense that the President would pay \$40,000,000 for that property, as the gentleman from Alabama and myself believe it to be vested in the New Panama Canal Company; for I am free to say that, in my judgment, the New Panama Canal Company own nothing that we care to buy.

Mr. RICHARDSON of Alabama. Is it not a fact, further, if the gentleman will allow me, that the New Panama Canal Company stands simply in a fiduciary capacity, that it is a trustee for the old company, and really, as the gentleman has stated, owns nothing?

Mr. HEPBURN. Mr. Speaker, as I understand this subject the New Panama Canal Company became, as a trustee, in 1893 or 1894, in possession of all the property owned by the old company. They were invested with that property for certain and specific purposes. They were to undertake the enterprise of the completion of the canal. They were to finance that enterprise. They were to construct the canal, to maintain it, to operate it. Then there was a provision for the disposition of the revenues, and among the provisions was this: That 40 per cent of a certain residue was to be given to the new company and 60 per cent was to be the property of the old company. They were to construct it, they were to operate, they were to finance, they were to be the custodians of the revenues, and they were to apportion them in the well-defined proportion that I have suggested.

Mr. BURTON. Will the gentleman give me ten minutes?

Mr. HEPBURN. I will yield to you later on. I yield to the gentleman from Ohio.

Mr. GROSVENOR. I do not ask the gentleman to yield to me. I want to ask him a question.

Mr. HEPBURN. I have not finished this inquiry, I will say to the gentleman.

Mr. GROSVENOR. Very well.

Mr. HEPBURN. Now, that condition existed until the 23d day of last December, and here dates throw some light upon this subject. On the 21st day of last December the House, by unanimous consent, agreed to consider a bill then pending before it authorizing the construction of the Nicaragua Canal on the 7th of the next month. On the 23d day of December there was another arrangement made between the new company and the liquidator of the old company—an arrangement by which the New Panama Canal Company were to have control of the negotiations of sale to the United States, a clear and a distinct recognition of property rights still remaining in the old company.

An agreement further was made for the adjustment and the disposition of the property which, in my judgment, simply gave to the New Panama Canal Company a new power, the right as attorney in fact of the old company to negotiate the sale to the United States. Now, then, if there was in the provision of this bill authority in the President of the United States to pay \$40,000,000 for the property of the New Panama Canal Company and for the property of its predecessor company, I think there would have been no trouble; but the conferees on the other side disagreed with us, thinking it unnecessary, and would not consent to the insertion of the words "and predecessor company."

Mr. GROSVENOR. What I desire to ask the chairman of the committee is this question. Suppose that a limit of time be put into the bill by the House, and an acceptance or an agreement by the Senate, would not that one provision operate to put into the hands of contesting or competing interests the power to delay the negotiations, so that in the end it would be an element fraught with danger of defeat, rather than an incentive to early and practical conclusion of the negotiations between the Presidents, under the powers given in this bill? In other words, might not a condition exist in Colombia or some other States down there to prevent, under various ways known to diplomacy

and intrigue, an arrangement, so as to let the time limit expire, and then the President would be powerless to carry into execution the authority to build either one of these canals?

Mr. HEPBURN. Of course, Mr. Speaker, there are contingencies of that kind that might arise, but the one suggested by the gentleman is the least probable, to my mind, to arise. There are no interests, I take it, on either of these routes that are going to interfere with this project. The possibilities of the future for either one of these countries are dependent upon this question. It is to one of them at least what our entire internal system of transportation is to the United States; to the other one it is that if it loses the canal that loss means the loss of all possibility of progress to Colombia. So that I do not think there is difficulty there. But there may be a difficulty elsewhere, and the very suggestion that there are other interests, made by the gentleman, that interfere is one of the things that we ought to have been apprehensive about and ought to have looked to in this bill.

Mr. BALL of Texas. Will the gentleman allow me to ask a question?

Mr. HEPBURN. I will.

Mr. BALL of Texas. If this conference report is agreed to and the bill becomes law, will it be possible to begin work upon the construction of this canal until that treaty has been submitted to the Senate and ratified by that body?

Mr. HEPBURN. I think not; and that is one of the objections that your conferees, Mr. Speaker, have to this bill, because, after we have paid our money, after we have secured our treaty, it would then be possible for the other branch of Congress to hold up the entire enterprise if less than two-thirds were in favor of this canal. I was unwilling to put that power into the hands of that body.

Mr. COOPER of Wisconsin. Will the gentleman allow me to ask him a question?

Mr. HEPBURN. Certainly.

Mr. COOPER of Wisconsin. In view of the statement of facts just made by the gentleman from Iowa, is the statement which we have so frequently heard, that this would inevitably result in some canal, true?

Mr. HEPBURN. I think it is, because the President may fail in this negotiation. I think that he will fail, under the terms of this bill, in getting the property of the Panama Canal, and then the alternative proposition will operate, and he is authorized to construct a canal on the other route.

I now yield to the gentleman from Ohio, reserving the remainder of my time, Mr. Speaker.

Mr. BURTON. Mr. Speaker, I am sure the country will give full credit to the gentleman from Iowa [Mr. HEPBURN] and his associates on the conference committee because they have yielded their convictions relating to a route, and their convictions relating to a bill, because of their anxiety for a canal. But I favor the adoption of this conference report for entirely different reasons from those which they allege. I believe in the first place that the Panama route is altogether the better route, and I believe in the next place the Senate bill is the best obtainable bill.

The growth of opinion on behalf of the Panama route has been slow. For twenty-five years this proposed canal was controlled by foreign companies, one of which, in the prosecution of the work, unfortunately incurred serious scandal. The demand of the American people was and is for a canal owned and controlled by the United States. Hence for twenty-five years the Panama route was entirely excluded from consideration. A national canal became not merely a matter of sentiment, but of deliberate choice.

The Panama route was out of the question, and the word "Nicaragua" became the name for a canal under the control of this Government. In that name there is nothing more than a purpose for a canal which shall be ours. Political planks and platforms, national or State, go for naught when it appears that there is a better route along another way, where the same conditions can be fulfilled, namely, ownership by this country.

Now, if there is anything in expert opinion, the Panama route is the better. There is hardly an engineer of prominence in this country who does not prefer it. There is hardly a scientific journal of any authority which does not advocate it. I am violating no confidence when I say that our commission, a commission made up of leading engineers of this country, went there with a predilection—aye, I may say with a bias—for the Nicaragua route, and yet, when they had finished their work, they gave an unanimous opinion in favor of the Panama route.

Gentlemen, that means more than the resolutions of a political convention gathered together to consider a multitude of political and other questions and hastily adopting what they regard as the sentiment of the people. It furnishes more than party platforms; it gives the basis for a wise choice.

Now, in view of the offer of last January and the report upon it the Panama route can be a national route as well as the Nicaragua.

It has not been before us until this time. I find no fault with the House for its action of May, 1900, although with 35 others I voted against the bill pending at that time. I voted myself for the Nicaragua route in January of this year, but there was no other route before us. Now there is another, and by reports and investigations a flood of light has been thrown upon the situation. If the Nicaragua route should be selected, I firmly believe a national blunder would be committed. The Panama route is the shorter, with less curvature, along a pathway of traffic for four hundred years and with a railway already constructed, with conditions more intelligently understood and less danger of unforeseen obstacles.

They say there is pestilence there. Gentlemen, I have confidence, not alone in Yankee ingenuity, not alone in Yankee push, but also in Yankee doctors and sanitary regulations which we may enforce. We went to Cuba with some fears because a portion of the island had been a charnel house from yellow fever, but under American regulations, with American sanitary arrangements, for nine months there has not been a single case of yellow fever in that island. I believe that we can do the same thing at Panama. I believe in the Senate provisions. With a time limit it would be possible to defeat any canal at all. If we have a treaty it must pass the Senate by a two-thirds vote. Suppose there is a policy of obstruction, how easy it would be to postpone it beyond six, twelve, or eighteen months? The treaty must be made with Colombia, with the play of selfish interests on behalf of both canals. How easy it would be to postpone that treaty. Bogota, the capital of Colombia, is one of the most remote portions of the earth, as regards mail communication. It is more remote than Pekin. What we are doing to-day, I take it, has some character. It is not an academic opinion as to the better route, but is a deliberate choice of routes. Shall we say that the Panama route is the best route until 12 o'clock noon, at the expiration of six months, but that when the clock then strikes some other route is better?

The full responsibility of this enterprise is lodged just where it belongs—with the President of the United States. With the great responsibility of his office, and with his own anxiety that this great national work should be commenced, and commenced promptly, it can be safely left to him.

In regard to the argument against this proposed commission, I do not exactly see how the Secretary of War can control this work in any better way. It is not expected that the President or the Secretary of War shall go to Panama or Nicaragua and take charge. Either would have to leave the work to subordinates; and if this commission should dally and delay or try to do so, it will be in the power of this Congress to abolish the commission and put some officer or organization in its place that will go on promptly with the work, in pursuance of the demands of the American people. Gentlemen, I do not believe that lengthy discussion is necessary.

Just one word about this new company. As I interpret the law in regard to it—and I gave this question considerable examination three years ago—if ever all the property of one company was turned over to another, it was done in the transfer from the old Panama Company to the new, which now has exclusive right on the Isthmus and has for years been prosecuting this work. Do we want the few rights left over—perhaps the furniture of the old Panama Company in Paris—

Mr. HEPBURN. Will the gentleman allow me to ask him a question?

Mr. BURTON. Yes, sir.

Mr. HEPBURN. Do you believe that under the contract under which this property was turned over by the liquidator to the New Panama Canal Company, say three years ago, they had the power to convey a good title for the property to the United States?

Mr. BURTON. I do, most decidedly, and in pursuance not only of the action of the court, but of a law passed by the Chamber of Deputies; and all that is left of this old company is a right to issue lottery bonds and some few odds and ends. Do we need, for the prosecution of this enterprise, to put in a provision that the property of the old Panama Company shall be transferred over to us? Do we have any anxiety for the right to issue lottery bonds?

Mr. HEPBURN. Will the gentleman permit another question?

Mr. BURTON. Yes, sir.

Mr. HEPBURN. Of course, the gentleman knows that there is nothing in that answer but flippancy. I want to ask him this question: Has not the old company a right even at this day to 60 per cent of the earnings of the new company?

Mr. BURTON. Not under the present decrees of the court. The original condition was as I stated.

Mr. HEPBURN. That decree of the court was made on the 28th day of last December, was it not?

Mr. BURTON. I believe so.

Mr. HEPBURN. And up to that date this company had this interest in the earnings of the canal that the other company was bound to construct and operate?

Mr. BURTON. Nevertheless that would not have stood in the way of their right to dispose of it.

And I want to say that this is not "flippancy." I am unable to find in the record anything of importance except a few odds and ends and that very valuable right—the right to issue lottery bonds.

Now, Mr. Speaker, I hope no member of this House will vote against the adoption of this report. For seventy-five years—since 1826—this project has been talked of and agitated in this country. For four hundred years it has been the talk of men of many nations. There has been necessary delay, for time has been required for examination. But now we have come to a time when we can make a sensible choice and take a sensible vote. Preliminary steps have been taken and examinations made, and this day—this 26th day of June, 1902—it is in the power of Congress to declare that we will have a canal between the two oceans, and I say, Way for the canal! Make way! [Applause.]

Mr. HEPBURN. Mr. Speaker, I yield five minutes to the gentleman from Alabama [Mr. UNDERWOOD].

Mr. UNDERWOOD. Mr. Speaker, the people whom I represent, and I believe the people of the whole Mississippi Valley, are in favor of the Nicaragua route, because it is to their interest to be in favor of it. The great Mississippi River carries their commerce to the Gulf; and that route which would bring the vessels passing through an isthmian canal nearer to the mouth of the Mississippi River would, as a matter of commerce, be vastly to the interest of the people of the Mississippi Valley.

But whether a canal is built at Nicaragua or at Panama, the whole people of the United States will be benefited by the building of that canal. Freight rates and the cost of transportation are the key to all commerce. If the people of the United States, if the Congress of the United States are right in believing that water transportation across the Isthmus will reduce freight rates, then it will build commerce; it will open markets; it will clear the way to the ports of the world for our commerce in the future. I believe the hour has come to-day when we can build a canal. We may not be able to build the canal that some of us believe to be the best canal, but I believe that it is manifestly to the interest of the whole people of the United States that an isthmian canal should be built.

Believing that if we can not have the legislation which I believe to be the best, I am willing that legislation—although I do not believe this to be the best, yet which I know is to the interest of my country—should be passed, and for that reason I intend to yield the fight that I have made heretofore for a canal on the Nicaragua route and vote for this bill. More than that, it may be in doubt—it is a doubtful question—as to whether a title can be delivered to the Panama route.

If the advocates of that route fail to satisfy the President of the United States that they can give a good title, then we have the opportunity of getting the Nicaraguan Canal, the canal that we want, and it may be our only opportunity; so that I say now, the way being clear, I can see no reason why any man who is in favor of a canal, or any man who wanted the Nicaraguan route, should not be willing to accept this bill as the best compromise that we can get, for there can be no doubt about the fact that if we reject this conference report we will get no legislation at this session of Congress and we may never get legislation in the future. I believe the President of the United States is earnestly in favor of the canal. I believe the President of the United States wishes to carry out the will of the people on this question, and I believe that when this bill passes and the power is put in his hands to act, he will use that power toward building a canal, either at Panama or Nicaragua, and whichever we get will result in great benefit to the masses of the people of our country.

Mr. HEPBURN. Mr. Speaker, I yield five minutes to the gentleman from Alabama [Mr. RICHARDSON].

Mr. RICHARDSON of Alabama. Mr. Speaker, I have, as I indicated in the question I propounded to the distinguished gentleman from Iowa, the chairman of the Interstate and Foreign Commerce Committee, grave doubts about the use of the word "owned" in the first section of this bill. I believe the language used in that section is mandatory on the President and he would have to pay the \$40,000,000 to the New Panama Company, whether that company "owned" valuable properties or not. It promises, at least, complications and probable litigation. I would not undertake unnecessarily to make a quibble upon the words of this section. The section, it seems, leaves loopholes for delay and trouble and this, I fear, would mean no canal. I do not concede to anyone on this floor a greater interest and solicitude for the construction of an isthmian canal than I entertain. The future prosperity, the wealth of the South, and especially that of Alabama, depends upon an isthmian canal.

I am aware, Mr. Speaker, of the great and heroic struggle that the distinguished chairman of the Interstate and Foreign Commerce Committee [Mr. HEPBURN] has had to yield his views and his convictions in favor of a Nicaraguan canal. I have watched and applauded his unremitting labors on the Interstate and Foreign Commerce Committee in behalf of the Nicaragua Canal. I know that this project has been near to his heart, for in season and out of season he has stood unfalteringly for the Nicaragua route. I have gladly followed his leadership. I can not, Mr. Speaker, forget here now the keen disappointment that the substitution of the Panama for the Nicaragua route carries to the brave, trusting heart of one of the most distinguished citizens of the South—the great statesman and Senator from Alabama, JOHN T. MORGAN—who has devoted more than twenty years of labor and toil of his useful life and his great intellect to the construction of a Nicaraguan canal. He, too, I am told, has yielded his convictions to the inevitable. I know, Mr. Speaker, that it was a great, great effort for these two distinguished gentlemen to yield their convictions and partiality for the Nicaragua route. It speaks louder than any words I can use for their patriotism and statesmanship. Their example has made it easy for me to abide the results of the conference committee of the two Houses. I am willing, and will to-day in the vote I make, surrender my own individual convictions and vote for the conference report. I do this, Mr. Speaker, without yielding one jot or tittle of my belief that the Nicaraguan route is preeminently the best.

I believe that the conference committee on the part of the House have made an honest, earnest, and noble effort to impress their convictions on the conferees of the Senate; but, as the gentleman from Ohio [Mr. BURTON] has said, the time has come with us now, and we have been considering it in this country for fifty years, to accept a plan that proposes to give us the construction of this great isthmian canal, and I believe that it is my duty to my people—while I know with what great unanimity the people of that section of the South are wedded to the Nicaraguan route—to vote for the conference report—the Panama route—and I believe in the exercise of their good judgment, their patriotism, and their common sense they will ratify the vote that I will cast here to-day.

Mr. HEPBURN. Mr. Speaker, I yield to the gentleman from Illinois [Mr. MANN].

Mr. MANN. Mr. Speaker, I think that we are one step nearer to a canal, and I wish to remind the House that for that step we are indebted to the courage, statesmanship, and persistency of two men, a courage which at times has been subjected to severe criticism, but which has never quailed. One of these men is JOHN T. MORGAN, of the Senate of the United States [applause], and the other, the gentleman from Iowa, Mr. WILLIAM P. HEPBURN. [Prolonged applause.]

Mr. Speaker, in January last this House passed the bill for the Nicaragua Canal. That bill went to the Senate and the Senate struck out all of the provisions of the bill after the enacting clause, and substituted in place thereof a bill for the Panama Canal. This House as a matter of form disagreed to the Senate amendment or substitute and asked for a conference. The managers of the conference on the part of the House and the Senate have made and have finally reported in favor of the adoption of the Senate substitute, which provides for the construction of the canal at the Panama route.

Mr. Speaker, I am in favor of adopting the conference report. Many of our people prefer the Nicaragua Canal route; many prefer the Panama Canal route; some prefer the San Blas or tunnel route. But, after all, the principal object in view is the construction of an actual canal. We want to make our contribution to progress and civilization by constructing a waterway between the Atlantic and Pacific oceans. I doubt very much whether it will ever be profitable financially. I question the advisability of it so far as aiding in our naval defense. But the people of our country wish to construct a canal and they are willing to pay for it. When finished it will be the realization of the dream of centuries.

But, Mr. Speaker, my object at this time is not to discuss the desirability of the canal, but to point out very briefly some facts in connection with the history of this legislation. When I was elected as a member of the Fifty-fifth Congress in 1896, and was assigned as a member of the Committee on Interstate and Foreign Commerce, I found that proposed legislation in regard an isthmian canal was then an old story.

The proposition then before that committee was to aid the Maritime Canal Company in the construction of a canal on the Nicaragua route. That was a private corporation and it had been seeking for years to obtain financial aid from the Government to build the canal. I found that the chairman of our committee, the gentleman from Iowa [Mr. HEPBURN], was not looked upon as a friend of canal legislation. It was openly insinuated that he was opposed to the construction of a canal at all. We had extensive hearings before our committee in that Congress, both in regard to the Nic-

aragua Canal route and the Maritime Canal route, and in regard to claims both on the part of the Maritime Canal Company and other companies claiming concessions over various proposed canal routes. It was not long until it came to me that our chairman was not opposed to canal legislation, but that he was opposed to have the Government furnish the funds for the construction of a small and cheap canal for the benefit of a private corporation which would reap all the profits.

Up to that time there had been no serious proposition urged in Congress that the Government itself should build the isthmian canal. The Clayton-Bulwer treaty with England stood in the way of a Government canal. It seemed quite certain that Congress would not furnish its financial support to the Maritime Canal Company or any other private corporation for the construction of the canal. The great Senator from Alabama [Mr. MORGAN] was giving his attention in the Senate to proposed canal legislation, and was urging that aid be given to the Maritime Canal Company. Apparently all paths toward the construction of a canal seemed to have insurmountable obstacles in front.

I rise to my feet here to-day mainly for the purpose of performing a plain duty to the members of this House and to the country by calling attention to the stroke of genius shown in the leadership of the chairman of our committee [Mr. HEPBURN]. While others were bewildered and in doubt, the sagacity, the courage, and the leadership of Colonel HEPBURN looked down a straight road ahead. He prepared and submitted to our committee a bill proposing that the Government itself should construct, own, operate, and defend an isthmian canal.

The route proposed, it is true, was the Nicaragua route; no other route could then have been proposed. The Panama people at that time were standing to one side with lofty haughtiness in the vain expectation that it could hold up this country and compel us to pay a couple of hundred millions of dollars for the Panama route. The members of our committee studied the subject with great care and consideration, and we finally reported to the House the Hepburn bill in the Fifty-fifth Congress. At that time the Maritime Canal Company was claiming an exclusive right to the Nicaragua Canal route. The Cragin Syndicate was also claiming an exclusive right to the Nicaragua route. The Panama Canal Company was announcing with bold directness that it proposed to finish the Panama Canal, and that the Panama Canal was not for sale under any circumstances. That company announced that it had the funds in sight with which to finish the canal. The Clayton-Bulwer treaty was in force forbidding the construction of a canal by this Government, or the ownership or defense of it by our country. The Gordian knot of an isthmian canal had bothered statesmen for years. Many had attempted to untie it. Colonel HEPBURN proposed to solve the difficulty by boldly cutting the knot in two. This was the proper solution. The result of the Hepburn bill in the Fifty-fifth Congress was that the new Isthmian Canal Commission was appointed by a provision in the river and harbor act of 1899. That Commission is the one which has just recently reported.

Another result came from the Hepburn bill. Plain notice was served upon our own State Department and upon England as well that the committee of this House having jurisdiction of the subject was in favor of passing a bill directing the President in behalf of this nation to construct the canal, notwithstanding the provisions of the Clayton-Bulwer treaty. It is divulging no secret now to say that it was the expectation of members of our committee that this bold and firm attitude on our part would lead our State Department to enter into negotiations which would result in the abrogation of the Clayton-Bulwer treaty. That result has also been finally accomplished. We are now freed from any treaty obligations which would prevent us as a nation from owning and operating the canal.

Another result came from the Hepburn bill. The Republic of Nicaragua had granted various concessions to private individuals and companies affecting the constructing of a canal over the Nicaragua route. The Hepburn bill, as reported by our committee, was a notice to that Republic that this country would not deal with these private interests, but would only deal with the Republic of Nicaragua itself in regard to the construction of the proposed canal. Under the sunlight of the Hepburn bill the miasma of difficulties affecting the construction of the canal were rapidly dissipated and disappeared.

In the Fifty-sixth Congress the Hepburn bill was again reported favorably by our committee and was passed by the House with an overwhelming vote. Consideration of it was defeated in the Senate in that Congress by those who were disposed to be the enemies of any canal legislation.

At the first meeting of our Commerce Committee of the Fifty-seventh Congress in December last the Hepburn bill was ordered reported favorably. Our committee had determined to force the fighting. We proposed to begin the campaign early. The Hepburn bill provided for the Nicaragua route, but the question

of a route was not the all-important question. We could not have reported in favor of any other route. The Panama route was not available. Many of the members of that committee, including myself, had been very favorably impressed with the advantages of the Panama route in the hearings which had been had before our committee. But the Panama people were holding back. They had refused to make a proposition to the Isthmian Canal Commission; they had refused to make any figures at which they would sell the Panama Canal assets; in other words, they thought that this Government would in the end be compelled to buy them out and would have to pay their price. The only way to force even a proposition out of the Panama people was to proceed with the bill in regard to the Nicaragua route. The enemies of any canal legislation were shouting for the Panama route.

Let me not be misunderstood. Many of those favoring the Panama route favored it from motives of pure sincerity. All who favored the Panama route were not against canal legislation, but I think all who were against any canal legislation were then favoring the Panama route. They believed the obstacles there could not be overcome. The Panama people could not be persuaded to make any proposition to sell until after the Hepburn bill had been reported out by our committee in December last, and had been made a special order for consideration in the House. Then the Panama people discovered that they were trying a "bluff" game which might not work. The results which followed are too well known to spend time upon. The House passed the Nicaragua route. The Panama people made its proposition to sell to the Government for \$40,000,000. They sent here their attorneys and their agents, and commenced a propaganda to persuade Congress to favor the route and to buy their canal. They have succeeded. I confess I do not know whether their success is due to the fact that they have the better route or to the fact that they had a skilled lobby and made some powerful friends in this country with wide influence.

As I stated in my remarks in this House in January last, I do not think anyone can tell which is the better route. I would not give a fig for the opinion of the Isthmian Canal Commission upon this subject. A commission which reports one day in favor of the expenditure of nearly \$200,000,000 on one route as the better place, and the next day reports in favor of another route as the better place, is evidently so nearly even balanced in mind upon the subject that its conclusion in favor of one or the other is of little importance.

I do not share with some of our friends the opinion that the New Panama Canal Company will be unable to make a perfect title in selling the Panama route to this Government. Under the bill which is now to become a law the Panama Canal route is worth \$40,000,000 to sell to this country. It is possible that if it were not sold to this country it might be worth as much as \$4,000,000 to entice some money out of gullible people in France, but it is quite certain that except for these two purposes it is not worth 40 cents. The rights and plant of the New Panama Canal Company to-day on the Isthmus of Panama are not an asset; they are a liability. They are not a source of income; they are a source of expense. The only value they have is to be sold to this country or to use in swindling people in France. There is no possibility of the Panama Canal Company ever being able to finish the canal. I take it, then, that there will be no loss of time on the part of the New Panama Canal Company obtaining, if it does not now have it, a perfect title, which it can sell and deliver to the United States. They will not miss this opportunity. If necessary, the courts of France and the Government of France itself will be brought into play.

If we adopt the Panama route, it is probable that the work which has already been done there may be worth as much as \$20,000,000. It is not worth the \$40,000,000 which we propose to pay, and if the Isthmian Canal Commission had not put the figure at \$40,000,000 we would probably buy the rights of the Panama Company at a figure somewhat near their real value or about \$20,000,000.

Mr. Speaker, under the leadership of Colonel HEPBURN this House has forced the fighting in regard to canal legislation. The enemy has consented to surrender upon terms. We might have said nothing but unconditional surrender and carried the fight into the next Congress and have won it. But it seemed better to offer terms to the enemy, and where there was no particular choice on our part between the Nicaragua route and the Panama route, to accept the Panama route if that would be more pleasing to the pride of those who were opposed to us. Under the bill which this conference report proposes the President will be authorized to commence the actual construction of a canal within a reasonable time.

It is true that a treaty must yet be negotiated with the country through which the canal runs, and that treaty must be ratified by the Senate, but this bill when enacted into law creates a dis-

tingent obligation on the part of our Government to proceed with the work of constructing the canal. We plight our faith; we will not betray our promise. I have devoted myself to the subject of canal legislation during three terms of Congress. I have stood with my best endeavors by the side of my leader, the chairman of our committee.

Mr. Speaker, I say again, in closing, that when a canal shall have been finally constructed that over the entrance to it from the Atlantic side should be inscribed on a monument of marble the following words: "This great work is due to the persistency and statesmanship of Senator JOHN T. MORGAN of Alabama and to the sagacity and genius of Representative WILLIAM P. HEPBURN of Iowa." [Loud and continued applause.]

Mr. HEPBURN. Mr. Speaker, I yield three minutes to the gentleman from New York [Mr. SULZER].

Mr. SULZER. Mr. Speaker, I am now, always have been, and always will be in favor of an isthmian canal connecting the Atlantic with the Pacific Ocean. It will be for the lasting benefit and to the great advantage of this Government in a larger degree than any other national improvement that can at present be undertaken. Heretofore, during all the time I have been in Congress, I have consistently voted for and advocated, time and time again, the building of the Nicaragua Canal, to be owned and constructed by the United States Government.

At the present time, Mr. Speaker, we are confronted with this situation: We must accept the Senate amendment for the Panama Canal, or have no canal at all perhaps for years to come. Under all the circumstances therefore, I am willing to vote for the Panama route. In other words, I am now in favor of the Panama route rather than have no canal. Under the terms of the Senate amendment to the House bill if the Government of the United States can not get a good, legal, and valid title to the Panama route, then the Nicaraguan route will and must be selected. I believe now, and have always believed, the Nicaragua route is much preferable to and has many advantages over the Panama route, and that ultimately the Nicaragua route will be selected, because I do not believe at the present time, from all I can learn, that a good and valid title can be acquired to the Panama route.

Now, Mr. Speaker, when such distinguished and able statesmen as Senator MORGAN, of Alabama, and the gentleman from Iowa [Mr. HEPBURN] are willing to subordinate their judgment on this matter and accept the Senate amendment I am willing to follow and vote with them. And I say great commendation is due the distinguished gentleman from Iowa for his efforts and his indefatigable work in favor of an isthmian canal, and I hope his motion to concur in the Senate amendment in accordance with the agreement of the conferees will be unanimously adopted. When the Senate passed the Panama amendment, in my opinion, it did not believe the House would ever accept it, and that the consequence would be no canal legislation during this Congress. I think the House should rise to the occasion now and disappoint the expectations of those who do not want a canal at all. Let us call the bluff of the enemies of an isthmian canal. [Applause.]

Mr. HEPBURN. I yield one minute to the gentleman from Minnesota [Mr. FLETCHER].

Mr. FLETCHER. Mr. Speaker, it is well known to the members of the Committee on Interstate and Foreign Commerce that I have at no time agreed with them on the project of the Nicaragua Canal; but to my mind the solution of this question must now be acted upon. I wish they had taken a little more pains in looking over what is known as the Darien route. What I contend is that a sea-level canal is more to be sought, if we are to have a canal, than any other. For that reason I have not seen fit to cooperate with the committee in recommending the Nicaragua route. But as it has come down to this point, and there is a universal sentiment throughout the land for a canal of some kind, and as this seems to be the only opportunity that we will have of getting a canal, I yield my judgment to that of greater and abler men who have given the matter more thought and consideration than I have, and I shall vote for and support the proposition for the Panama Canal.

Mr. HEPBURN. Mr. Speaker, how much time have I remaining?

The SPEAKER. The gentleman has twelve minutes remaining.

Mr. HEPBURN. I yield three minutes to my colleague on the committee [Mr. ADAMSON].

Mr. ADAMSON. Mr. Speaker, under the leadership of our great and noble chairman, the distinguished gentleman from Iowa [Mr. HEPBURN] [applause], our Committee on Interstate and Foreign Commerce has labored long and faithfully in the interest of legislation to secure an interoceanic canal. After conscientious investigation, including the examination of the officials of the Panama Company on oath, we reached the conclusion that the Nicaragua route offered the best opportunities for our country and presented the most feasible and advantageous proposition.\*

We also recognized that as more desirable because it would be nearer our border and make a closer connection between the Atlantic and Gulf ports and our Pacific coast cities, giving us a domestic canal.

However, I am not dogmatic enough, even when sustained and supported by the cooperation of my colleagues on the committee, to set up my judgment in opposition to that of all the great and good men in the country who profess to desire canal legislation and prefer the Panama route. I hope we may have been mistaken. I hope that if the title be found good, the Panama route may prove desirable and feasible. If there are those who expect that the enactment of the Spooner amendment will result in defeating all canal legislation, and compassed its adoption in hope of creating confusion and preventing legislation, I believe they will be disappointed. In fact, they expected that we would reject the amendment and make ourselves chargeable with preventing legislation. It was a monumental bluff, and they are much more discomfited by our acceptance of the amendment than we are in its compulsory adoption. If they hope to succeed in this game by haggling and delaying the President by quibbles and complications tending to confuse, delay, and finally defeat action, they will be doomed to failure. I do not believe the President will allow them to trifle with him at all, but in such a case he would cut the Gordian knot and order the Nicaragua Canal commenced at once. I expect such tactics to be undertaken, and I rely upon the President to frustrate them.

In voting for this conference report I yield my judgment to that of my colleagues as honest as myself and more able than I can ever hope to be. But in so doing I do not surrender as one who has no hope. I not only expect a canal, but I prophesy that we will get the Nicaragua Canal. [Applause.]

Mr. HEPBURN. I yield three minutes to the gentleman from Mississippi [Mr. WILLIAMS].

Mr. WILLIAMS of Mississippi. Mr. Speaker, it is hope deferred that maketh the heart sick. I do not believe that the action of the House to-day is going to result in the construction of a canal at Panama. I do believe, however, that the action of the House to-day will result finally in getting rid of the Panama entanglement.

I had not thought to say a word upon this subject, but I would not like the country to understand that the gentleman from Ohio [Mr. BURTON] is right when he takes it for granted that the House will vote for this conference because they believe the Panama route to be the best. I believe two-thirds of it think the Nicaragua route preferable, even though we shall vote for the conference report.

Mr. Speaker, if I had my way I would give \$500,000,000 to put an interoceanic canal at Nicaragua rather than to put one at Panama for \$25,000. Every reason—geographical, military, and commercial—leads me to that belief. A ship leaving New Orleans and going to San Francisco will require three days more time by Panama than by Nicaragua. To what absolute insignificance then does the first cost sink, when we consider the commercial expenses, the increased freights required by increased distance, running not for awhile, but for all time, if we put this canal at the wrong place. I would rather have a canal at Nicaragua for half a billion dollars—speaking for the people of the Mississippi Valley and the Gulf coast—than to have one at Panama for \$25,000; and yet I would rather have a canal at Panama than to have no canal at all. And as this entanglement has been brought about, and as I believe that if this action will not result in the construction of a canal before the election and assemblage of the Fifty-eighth Congress, the Fifty-eighth Congress will become disgusted with the delay and further postponement, and will take up the matter and rush through a Nicaragua Canal bill, and that the people will require the Senate to see that it is carried through, I am willing to vote for this action to-day.

I would, of course, rather have the Panama Canal than to have none. It is of a great deal more importance to get rid of the immense distance around Cape Horn than to get rid of the difference of distance between the routes by Panama and by Nicaragua. But when you consider that three days in a trip from New Orleans to San Francisco means six days' loss in the round trip, and that means not only a difference of distance and of cost for each voyage, but a difference in the number of trips that can be had each year, interfering not only with the cheapness of transportation, but with the rapidity of the transportation, and with the volume of trade in the number of trips, it seems that the original cost involved in the two schemes makes no difference.

I think that there is but one possibility under which the Panama Canal ought to be a rival of the Nicaragua Canal in the estimation of the American people, and that is upon the supposition that the canal at Panama were a dead sea-level canal, as De Lesseps originally intended. Now, a dead sea-level canal can be built at Panama, but it will require a vast amount of money, perhaps a billion of dollars, to do it. It will require a great deal

of money. It is an engineering possibility, as De Lesseps said. That was the sort of canal for that place. If we are to have a dead sea-level canal, then the saving in time and expense in ready passage through such a canal there would do much to make up for the loss of distance and time and money on the shore voyage.

Mr. HEPBURN. I yield two minutes to the gentleman from Arkansas.

Mr. McRAE. Mr. Speaker, I have a very strong conviction that the Nicaragua route is the proper one for this country. I have always favored it and still favor it. It seems to me that all of the arguments are in favor of that route except perhaps it is a little more expensive, and that should not control in a great public work like this. I regret with all my heart that the question now presented to us concedes at least the temporary, if not permanent—and I fear the permanent—loss of the proper route for an American canal connecting the Atlantic and Pacific oceans.

I deeply regret that this proposition comes in a way that we can not insist and, if necessary, adhere to the original position taken by the House. I would gladly join in voting down this report if the friends of Nicaragua on the conference would make further fight or could offer any hope that the Senate would agree to that route.

I wish that my friend the gentleman from Iowa, who has so ably led in this contest for that route and who has charge of this report, had at least given the House, under his leadership, an opportunity to again declare its belief in the route we want and the route he says he wants. Yet I must accord to him honesty of purpose when he says that this report is the best that can be had at this time, and that he thinks it ought to be adopted by this House.

Yet I believe it is the monumental blunder for this Republican Congress to substitute the Panama for the Nicaragua route. So far as I am concerned, I want it distinctly understood that I do not vote for this report because I prefer the Panama route to the Nicaragua route. I vote for it under protest and because I am assured by our conferees that nothing else can be secured by this Congress, in their judgment, for I prefer a canal by the Panama route to no canal. I will therefore follow the distinguished gentlemen from Alabama and from Iowa and vote for the report, believing that it is the Panama route or nothing as the matter is now presented. The country understands why and how in this contest over routes the Panama has triumphed, and the people will fix the responsibility where it belongs. They will understand why we have lost this fight and why we have to negotiate for a questionable title to an inferior route when we can now get a perfect title to a route that our people have demanded for years.

The SPEAKER. The time of the gentleman has expired.  
Mr. HEPBURN. I now ask for the previous question on agreeing to the conference report.

The SPEAKER. The gentleman from Iowa demands the previous question on his motion.

The question was taken; and the previous question was ordered.

The SPEAKER. The question is on agreeing to the report.  
Mr. BURTON. On that I call for the yeas and nays. [Cries of "No."]

The SPEAKER. The gentleman from Ohio asks for the yeas and nays.

Mr. BURTON. I think we ought to have a record vote on this.

The yeas and nays were ordered.  
The question was taken; and there were—yeas 260, nays 8, answered "present" 3, not voting 80; as follows:

YEAS—260.

Adams,	Burleson,	Davis, Fla.	Gillet, N. Y.
Adamson,	Burnett,	Dayton,	Gillett, Mass.
Alexander,	Burton,	De Armond,	Glenn,
Allen, Ky.	Butler, Pa.	Decmer,	Goldfogle,
Aplin,	Calderhead,	Dick,	Gordon,
Babeock,	Caldwell,	Dinsmore,	Graff,
Ball, Del.	Candler,	Dougherty,	Graham,
Bankhead,	Cannon,	Douglas,	Greene, Mass.
Barney,	Capron,	Dovener,	Griffith,
Bartlett,	Cassel,	Draper,	Griggs,
Bates,	Cassingham,	Eddy,	Grosvenor,
Beidler,	Clark,	Esch,	Grow,
Bingham,	Clayton,	Evans,	Hamilton,
Bishop,	Cochran,	Feely,	Hanbury,
Blackburn,	Conner,	Finley,	Haskins,
Boutell,	Conry,	Fitzgerald,	Heatwole,
Bowersock,	Coombs,	Fleming,	Hedge,
Bowie,	Cooper, Tex.	Fletcher,	Hemenway,
Brantley,	Cousins,	Flood,	Henry, Conn.
Breazeale,	Cowherd,	Foerderer,	Hepburn,
Brick,	Creamer,	Foss,	Hilfbrant,
Brownell,	Crumacker,	Foster, Ill.	Hill,
Brown,	Currier,	Foster, Vt.	Hitt,
Brownlow,	Curtis,	Fowler,	Holliday,
Brundidge,	Cushman,	Fox,	Hooker,
Burgess,	Dalzell,	Gaines, Tenn.	Hopkins,
Burk, Pa.	Darragh,	Gaines, W. Va.	Howard,
Burke, S. Dak.	Davey, La.	Gardner, Mich.	Howell,
Burleigh,	Davidson,	Gibson,	Hughes,

Jack, Jackson, Md. Jenkins, Johnson, Jones, Wash. Kahn, Kehoe, Kern, Ketcham, Kitchin, Wm. W. Kleberg, Kluttz, Knapp, Knox, Kyle, Lacey, Lamb, Landis, Lanham, Lessler, Lester, Lewis, Ga. Lewis, Pa. Lindsay, Little, Littlefield, Livingston, Lloyd, Long, Loudenslager, Lovering, McCall, McCleary, McClellan, McDermott, McLachlan,	McRae, Maddox, Mahon, Mann, Marshall, Martin, Mercer, Metcalfe, Meyer, La. Mickey, Miers, Ind. Miller, Minor, Mondell, Moody, N. C. Moody, Oreg. Moon, Morgan, Morrell, Moss, Mudd, Mutchler, Naphen, Needham, Nevin, Newlands, Norton, Olmsted, Otjen, Overstreet, Padgett, Palmer, Parker, Patterson, Pa. Patterson, Tenn. Payne,	Pearro, Pierce, Pou, Powers, Me. Powers, Mass. Prince, Pugsley, Randell, Tex. Ransdell, La. Ray, N. Y. Reeder, Rhea, Va. Richardson, Ala. Richardson, Tenn. Rixey, Robb, Robinson, Ind. Rumple, Ruppert, Ryan, Schirm, Scott, Shafroth, Shattuc, Showalter, Sibley, Sims, Slayden, Small, Smith, Ill. Smith, Iowa Smith, Ky. Smith, S. W. Snodgrass, Snook, Southard,	Southwick, Sperry, Stark, Steele, Stevens, Tex. Stevens, Minn. Stewart, N. J. Stewart, N. Y. Sulzer, Sutherland, Swanson, Tate, Tawney, Taylor, Ohio Taylor, Ala. Thayer, Thomas, N. C. Thompson, Tirrell, Tongue, Underwood, Vander, Van Voorhis, Vreeland, Wadsworth, Wanger, Warner, Warnock, Watson, Wheeler, Wiley, Williams, Ill. Williams, Miss. Wilson, Wooten, Zenor.
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## NAYS—8.

Ball, Tex. Bell,	Hay, Jones, Va.	Kitchin, Claude Loud,	Neville, Woods.
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ANSWERED "PRESENT"—3.

Morris,	Shackleford,	Wright.
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NOT VOTING—80.

Acheson, Allen, Me. Bartholdt, Bellamy, Belmont, Benton, Blakeney, Boring, Bristow, Broussard, Bull, Burkett, Butler, Mo. Connell, Cooney, Cooper, Wis. Corliss, Cromer, Crowley, Dahle,	De Graffenreid, Driscoll, Edwards, Elliott, Emerson, Fordney, Gardner, N. J. Gilbert, Gill, Gooch, Green, Pa. Hall, Haugen, Henry, Miss. Henry, Tex. Hull, Irwin, Jackson, Kans. Jett, Joy,	Lassiter, Latimer, Lawrence, Lever, Littauer, McAndrews, McCulloch, McLain, Mahoney, Maynard, Perkins, Reeves, Reid, Roberts, Robertson, La. Robinson, Nebr. Rucker, Russell, Scarborough, Selby,	Shallenberger, Shelden, Sheppard, Sherman, Skiles, Smith, H. C. Smith, Wm. Alden Sparkman, Spight, Storm, Sulloway, Talbert, Reid, Thomas, Iowa Tompkins, N. Y. Tompkins, Ohio Trimble, Wachter, Weeks, White, Young.
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So the conference report was agreed to.

The following pairs were announced:

For the session:

Mr. DAYTON with Mr. MEYER of Louisiana.

Mr. YOUNG with Mr. BENTON.

Mr. BULL with Mr. CROWLEY.

Mr. WRIGHT with Mr. HALL.

Mr. BOREING with Mr. TRIMBLE.

Mr. IRWIN with Mr. GOOCH.

Until further notice:

Mr. SHELDEN with Mr. REID.

Mr. BARTHOLDT with Mr. SHACKLEFORD.

Mr. HAUGEN with Mr. LEVER.

Mr. CORLISS with Mr. DE GRAFFENREID.

Mr. FOSTER of Vermont with Mr. POU.

Mr. SKILES with Mr. TALBERT.

Mr. FORDNEY with Mr. BURGESS.

Mr. DRISCOLL with Mr. ROBINSON of Nebraska.

Mr. MORRIS with Mr. JACKSON of Kansas.

Mr. EMERSON with Mr. GILBERT.

For this day:

Mr. SULLOWAY with Mr. SELBY.

Mr. ROBERTS with Mr. MAHONEY.

Mr. THOMAS of Iowa with Mr. SPARKMAN.

Mr. WACHTER with Mr. WHITE.

Mr. PERKINS with Mr. MCLAIN.

Mr. MILLER with Mr. MCCULLOCH.

Mr. LITTAUER with Mr. LATIMER.

Mr. LAWRENCE with Mr. LASSITER.

Mr. HULL with Mr. HENRY of Texas.

Mr. GILL with Mr. MAYNARD.

Mr. GARDNER of New Jersey with Mr. ELLIOTT.

Mr. CROMER with Mr. EDWARDS.

Mr. BRISTOW with Mr. COONEY.

Mr. DAHLE with Mr. BUTLER of Missouri.

Mr. ALLEN of Maine with Mr. BROUSSARD.

Mr. ACHESON with Mr. BELLAMY.  
Mr. HENRY C. SMITH with Mr. MCANDREWS.  
Mr. CONNELL with Mr. HENRY of Mississippi.

On this vote:

Mr. COOPER of Wisconsin with Mr. SCARBOROUGH.

Mr. JOY with Mr. RUCKER.

Mr. RUSSELL with Mr. ROBERTSON of Louisiana.

Mr. WM. ALDEN SMITH with Mr. JETT.

Mr. SHERMAN with Mr. BELMONT.

Mr. BLAKENEY with Mr. GREEN of Pennsylvania.

Mr. BURKETT with Mr. SHALLENBERGER, for ten days.

Mr. WEEKS with Mr. SHEPPARD, for two weeks.

## CONFERENCE REPORTS ON PENSION BILLS.

Mr. BROMWELL submitted reports of committees of conference in the following cases; which, in accordance with the rule, were ordered to be printed in the RECORD, with the accompanying statements of the House conferees:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill S. 5856, "An act granting an increase of pension to Elizabeth A. Turner," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

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

H. C. LOUDENSLAGER,  
WILLIAM RICHARDSON,  
J. H. BROMWELL,  
*Managers on the part of the House.*  
J. H. GALLINGER,  
J. C. PRITCHARD,  
*Managers on the part of the Senate.*

The statement is as follows:

Statement to accompany conference report on disagreeing votes of the House and Senate on Senate bill 5856, granting an increase of pension to Elizabeth A. Turner.

This bill originally passed the Senate at \$16 per month, but was amended in the House to \$12 per month. The result of the conference is that the Senate recedes from its disagreement to the amendment of the House and agrees to the same, and your conferees recommend that the bill pass at \$12 per month, as it originally passed the House.

H. C. LOUDENSLAGER,  
WILLIAM RICHARDSON,  
J. H. BROMWELL.

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3320), granting an increase of pension to Adelaide G. Hatch, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendment.

H. C. LOUDENSLAGER,  
WILLIAM RICHARDSON,  
J. H. BROMWELL,  
*Managers on the part of the House.*  
WM. J. DEBOE,  
J. R. BURTON,  
*Managers on the part of the Senate.*

The statement is as follows:

Statement to accompany conference report on disagreeing votes of the House and Senate on Senate bill 3320, granting an increase of pension to Adelaide G. Hatch.

This bill originally passed the Senate at \$30 per month, but was amended in the House to \$20 per month. The result of the conference is that the House recedes from its amendment, and your conferees recommend that the bill pass at \$30 per month, as it originally passed the Senate.

H. C. LOUDENSLAGER,  
WILLIAM RICHARDSON,  
J. H. BROMWELL.

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1225) granting an increase of pension to Clara W. McNair, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendment.

H. C. LOUDENSLAGER,  
WILLIAM RICHARDSON,  
J. H. BROMWELL,  
*Managers on the part of the House.*  
J. H. GALLINGER,  
WM. J. DEBOE,  
*Managers on the part of the Senate.*

The statement is as follows:

Statement to accompany conference report on disagreeing votes of the House and Senate on Senate bill 1225, granting an increase of pension to Clara W. McNair.

This bill originally passed the Senate at \$50 per month, but was amended in the House to \$40 per month. The result of the conference is that the House recedes from its amendment, and your conferees recommend that the bill pass at \$50 per month, as it originally passed the Senate.

H. C. LOUDENSLAGER,  
J. H. BROMWELL,  
WILLIAM RICHARDSON.

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 5505) granting an increase of pension to Clayton P. Van Houten, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendment and agree to an amendment as follows: After the word "receiving," in line 9, add the following: "Provided, That at the expiration of two years after the passage of this act,

if the said Clayton P. Van Houten be then living, a medical examination shall be ordered, and the rate of pension allowed by this act shall be subject to change to accord with the degree of disability then existing;" and the Senate agree to the same.

H. C. LOUDENSLAGER,  
J. H. BROMWELL,  
WILLIAM RICHARDSON,  
*Managers on the part of the House.*  
P. J. McCUMBER,  
N. B. SCOTT,  
*Managers on the part of the Senate.*

The statement is as follows:

Statement to accompany conference report on disagreeing votes of the House and Senate on Senate bill 5506, granting an increase of pension to Clayton P. Van Houten.

This bill originally passed the Senate at \$50 per month, but was amended in the House to \$30 per month. The result of the conference is that the House recedes from its amendment, and the conferees agree to an amendment as follows:

After the word "receiving," in line 9, add the following: "Provided, That at the expiration of two years after the passage of this act, if the said Clayton P. Van Houten be then living, a medical examination shall be ordered, and the rate of pension allowed by this act shall be subject to change to accord with the degree of disability then existing."

And your conferees recommend that the bill pass as so amended.

H. C. LOUDENSLAGER,  
J. H. BROMWELL,  
WILLIAM RICHARDSON.

#### CIVIL GOVERNMENT OF PHILIPPINE ISLANDS.

The House, in accordance with its standing order, again resolved itself into Committee of the Whole on the state of the Union (Mr. GILLET of Massachusetts in the chair), and resumed the consideration of Senate bill No. 2295.

The Clerk read as follows:

SEC. 16. That all lands acquired under authority of section 15 of this act shall constitute a part and portion of the public property of the government of the Philippine Islands, and may be held, granted, sold, and conveyed by the government of said islands on such terms and conditions as it may prescribe: *Provided*, That actual settlers and occupants at the time said lands are acquired by the government shall have the preference over all others to purchase or otherwise acquire their holdings within such reasonable time as may be determined by said government.

Mr. JONES of Virginia. Mr. Chairman, I move to amend by striking out all after the word "islands," line 17, down to and including the word "government," in line 23, and inserting in lieu thereof the following:

And shall only be granted, sold, and conveyed to actual settlers and occupants at the time said lands are acquired by the government, not exceeding 40 hectares to any one person, and on such terms and conditions as it may prescribe.

The amendment of Mr. JONES of Virginia was read by the Clerk.

Mr. JONES of Virginia. The section to which this amendment is offered provides that the friar lands shall constitute a part and portion of the public property of the government of the Philippine Islands, and may be held, granted, sold, and conveyed by the government of said islands on such terms and conditions as it may prescribe, provided that actual settlers and occupants at the time said lands are acquired by the government shall have the preference over all others to purchase or otherwise acquire their holdings within such reasonable time as may be determined by said government.

Now, this section as it stands will enable corporations, the organization of which is provided for in this bill, to acquire these friars' lands. Just what proportion of these friars' lands are now occupied and in the possession of individuals I do not know. I presume that a large portion of this land is so held. Some of it is timber and grazing land—just how much I do not know.

The preference given to actual occupants and settlers really amounts to little or nothing. Everybody knows that many of the occupants of this land are to-day in impoverished circumstances. It is a fact that many of the tenants have not been able for a long time to pay any rent for these lands. Now, what avail to them will it be to give them the opportunity to purchase this land in preference to anybody else within a certain time if they have not the means with which to purchase it? If the section is adopted as it stands, it will result in these occupants being dispossessed of their holdings; it will result in this land, which has already created so much trouble in the islands by reason of the fact that it is held by religious orders, going into the hands of large corporations; and instead of removing the friction and dissatisfaction and trouble that exist in the islands to-day on account of this land being held by religious orders, it will simply aggravate this bad feeling. The corporations which it is intended shall acquire these lands will not be in better favor with the inhabitants than are the friars.

Now, as I have said, the present occupants are not able to buy these lands. And why give them the option to buy if it be conceded—as it must be—that they are not able to buy? The result will be that the lands will become a part of the public lands of the islands, and will be disposed of as this bill proposes that those public lands shall be disposed of. By far the greater part of these lands are agricultural lands, and as such may, under the provi-

sions of this most unjust bill, be purchased and held in 5,000-acre tracts by corporations.

My proposition is that this land shall be sold only to actual occupants and settlers, and that no person shall be permitted to obtain more than 40 hectares, or about 100 acres, the terms and conditions of such sale to be prescribed by the Commission. I hope the amendment may be adopted.

[Here the hammer fell.]

Mr. COCHRAN, Mr. SULZER, and Mr. CRUMPACKER rose.

The CHAIRMAN. The Chair feels obliged to recognize the gentleman from Indiana [Mr. CRUMPACKER], representing the committee.

Mr. COCHRAN. I give notice that I desire to offer a substitute.

#### MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. CAPRON 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 amendment of the Senate to the bill (H. R. 3110) to provide for the construction of a canal connecting the waters of the Atlantic and Pacific oceans.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 3519. An act granting an increase of pension to John Marble; and

H. R. 11019. An act directing the Secretary of the Treasury to bestow medals upon First Lieut. David H. Jarvis, Second Lieut. Ellsworth P. Bertholf, and Samuel J. Call, surgeon, all of the Revenue-Cutter Service.

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

S. 1468. An act for the relief of Henry Bash;

S. 1156. An act for the relief of John C. Ray, assignee of John Gafford, of Arkansas;

S. 251. An act regulating the duties and fixing the compensation of customs inspectors at the port of New York;

S. 4083. An act for the relief of Surg. John F. Bransford, United States Navy;

S. 6250. An act to regulate the use by the public of reservoir sites located upon the public lands of the United States;

S. 6232. An act for the relief of I. I. Barber;

S. 6123. An act granting an increase of pension to Thomas L. Collins;

S. 6023. An act for the relief of John Scott;

S. 5531. An act for the relief of James F. McIndoe;

S. 4986. An act to amend an act entitled "An act to receive arrearages of taxes due the District of Columbia to July 1, 1900, at 6 per cent per annum, in lieu of penalties and costs," approved February 15, 1902;

S. 4722. An act for the erection of a building for the use and accommodation of the Department of Agriculture;

S. 3248. An act to establish a fish hatchery and fish station in the State of Maryland;

S. 2865. An act for the protection of fish and game in the Indian Territory;

S. 2644. An act to promote the circulation of reading matter among the blind;

S. 2342. An act for the relief of the legal representatives of George W. Curtis, deceased;

S. 1668. An act for the relief of Custis Parke Upshur;

S. R. 97. Joint resolution to authorize certain officers of the Treasury Department to audit and certify claims of certain counties in Arizona;

S. 4611. An act to authorize the West Elizabeth and Dravosburg Bridge Company to construct and maintain a bridge across the Monongahela River in the State of Pennsylvania; and

S. R. 120. Joint resolution providing for the removal of shoal in North River, New York Harbor.

#### PHILIPPINE GOVERNMENT.

The committee resumed its session.

Mr. CRUMPACKER. I ask unanimous consent that the pending amendment be again reported in order that we may understand it.

The amendment of Mr. JONES of Virginia was again read.

Mr. CRUMPACKER. Mr. Chairman, it seems to me a few words will easily overthrow the argument of the gentleman who proposes this amendment. There are now over 400,000 acres of what are known as the friar lands, and the arable portion of those lands, the agricultural lands, are occupied in a large degree by tenants who have paid rent for several years. Perhaps some of them may assert an equitable right in the property which they occupy.

Now, if the sale and disposition of these lands shall be limited to the actual occupants of the lands at the present time and the

quantity shall be confined to 40 hectares each, not one-tenth part of the friar lands can be disposed of, because there are not enough occupants on the land at 40 hectares each to occupy one-tenth part of the lands in the controversy.

Mr. JONES of Virginia. Mr. Chairman, I would like to ask the gentleman a question. I do not know how that is, as to what part is occupied and what part is not occupied, but is not my friend aware of the fact that the Senate bill, which the bill of the committee seeks to amend, does not provide for the disposition of this land at all?

Mr. CRUMPACKER. The Senate bill does not provide for the disposition of any public lands. They are held in abeyance and that is one material weakness about the Senate bill which we believe—

Mr. COCHRAN. Mr. Chairman, I would like to ask the gentleman a question.

The CHAIRMAN. Does the gentleman yield?

Mr. CRUMPACKER. I prefer not to yield now. We believe that the public domain ought to be utilized at once for the benefit of settlers in order to permit a proper development of the islands. Now, the friar lands constitute something over 400,000 acres. A considerable portion of that, perhaps three-fourths of it, is farm lands, and we have vested the power in the Philippine Commission, giving the preference to actual occupants and settlers, to dispose of it upon such terms as they may provide, and if there shall be any occupant who is in a condition of poverty, who has any equitable claim to any portion of the land, the Commission may provide that he may buy it and pay for it in one, two, three, four, five, or ten years.

Mr. GOLDFOGLE. Mr. Chairman, I would like to ask the gentleman a question. Where does the gentleman find that exception or limitation to which he refers, the restriction on the Commission?

Mr. CRUMPACKER. There is no restriction upon the Commission, excepting the proviso in the section that gives the preference to actual occupants and settlers, and which authorizes the Commission to sell these lands upon such terms as they may deem just and equitable; so that the Commission has the power to protect the equitable and legal rights of every single occupant or settler. No man need suffer on account of the administration of this law, and it was deemed safer and wiser to vest this discretion in the Commission, who are on the ground, who may know the real conditions, than for Congress to undertake to make a law with hard and fast lines, absolutely providing for the method of disposing of these lands.

Mr. HAMILTON. I would suggest to the gentleman that, as I understand it, in the island of Mindoro, there are 60,000 acres of land unoccupied and undeveloped at this time, recently acquired, and in the Cagayan Valley 60,000 more.

Mr. CRUMPACKER. Yes; as the gentleman from Michigan suggests, there is considerable land in some of the islands practically undeveloped and occupied now for grazing lands, and under the amendment there will be absolutely no power to dispose of those lands.

Mr. SULZER. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman is not in order.

Mr. COCHRAN. Mr. Chairman, I offer the following amendment as a substitute for the pending amendment.

Mr. CLARK. Mr. Chairman, a parliamentary inquiry. I would like to know how the Chairman comes to make that ruling time after time. Why can one not move to strike out the last word in this as in the sections of any other bill.

The CHAIRMAN. Because of the reading of the rule. There is, of course, always permitted an amendment to an amendment, but we are now considering this whole bill, which is an amendment, and only one amendment to that is in order. If a person moves to strike out the last word when no amendment is pending, it will be in order. When an amendment is pending it is not in order. Just now an amendment is pending.

Mr. CRUMPACKER. Mr. Chairman, I desire to make a point of order against the amendment submitted by the gentleman from Missouri. The substitute of the House is an amendment, and the gentleman from Virginia has properly offered an amendment to an amendment. Now, the gentleman from Missouri offers what is in effect an amendment to an amendment to an amendment.

The CHAIRMAN. The gentleman from Missouri offers this as a substitute to the amendment, not as an amendment to the amendment. There is some question whether that is permissible or not, but the Chair is inclined to rule that a substitute is admissible.

Mr. COCHRAN. Mr. Chairman, I call for the reading of the substitute.

The Clerk read as follows:

On page 74, line 17, after the word "convey," insert the following: "to actual settlers only;" and after the word "Provided," in line 19, insert the

following: "that not more than 60 hectares of said land shall be acquired by any one person;" and after the word "holding," in line 22, insert the following: "not exceeding 60 hectares in area."

Mr. COCHRAN. Mr. Chairman, the section as amended by this proposed substitute would read as follows:

That all lands acquired under the authority of section 15 of this act shall constitute a part and portion of the public property of the government of the Philippine Islands, and may be held, granted, sold, and conveyed to actual settlers only, by the government of said islands, on such terms and conditions as it may prescribe: *Provided*, That not more than 60 hectares of said land shall be acquired by any one purchaser and that the actual settlers and occupants at the time said lands are acquired by the government shall have the preference over all others to purchase, or otherwise acquire their holdings, not exceeding 60 hectares in area, within such reasonable time as may be determined by said government.

The gentleman from Indiana [Mr. CRUMPACKER] says that it would be impossible to find purchasers for this land, subdivided in this manner. He says there are not enough people in Luzon to occupy the agricultural islands of the country. And yet, at the beginning, when this Government was founded, when we had a public domain which we then thought would last for centuries, we saw fit to throw about it the protection of land laws, which from that day to this have limited to 160 acres, the amount that could be acquired by any one person at one time, by purchase or homestead entry. And I believe that the greatest misfortune that ever befell this people was when an acre or a rod of that land was diverted from the purposes to which it was consecrated by this early enactment of the Republic. The gentleman says there are not enough people in Luzon to occupy the land. Luzon is as populous as Rhode Island. Every inch of arable land in the island of Luzon is under cultivation, or has been at some time.

Mr. CRUMPACKER. Will the gentleman allow me?

Mr. COCHRAN. I will not. I have not time. When we were providing for our own people we limited acquisitions under entry, homestead or otherwise, to 160 acres.

Mr. CRUMPACKER. Why does the gentleman—

Mr. COCHRAN. I decline to yield. You thought it necessary, when this continent afforded land sufficient to accommodate a population of 400,000,000 people, to limit the entry to 160 acres. Now, you say you are trying to protect the Filipino. The amendment I propose gives him a standing in his own country in reference to the land in his own islands precisely such as you have given to our own citizens with reference to our public lands.

Mr. HAMILTON. Will the gentleman permit a question?

Mr. COCHRAN. Are you going to throw open the gates to speculators there when you would not throw open the gates to speculators here? Are you going to allow men who desire to establish large plantations and great bonanza farms an opportunity in the Philippine Islands which you never have dared to give them here? Are you going to reject this amendment and then go home to your constituents and pretend that you sought to protect the Philippine lands which the Government is about to buy from the friars from the encroachment of speculators and bonanza farmers? When we buy an Indian reservation and throw it open to settlement, do we consider the fact that in this country there are vast unsettled areas and say to the speculators and bonanza farmers that they may buy the Indian lands without limit? When we took the measures lately to open up certain Indian lands in Oklahoma, did we not limit the amount that any one could acquire to 160 acres?

This amendment seeks to impose the same limitation in the Philippine Islands. This amendment seeks to prevent land monopoly there. It seeks to prevent the rich corporation and individual from taking possession of areas of land sufficient to support hundreds of families engaged in agriculture; and if you refuse it you do it with knowledge of the fact that the proportion of the urban population of the Philippine Islands to the whole population is many times greater than the urban population of the United States. You do it with notice that nearly every man, woman, and child in the Philippines, outside of some of the large cities like Manila, is actually engaged in agriculture, and in no other business, and has no other means of subsistence.

Mr. HAMILTON. Mr. Chairman—

Mr. COCHRAN. I say to the gentleman from Michigan that with five minutes at my disposal I will not yield. Furthermore, I want the gentleman to understand that the deliberate violation of the rules of parliamentary proceeding so complacently tolerated by the Chair when it proceeds from that side of the House and so summarily rebuked when it is attempted over here is an evidence of the unfairness and indecency of the proceedings of this body which has disgusted the country.

[Here the hammer fell.]

Mr. LACEY. Mr. Chairman, there are about 400,000 acres of these so-called friars' lands. As to the public lands, there is a provision further on in the bill limiting homesteads to 16 hectares, or about 40 acres, the idea being that in that tropical climate, with that rich soil, much of the land requiring irrigation, a 40-acre homestead is ample. But when the problem of handling the 400,000 acres of the friars' lands arose this bill I think has dealt

wisely with the question by leaving the whole matter of the purchase on the one hand and the disposition on the other with the Philippine government. There are no two of these localities that are situated alike. Some of the land is grazing land, some of it land that ought to be sold in very small tracts; and by giving to the government of the islands a free hand to deal with and dispose of the friars' lands on such terms as will meet the conditions there, I believe the committee have acted much more safely than if Congress had at this long range attempted to bind the local government hard and fast with fixed rules.

Mr. PADGETT. Will the gentleman please explain why this bill limiting the grant to 40 acres only to an individual allows a grant of 5,000 acres to a corporation?

Mr. LACEY. That will come further along, and, I presume, will be fully explained by the committee. In the limited time I will not have an opportunity to explain it now, but when the question as to the sugar lands or great coffee plantations is reached, then of necessity large plantations will be fully discussed. The question is whether we shall give the local government the power of disposition of the lands. First, they are authorized to buy and then to sell, and the purpose of sale is to get the money to pay the bonds. They will be bought and transferred from the hands of the friars and left in the hands of the actual settlers. The best plan is to leave such matters with the local government, who are familiar with all the peculiar circumstances surrounding each individual locality.

The CHAIRMAN. Debate has expired.

Mr. COOPER of Wisconsin. I ask unanimous consent that I have three minutes.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent that he may address the committee for three minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. COOPER of Wisconsin. I call the attention of gentlemen of the House to section 20, which provides for the general disposition of the public lands in the islands:

That the government of the Philippine Islands, subject to the provisions of this act and except as herein provided, shall make rules and regulations for the sale or other disposition of the public lands of the United States in said islands, but such rules and regulations shall not go into effect or have the force of law until they have received the approval of the President, and they shall also be submitted to Congress, and, unless disapproved or amended by Congress at the next ensuing session after their submission, they shall at the close of such session have the force and effect of law in said islands, when they shall have received the approval of the President, as hereinbefore provided.

Now, this is a provision to dispose of the public lands generally distinct from the friar lands. The friar lands are to-day practically all occupied, and a great portion of it by settlers. We give those settlers the right of first choice to the lands. Their claims shall first be adjusted, and they shall have the first right to purchase. There is the distinction between the two bodies of land. Of course some of the friar lands are grazing lands, but there is that distinction between the general public-land provision and the friar lands, and that is already there is a great deal of the friar lands occupied by settlers, and we give them the first right to purchase.

Mr. WILLIAMS of Illinois. Just one minute in that connection.

The CHAIRMAN. The gentleman from Illinois asks that he may be allowed to address the committee for one minute. Is there objection? [After a pause.] The Chair hears none.

Mr. WILLIAMS of Illinois. I want to say, Mr. Chairman, that I would very much like to see that section referred to amended so as to require not only that the rules and regulations should be submitted to Congress for disapproval, but I think that it ought to require their approval by Congress. It is quite a different thing from submitting the rules and regulations to Congress and its failure to approve them during that session and requiring Congress to act affirmatively and approve these regulations.

Mr. JONES of Virginia. Will my friend allow me to make one suggestion?

Mr. WILLIAMS of Illinois. Yes, sir.

Mr. JONES of Virginia. While there is that section in the bill providing for these rules and regulations to be submitted to Congress, the bill does provide a means by which the Commission may dispose of every single acre—about 68,000,000—before the rules are made.

Mr. WILLIAMS of Illinois. Before the rules are ever made?

Mr. JONES of Virginia. Yes.

Mr. WILLIAMS of Illinois. I was not on the subcommittee that prepared the bill; but it is the same provision as in the Senate bill, and it simply allows these rules to take effect, unless Congress shall act affirmatively and disapprove them. If Congress takes no action at all, and by the Committee on Rules, or the Speaker, or a few members of the Senate action may be delayed for one session, then these rules and regulations become

valid without the approval of Congress. I think they should be approved by Congress before they are valid.

Mr. COOPER of Wisconsin. But the gentleman will notice that the law requires that it shall also require the approval of the President.

Mr. WILLIAMS of Illinois. I understand that.

The CHAIRMAN. The question is on the substitute offered by the gentleman from Missouri.

The question was taken; and the Chairman announced that the yeas appeared to have it.

Mr. CLARK. Division.

The committee divided, and there were—ayes 28; yeas 48.

Mr. CLARK. I make the point of no quorum present.

The CHAIRMAN. The gentleman from Missouri raises the point of no quorum. The Chair will count the members present. [After counting.] One hundred and eleven members present; a quorum is present, and the substitute is lost. The question is on the adoption of the amendment offered by the gentleman from Virginia.

Mr. SULZER. Mr. Chairman, is an amendment to that amendment in order?

The CHAIRMAN. An amendment to the amendment is not admissible.

The question was taken on the adoption of the amendment of Mr. JONES of Virginia, and the chairman announced that the yeas appeared to have it.

Mr. JONES of Virginia. Division.

The committee divided; and there were—ayes 32, yeas 63.

So the amendment was rejected.

Mr. SULZER. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amend by striking out all after the word "island," in line 17, and insert "public lands, or the so-called lands of the friars purchased by the United States, shall be held in trust by the Philippine government for homesteads and for native actual settlers."

Mr. SULZER. Mr. Chairman, in my opinion, and I doubt not in the opinion of a great many thinking people of this country, this provision will be looked on as one of the most important in this bill.

Mr. TAWNEY. Will the gentleman allow me an interruption?

Mr. SULZER. I have only a few minutes.

Mr. TAWNEY. I want to know if the gentleman understands that under the provisions of this bill it is not proposed that the Government of the United States shall purchase the friars' land?

Mr. SULZER. Oh, yes; I understand the matter perhaps better than the gentleman from Minnesota. The Government of the United States has sent a commission to Rome to get consent that this Government may buy or settle the title to these lands.

Mr. TAWNEY. The government of the Philippine Islands.

Mr. SULZER. No; this Government. There is no other government in the Philippines at present. I understand the provisions of section 16, and it is one of the most important sections in this bill. If you pass this section as it is now in this bill, and it becomes a law, a few men, a few favorites, a few corporations, can go into the Philippine Islands and get control of all of these friar lands after they become a part of the public domain of the Philippine Islands or the Philippine government. My information is that there are over 500,000 acres of these lands. Let us be honest about this matter. I want the Republicans to be fair. You say that you are friendly to the Filipinos; you want them to lay down their arms; you want them to make terms of peace; you want to put down the insurrection. I want you to be fair and say to the Filipinos: "This is your land; God gave it to you, and the Government of the United States will not take it from you." That is the way we should act; that is the way this House of Representatives ought to legislate. By this provision in the bill you can take the lands away from the natives and bestow them upon favorites and corporations, and these are the most valuable lands in the Philippines.

Mr. COOPER of Wisconsin. Will the gentleman yield to me for a moment?

Mr. SULZER. I have only a few moments more. I would be glad to yield to any member if my time is extended. I have only a few minutes in all and it seems at the present stage of this discussion it is difficult for a member on this side of the House even to get a few minutes.

Mr. Chairman, I want this House to distinctly go on record in favor of giving the Filipinos their own lands, or in favor of taking their lands from them. If you vote for this provision as it now is in the bill, you take the Filipinos' lands from them. If the House votes for the amendment I offer, the Filipino government can distribute these lands to the actual native settlers for homesteads. I believe we ought to give the Filipinos their own lands. These lands were taken from them by the strong arm of power and force over one hundred and fifty years ago. How

magnanimous it would be on the part of the American Congress if, in passing this law, it will say to the Filipinos: "We do not intend to rob you; we are going to give you back your lands which were taken from you years and years ago."

Gentlemen on the Republican side, if you are honest, if you are sincere, and mean what you say in your speeches here day in and day out, you will vote in favor of this amendment I have offered, giving the Filipinos their own land for them to live on, for them to till and make a living from; give them their own land which God put there and intended they should have, and which they occupied long before the Spaniards ever went there, and which they are entitled to own to-day. Mr. Chairman, I trust this House will permit them to do so by adopting this amendment. Most of the troubles that have arisen in the history of the world have arisen by reason of a few men getting control of the land and keeping those who ought to have and own the land out of their rightful possession. [Applause on the Democratic side.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. SULZER. Mr. Chairman, I ask for a few moments more to say just a few words.

The CHAIRMAN. Is there objection?

Objection was made.

Mr. GROSVENOR. Mr. Chairman, there was one remark made by the gentleman from New York [Mr. SULZER] which I should like to have more fully explained. I understood him to say that the Commission had been sent by the President of the United States to consult with the Pope of Rome and get his consent to some arrangement proposed to be made about these lands, and that there was some instruction being given that would result in depriving the Filipinos of their rights. If the gentleman has any information that is more definite than that of the public on this subject, I should be glad to have the opportunity to avail myself of that information. We know that the Commission, made up of the distinguished governor-general of the Philippines and the gentlemen associated with him, was authorized to call upon the Pope to inquire of him, as I understand, what the claim of the Catholic Church is, what the claim of the oligarchy of that church is to the title of these so-called friar lands, and the view of that body as to the future disposition of said lands.

Now, we all know that the Catholic Church, in pursuance of a policy of its own—and which I think is a most admirable policy and one which has certainly worked well in the United States—vests in the authorities of the church the lands and other property that belong to the church for ecclesiastical purposes, whether that property be in the form of churches proper, or parsonages, or parochial school buildings, or whatever else it may be. But I do not understand that the title of these lands which are called the friars' lands is in any way on all fours with the title held by the Church of Rome in the United States to real estate which it occupies.

Some testimony was given before the Committee on Ways and Means tending to show, not that there was any purpose on the part of this Government through the Philippine organization to seize, as the gentleman said, and take away from the Filipinos their lands. The term "their lands" is a very indefinite sort of a term. It might mean lands located in the Philippine Islands. It might mean lands belonging to some government in the Philippine Islands. But a large, and, as I understand, a very large, proportion of what was public land owned by Spain in the Philippine Islands passed by the treaty of Paris to the ownership of the United States, and, as I understand—and I am ready to be instructed on that point—the actual title—that is, the best title—to these so-called friar lands is a matter of some uncertainty. They are claimed by the body known as the friars, but their title is a problem which I think my friend from New York will hardly be able to solve. I have tried to look into this question and to understand it; and if there is any valid title to that land vested in the friars and that they can sell or dispose of, I am not able to ascertain that fact; yet for a long period of time they have insisted upon that title, and nobody has been found to dispute it.

Mr. COOPER of Wisconsin. Is the gentleman aware that Governor Taft in his testimony said that the title of the friars was good in law, and that they could, in his opinion, defend it successfully in court?

Mr. GROSVENOR. No; I did not know that. I depended upon the statement made by Mr. Root before the Committee on Ways and Means, in which he said there was at least enough in their title to justify us in expending money to get rid of it. It seemed to me, therefore, that according to the statement of the Secretary of War we must either deprive the friars of their title by force, in order to constitute the land the property of the Filipinos, and cut the land up for distribution under some homestead arrangement, or else we must by some negotiation get rid of the title of the friars and leave it to subsequent events to decide what shall be done with the lands, and I think gentlemen will not claim that there is any public title in the Filipinos to any of that land.

[Here the hammer fell.]

Mr. GAINES of Tennessee rose.

The CHAIRMAN. Debate is exhausted on the amendment.

Mr. GAINES of Tennessee. I move to strike out the last word.

The CHAIRMAN. That is not permissible.

Mr. GAINES of Tennessee. I think the Chair has made some very mysterious rulings to-day on questions of parliamentary law.

The CHAIRMAN. The gentleman—

Mr. GAINES of Tennessee. I rise to a question of personal privilege.

The CHAIRMAN. The gentleman will state it.

Mr. GAINES of Tennessee. The Chair, it seems to me, has decided all sorts of ways as to when was the right time to discuss this bill, and particularly when gentlemen on this side were concerned.

The CHAIRMAN. The gentleman is out of order.

Mr. GOLDFOGLE. I move to strike out the last word.

The CHAIRMAN. The motion is not in order.

Mr. GOLDFOGLE. I rise to a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. GOLDFOGLE. Does the Chair mean that the amendment before the House must first be disposed of and then that my amendment will be in order?

The CHAIRMAN. That is what the Chair means. The Chair stated early in the day, when probably the gentleman from New York and the gentleman from Tennessee were absent, and therefore it may be well to state it again, that under the rules of the House this whole House bill is an amendment, and as parliamentary law allows only one amendment to an amendment, therefore there can be but one amendment pending to the House bill. Hence the proposition which the gentleman from Tennessee just made, and has made before, to amend an amendment to the House bill is clearly out of order.

Mr. GAINES of Tennessee. The question is not so much as to my making an amendment, as I wanted to do several times to-day, but as to the right to discuss such an amendment when it is up. The discussion has all been on the other side of the House.

The CHAIRMAN. The gentleman will suspend—

Mr. GAINES of Tennessee. And we have some rights on this side—particularly the right of free speech and debate.

The CHAIRMAN. The gentleman is out of order. The Chair will state that on an amendment there is of course allowed five minutes' debate on each side, and no more, except by unanimous consent. The Chair has followed this rule—that when an amendment is offered, no matter on which side, it is of course an attack upon the bill which is being defended by the committee; and the Chair, therefore, has held that it is always but fair—and the Chair thinks the committee will agree with him—that when the bill is attacked, no matter upon which side, a member of the committee should be next recognized to defend the bill.

Mr. GAINES of Tennessee. And they have taken about all the time to-day over there on that side.

The CHAIRMAN. That makes no difference upon which side the time is occupied.

Mr. GAINES of Tennessee. Well, it does on this side, Mr. Chairman, with all due respect to the Chair's honorable rulings. We think we are half the House.

The CHAIRMAN. The gentleman is out of order, and has been repeatedly.

Mr. OLMSTED. Mr. Chairman, I desire to inquire whether one argument having been made in favor of the amendment a member of the committee may not be heard against it?

The CHAIRMAN. There has been an argument in favor of it and one against it.

Mr. OLMSTED. I did not hear the argument against it.

The CHAIRMAN. It was by the gentleman from Ohio [Mr. GROSVENOR].

Mr. OLMSTED. I did not understand him to be speaking to the amendment at all.

The CHAIRMAN. He occupied the time. Nobody raised the point of order that he was not speaking to the amendment.)

Mr. COOPER of Wisconsin. Mr. Chairman, I ask unanimous consent for one-half minute to reply to a suggestion made by the gentleman from Ohio.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent to have one-half minute in which to reply to the suggestion made by the gentleman from Ohio. Is there objection?

There was no objection.

Mr. COOPER of Wisconsin. I called the gentleman's attention to the testimony of Governor Taft at page 65:

The CHAIRMAN. Is it your opinion as a lawyer that their property rights are fully protected by the terms of the Paris treaty?

Governor TAFT. Yes, sir.

The CHAIRMAN. And that they can defend them in the courts?

Governor TAFT. Yes, sir.

Mr. GROSVENOR. I did not say anything to the contrary. Mr. GOLDFOGLE. Mr. Chairman, I ask unanimous consent that I may address the committee for five minutes,

The CHAIRMAN. The gentleman from New York asks unanimous consent that he may address the committee for five minutes. Is there objection?

There was no objection.

Mr. GOLDFOGLE. Mr. Chairman, I do not rise now for the purpose of discussing the Philippine question. The views on this side of the Chamber have been fully and elaborately stated, and I shall not detain this committee at the present time with any extended remarks upon the policy of the Republican Administration in respect to the Philippines, but, while the pending amendment is under discussion, I desire to say that I agree fully with the gentleman from New York in respect to what he said concerning the land scheme incorporated in the bill. Under section 16 it is provided:

That all lands acquired under authority of section 15 of this act shall constitute a part and portion of the public property of the government of the Philippine Islands, and may be held, granted, sold, and conveyed by the government of said islands on such terms and conditions as it may prescribe: *Provided*, That actual settlers and occupants at the time said lands are acquired by the Government shall have the preference over all others to purchase, or otherwise acquire their holdings within such reasonable time as may be determined by said Government.

If ever there was devised a scheme, under which it is possible for a few individuals or wealthy corporations to buy up and dominate over an entire territory, and drive out the occupants of the land, who by nature and nature's laws are entitled to it, this is the scheme.

The bill does not provide how the land shall be parceled out. It does not provide in what quantities of land the disposition shall be made. It gives general and unlimited power to sell the lands on any terms and conditions that may be prescribed by the government of the Philippine Islands, and the proviso that "actual settlers and occupants at the time said lands are acquired by the Government shall have the preference over all others to purchase" is meaningless; at any rate it is vague and uncertain.

In what manner or mode the preference shall be ascertained or exercised is not stated. It is within the power of the government of the Philippines to put up the property either at private or public sale in such large tracts as to make it impossible for actual settlers and the poor inhabitants of the islands to compete for the lands with the wealthy speculators, who stand ready to buy up the valuable lands of the Filipino. When these speculators, these land grabbers, these corporations, who are exploiting the islands and their rich possessions, shall under the scheme devised by this bill acquire title, they will drive the settlers or occupants from their homes, from the land which is their heritage, the land which God gave them, the land upon which they have the right to live, the land that has become sacred to them, and which ought to be their privilege and their right to retain under fair terms to be made by the government.

Mr. GAINES of Tennessee. The corporations have already bought all this land.

Mr. GOLDFOGLE. The gentleman from Tennessee is no doubt right in that statement. Corporations of great magnitude have already purchased the land, or rather the greater portion of it, and backed up by enormous capital they are ready to go over to the Philippine Islands and turn the unfortunate Filipino out of house and home in order to satisfy their greed and rapacity.

But it was suggested on the floor to-day that under section 20, rules and regulations are to be made for the sale or disposition of the public land of the United States in the islands and that such rules and regulations shall not go into effect or have the force of law until they have received the approval of the President of the United States, and they shall also be submitted to Congress, and unless disapproved or amended by Congress at the next ensuing session after their submission they shall at the close of such session have the force and effect of law in said islands when they shall have received the approval of the President.

This section is cunningly devised. It means nothing of a practical character that will protect the Filipino against the power of the land grabber and the land schemer, whose purpose it is to acquire valuable territory and dominate over it as only the lord can dominate over the vassal. If section 20 had provided that before any sale of land could be made the rules and regulations for such sale or disposition should be prescribed or approved by the President and also by the Congress of the United States then there would be no reason to complain, but such is not the purpose of those who in this House are willing to permit the Filipino to be deprived of his land for the benefit of the exploiter and the land schemer.

Section 20 provides that unless the rules and regulations are disapproved or amended by the Congress at the next session, then they are at the end of the session to have the force and effect of law in the islands. Why, of course, when Congress assembles at the next session, nothing will be done by those in control of this House to disapprove or amend the rules and regulations for the sale or disposition of the public land in the Philippines. Rules

and regulations will be made, they will be approved by the President, and under section 20 of the bill they will go into force and effect without any action on the part of Congress, because it is not now, and will not be then, the purpose of the Republican party in control of the Congress to disapprove or amend the rules and regulations that may have been made.

Why not be honest about this matter? Why not provide that the rules and regulations shall not go into effect until they are approved by both the President of the United States and the Congress of this nation? Then we will have the opportunity, when Congress again assembles, to discuss the reasonableness of the rules and the propriety of the regulations that may have been made to dispose of the land of the Filipinos. It should not be within the power of the Philippine Commission or the Philippine government to put up these lands in large tracts, to put them up upon such terms and conditions that the man who desires to compete can not do it because he has not got the means to enter into competition. Let the Filipino have a fair opportunity, let him have an honest chance to remain upon these lands, and buy them at fair prices and in tracts and plots small enough to enable him to make the purchase. Do not drive him from his land. Do not open these lands up to the greedy speculator, who is without heart and without sympathy, and whose only purpose it is to increase his wealth at the expense of the unfortunate Filipino, who, under the provisions of the pending bill, is unable to protect himself. Give Congress the absolute right now to approve or disapprove the regulations to be made. That is fair legislation.

Does any gentleman in this Chamber doubt the purpose of the framers of the bill to have the rules and regulations approved by the President go into effect without Congress having anything to say about them at the next session? Under section 20 Congress will simply do nothing. It is within the power of the majority, who are now passing this bill, to prevent the rules and regulations coming before us for approval or disapproval, and then, action being stifled upon the rules and regulations made by the Philippine government for the distribution of the land, these rules and regulations will take effect without Congress having approved them. In other words, the President is to approve the rules and regulations, and they take effect unless disapproved by the Congress. Congress will not have a chance to express its disapproval, because the rules and regulations will never be before us at the next session for such disapproval. It is within the power of this House, now passing this bill, to prevent, under the rules of the House, the regulations of the Philippine government from ever reaching us for our vote expressive of disapproval. So it is, however oppressive, however unreasonable, however unwise the rules and regulations may be, we shall be powerless to prevent injustice to the Filipino in the disposition of his lands, in the taking of his home.

Mr. COOPER of Wisconsin. Will the gentleman permit a question?

The CHAIRMAN. Does the gentleman from New York yield?

Mr. GOLDFOGLE. As I have only five minutes to debate the amendment, I do not wish to give up any portion of my time.

The CHAIRMAN. The gentleman declines to yield.

Mr. GOLDFOGLE. Now is the time to perfect the bill. Now is the time to provide for the manner in which the Filipino may enter into competition with others when the lands come to be sold and disposed of. Unless you make provisions in such a way that the land sharks and speculators will not have it in their power to acquire immense tracts of land against the wishes and desires of the Filipinos, who, if given a fair and honest opportunity, would enter into reasonable competition, you will produce a condition in the Philippines worse than that which, under the grievous landlord system, prevails in Ireland. If you pass this measure in the form in which the bill is presented, if you reject the amendments offered in good faith on this side of the Chamber for no other purpose than that of acting fairly and reasonably and honestly and justly with the Filipinos, if you persist in leaving the Filipino at the mercy of the land sharks and the schemer and the exploiter, the time will come when the Filipino will say, "There is eternal warfare between you and me." [Applause.]

Mr. OLMSTED. Mr. Chairman, I ask unanimous consent for five minutes to speak in opposition to the amendment.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to address the House for five minutes. Is there objection?

There was no objection.

Mr. OLMSTED. Mr. Chairman, it seems to me a little extraordinary, to say the least, to hear gentlemen upon that side of the Chamber declaim against the provisions of this bill on the ground that its provisions against trusts are not repeated over and over again with all the details that they think we ought to include, when the Democratic substitute which they themselves are supporting—the bill reported by the minority of the Insular Committee—contains no limit whatever to the amount of land that

may be held by corporations, trusts, or combinations of any kind, and no restrictions upon trusts of any kind.

Just one word as to the amendment offered by the gentleman from New York. This bill does not propose to drive people from their homes or from their homesteads. The amendment is not only unnecessary, but, to put it mildly, it is absurd when you consider its character. It is to the effect that lands in the Philippines purchased by the United States shall be held as homesteads for actual settlers. First, it is unnecessary, because not contemplated by this bill that the United States shall buy any lands there at all. They are to be bought by the Philippine government. Secondly, it is unnecessary, because the act itself expressly provides that occupants and actual settlers shall have preference not only over corporations, but over all other individuals as well. Therefore I trust the amendment will not prevail. There is no great danger from trusts, as the section to which the amendment is offered in express terms limits the amount of a single entry to 16 hectares, or about 40 acres.

Mr. TAWNEY. It is not only for 40-acre tracts for corporations, but for all tracts.

Mr. OLMSTED. Yes.

The CHAIRMAN. The question is upon the adoption of the amendment offered by the gentleman from New York.

The question being taken, on a division, demanded by Mr. SULZER, there were—ayes 39, noes 59.

Mr. SULZER. Tellers, Mr. Chairman.

Tellers were refused, 18 members, not a sufficient number, seconding the demand therefor.

Accordingly, the amendment was rejected.

The CHAIRMAN. The Clerk will read.

Mr. GAINES of Tennessee. I wanted to offer an amendment to the section we are about to leave.

The CHAIRMAN. The Chair will recognize the gentleman for an amendment.

Mr. GAINES of Tennessee. I move to strike out the word "gold" in line 5, page 74.

Mr. CRUMPACKER. Mr. Chairman, a parliamentary inquiry. To what section is the gentleman's amendment directed?

Mr. GAINES of Tennessee. Page 74, section 15.

The CHAIRMAN. That section has already been passed. The Clerk has completed the reading of section 16, which has been under consideration, and the Clerk is now about to begin the reading of section 17.

Mr. GAINES of Tennessee. All right. You passed it when I was at lunch. I wanted to have that word stricken out, but I am satisfied I would fail anyway. I have already registered my protest against this. These people—Filipinos—have no "gold" nor silver, nothing with which to pay five or ten millions in even "money," "coin and money," much greater to pay in "gold." England has up Philippine Islands when she owned them, which is much proof that there is no "gold" or gold mines in the Philippine Islands. Hence the wrong to make them pay in "gold" for these or any such burden.

The Clerk read as follows:

SEC. 18. That the government of the Philippine Islands is hereby authorized to provide for the needs of commerce by improving the harbors and navigable waters of said islands, and to construct and maintain in said navigable water and upon the shore adjacent thereto wharves, piers, light-houses, signal stations, buoys, and like instruments of commerce, and to adopt and enforce regulations in regard thereto, and regulations in regard to articles not intended to be imported into said islands nor mingled with the property therein, but brought into a port of the said islands for reshipment to another country, which articles may be deposited in bond and reshipped to another country without the payment of customs duties or charges.

Mr. STEWART of New Jersey. Mr. Chairman, I offer the amendment which I send to the Clerk's desk.

The Clerk read as follows:

Amend, page 75, in line 10, after the word "signal," by inserting the word "life-saving."

Mr. STEWART of New Jersey. Mr. Chairman, that simply makes life-saving stations an adjunct of the work in the Philippine Islands. These life-saving stations have proved of immense benefit on our own seacoasts, and I see no reason why they should not be made an adjunct of the work relating to navigation in the Philippine Islands.

The amendment was agreed to.

The Clerk read as follows:

SEC. 20. That the government of the Philippine Islands, subject to the provisions of this act and except as herein provided, shall make rules and regulations for the sale or other disposition of the public lands of the United States in said islands, but such rules and regulations shall not go into effect or have the force of law until they have received the approval of the President, and they shall also be submitted to Congress, and, unless disapproved or amended by Congress at the next ensuing session after their submission, they shall at the close of such session have the force and effect of law in said islands, when they shall have received the approval of the President, as hereinbefore provided: *Provided*, That the government of said islands shall cause to be made, in cooperation with the Director of the United States Geological Survey, topographic, subdivisional, and geological surveys and maps

of the islands, including a classification of the lands: *Provided further*, That a single homestead entry shall not exceed 16 hectares in extent.

Mr. GAINES of Tennessee. I should like to know from the gentleman who reports this bill why it is that we are in such a great hurry here to dispose of the public lands that the United States acquired by virtue of the treaty? Why it is that we rush in here before the war in the Philippine Islands is ended, before the natives have come home to claim their lands as against the claims of Spain? Why this rush pell-mell to skin these people, a great many of them, before they have a chance to assert their own rights?

Mr. OLMSTED. Mr. Chairman, a parliamentary inquiry—whether there is any amendment pending, or what is before the committee?

The CHAIRMAN. The gentleman has offered no amendment.

Mr. GAINES of Tennessee. I move to strike out the whole section, if that is necessary, for the purpose of making this inquiry.

The CHAIRMAN. The gentleman moves to strike out the section. The gentleman will proceed.

Mr. GAINES of Tennessee. Now, I hope the gentleman who has just interrupted the gentleman from Tennessee will answer and tell me why it is that he, so noble and generous and just, wants the Government of the United States to rush into the market and sell the public lands that we ought to hold in trust for the benefit of the government of the Philippine Islands and for the benefit of the natives of the Philippine Islands—those who may come in after they have laid down their swords as well as those who are already in?

Now, you ask whether there is anything before the House or not. Now, my amendment is before it, and my question is to you. Why are you rushing on the market to put these lands up for sale when war is on, when peace has not come, and you know it; when the natives are scattered in the jungles and in the mountains, and when a man who owns a piece of this land that Spain might have claimed at the time she made the treaty may be absent and unable to get up and insist on his rights? Why, Mr. Chairman, I say, should we do that?

Mr. GOLDFÖGLE. Because it is a money-making scheme.

Mr. GAINES of Tennessee. The whole thing is a money-making scheme. There is a great deal of talk about the sale of the friar lands, when you know they are sold out to a combination under Mr. Andrews, who got up a corporation for the purpose of getting those lands, and here it is in an official document; and now you are putting on the market the public lands held in trust under the law of those islands and under the spirit of our institutions for the people who live in that territory. Before the cloud of war has passed by, before our soldiers have come home, indeed, before we have acquired the land, in all probability, under a peaceful title, you are fixing to put these lands on the market; and for whom? Have the Filipinos any money? Will anybody say they are rich as a nation or as individuals? They are penniless and almost homeless. Who is this for? Who is the nigger in the wood pile? I believe it is a white man that is in the wood pile in this case.

If you want to deal fairly, if you want to be just, if you want to do like our fathers have done, you will hold this land until peace and enterprise have come and then dispose of it like we did in this irrigation matter a few days ago. We held to all the public lands of this country and kept them until they were worth something to the country. We are selling these lands and taking the proceeds and turning them over to the States. We are not giving them to the skimmers, the legislative robbers, but to the States who want to improve the Saharas in their borders. Yet here, before we get a law made for this place, before we get a law to control the Philippine Islands, before peace, you are arranging to sell the public lands that ought to be held in trust for the government of the Philippine Islands, and for the natives of the Philippine Islands, and wait to sell the lands until peace has come. In the meantime the people can accumulate some money and be able to buy these lands cheap and not from the white speculator you are now legislating for.

Mr. OLMSTED. Mr. Chairman, I have but a word to say in reply to my genial friend from Tennessee. I do not think there is great danger of trusts acquiring these lands very rapidly, as the last two lines of the section which he moves to strike out distinctly provide that a single entry shall not exceed 40 acres, or 16 hectares. A trust that is confined in its operations to a 40-acre tract of land will not endanger our liberties nor the rights of the Filipinos.

Mr. SULZER. Mr. Chairman, I move to amend section 20, line 16, after the word "approval," by inserting the words "of Congress and the President."

The Clerk read as follows:

In line 16 insert the words "of Congress and the President."

Mr. SULZER. And then strike out all down to the word "Provided," in line 21.

The Clerk read as follows:

Strike out all down to the word "Provided," in line 21.

Mr. SULZER. Mr. Chairman, all that this amendment does is just this: This section 20 of the Philippine bill, at line 16, provides that the government of the Philippine Islands—whatever that may be or whatever that may mean—shall make rules and regulations for the sale and disposition of the public lands, and further provides that they shall have no force or effect unless approved by the President and not specifically disapproved by Congress at the next regular session. My amendment simply provides that the rules and regulations for the sale and disposition of these public lands shall be approved by Congress and the President. I think it will be safer and better this way. It is the usual form heretofore adopted by the Government regarding any other territory of the United States.

Why should we depart from it now unless there is some ulterior or sinister motive in doing it or behind it? We may have the greatest confidence in the so-called government of the Philippine Islands, or in the Commission which is running the government out there; but it seems to me that in a matter so important as the sale and disposition of all these public lands the rules and regulations adopted for that purpose ought to be approved by Congress, as well as the President. Under the present proposition, if Congress did not disapprove them at the next regular session, they would become laws by virtue of the fact that Congress had not disapproved. In my opinion, it is much better, it is much stronger, I think it is more in accordance with the history of the legislation of this country, to have these rules and regulations approved by Congress and the President.

If the purpose of the Republicans is honest in this matter, the majority in this House will accept this amendment. No harm can come if we do, and great harm may come if my amendment is not adopted. I am opposed to looting the Filipinos and robbing them of their lands, and for this reason I think it would be much better, more consistent, more in line with the past policy of the Government, if these rules and regulations are required to be approved by Congress and the President. You can never make the people of the Philippine Islands friendly to the United States by mercilessly murdering them or by willfully stealing their lands. These lands belong to the people, and they must not be taken away from the people. We are responsible to this generation and to future generations. Congress ought to have something to say—in fact, the final say—in regard to the adoption of these rules and regulations, and instead of allowing the provision to remain as it is, it seems to me it would be much better if the rules and regulations were approved by Congress, as suggested by my amendment. I hope the amendment will be adopted.

Mr. Chairman, in this connection I wish to print as part of my remarks two articles recently published in the Ithaca Democrat.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

The articles are as follows:

[The Ithaca Democrat, Ithaca, N. Y., Thursday, May 29, 1902.]

"What, I ask, do you want in the Philippines? More particularly, why in any part of Luzon and the Visayan Islands are you making a howling wilderness and killing children over 10 years of age? It will be said that these are the unhappy incidents of war, which is always a stern affair, very different from the holiday making into which civilians would turn it. Be it so. Why, then, are we making war? Here are 6,500,000 fellow-Christians of ours—the only Christian nation in Asia—as highly civilized as most of the people of Central and South America. What do we want of them? We have never told them.

"Thank God, there is a more excellent way. Drop coercion and try conciliation. Give the Filipinos what they want, not what you think is good for them. Regard them not as Sioux or Apache Indians, but as Christianized and civilized brown men, ranking with the Japanese." (Jacob Gould Schurman.)

Mr. SULZER. That, sir, is an extract from an address of Professor Schurman, the president of the first Commission sent to the Philippines. It speaks for itself.

The second article is from a prominent citizen of Ithaca, N. Y., Mr. De Witt C. Bouton, and is as follows:

[The Ithaca Democrat, Thursday, February 27, 1902.]

WASHINGTON'S FAME IS UNSULLIED.

To the Editor of the Democrat.

SIR: On the anniversary date of the birth of George Washington the minds of all lovers of their kind are naturally drawn to the contemplation of the character and life of that most illustrious specimen of their species that ever appeared upon the earth. Until quite recently the study of the life and work of "the father of our liberties," as Henry Clay was wont to style him, afforded only the most pleasurable emotions. If pride, reverence, and gratitude were the predominant feelings called forth, as the mind pictured this perfect character and his immortal work, and in some degree comprehended the vast extent of the beneficent influence which they had already exerted, bright anticipations, which a reasonable hope seemed to justify, were hardly less potent as provocatives of all those sentiments which please and uplift a generous mind.

As illustrative of this present pride and joy, and of confident hope for the

future, which in the past have animated all intelligent and thoughtful students of this majestic character, take the following extracts from an able and appreciative article, written on the anniversary of Washington's birthday in the year that witnessed the beginning of our glorious war for the liberation of Cuba. "One hundred and sixty-six years ago to-day," says the writer in his opening paragraph, "one of the marvelous flowering periods of the human intellect culminated in the production of the greatest man in recorded history." The writer then proceeds in an attempt to vindicate this high estimate of Washington, and succeeds most admirably.

One of the standards by which he tries the subject of his article is success—complete, enduring success in the ultimate object for which he wrought. Tried by this criterion, this writer finds that Pericles, Alexander, Hannibal, Cesar, Cromwell, and many other famous characters whom he mentions, failed. Then, returning to his subject, he thus proceeds: "Washington succeeded. His work was not only successful at the time, but its success was permanent. His policy made no enemies, involved no bloated armaments, hampered his country with no unnecessary burdens, exposed it to no future attacks. His example inspired all the nations of the world, and looking at him all mankind thought better of the people that produced him. There is more strength for America in the name of Washington than in a million armed men. Find another man whose name meant so much a hundred years after his death, and you may challenge the assertion that George Washington was history's greatest figure."

While I most heartily agree with the conclusion which this writer reaches, to wit, that Washington is the preeminent character in history, I do not admit the justness of the standard by which he tries the founders of states. The important factor, how, when, and why the failure, is wholly overlooked. But for full indorsement of its reasoning was not my purpose in introducing this article. It was quite other than that, as will appear from what follows.

Did the recurrence of the 23d day of February this year tend, as in the past, to quicken in the hearts of lovers of liberty the world through all those sentiments to which I have referred, unmixed with doubts or forebodings? Would my author himself to-day write of Washington's great work that it "was not only successful at the time, but its success was permanent?" Could he, could any true lover of his country, as he views in imagination the "ship of state" which Washington had the chief part in launching, now, as in the past, say with Longfellow, in accents broken by excess of unalloyed pride and joy—

"Sail forth into the sea, O ship!  
Through wind and wave right onward steer!  
The moistened eye, the trembling lip,  
Are not the signs of doubt or fear."

Is there no doubt or fear? Are there no grounds for either, or both? Each thoughtful citizen will answer for himself or herself. To my apprehension there are abundant grounds for both.

This Republic of Washington's, this "asylum for the oppressed of all nations," is to-day, and for more than three years now has been, engaged in carrying on a bloody and merciless conflict with a people 8,000 miles distant; a people who never did us an injury or a wrong; a people whose leader, just after Dewey's victory, and after having made with that gallant officer some arrangement for cooperation against the Spanish ("it was not in writing" exultingly sneers the imperialist as he chuckles over the "cuteness" by which this confiding people were overreached), issued the following manifesto:

"Filipinos: The great nation, North America, cradle of true liberty, and friendly on that account to the liberty of our people oppressed and subjugated by the tyranny and despotism of those who have governed us, has come to manifest even here a protection which is decisive as well as disinterested toward us, considering us endowed with sufficient civilization to govern by ourselves this our unhappy land. To maintain this so lofty idea, which we deserve from the now very powerful nation, North America, it is our duty to detest all those acts which belie such an idea, such as pillage, robbery, and every class of injury to persons as well as to things."

And just prior to this, and before setting out from Hongkong to join Dewey, at the latter's request, this leader again voiced the true sentiments of his heart by sending a proclamation to his fellow-citizens, from which I can not forbear quoting the following:

"Compatriots: Divine Providence is about to place independence within our reach. The Americans, not from mercenary motives, but for the sake of humanity and the lamentations of so many persecuted people, have considered it opportune to extend their protecting mantle to our beloved country. \* \* \* At the present moment an American squadron is preparing to sail for the Philippines. We, your brothers, are very much afraid that you may be induced to fire on the Americans. No, brothers, never make this mistake. Rather blow your own brains out than fire a shot or treat as enemies those who are your liberators. \* \* \* Where you see the American flag flying assemble in numbers. They are our redeemers."

The sentiments and purposes evinced by this touching tribute to the starry flag of this Republic and its holy mission in the world bear internal, irrefragable evidence of the sincerity, of the high spirit, of the keen sense of gratitude—a sentiment found only in lofty minds—which animated these little brown people; and, considering the time and circumstances of their expression, the Administration and its creatures bite against a file in now trying to poison the minds of the American people against these helpless and perishing ones.

"Nor florid prose, nor honeyed lies of rhyme" can longer conceal this most flagitious crime, by which, in a day, implicit confidence was changed to ineradicable distrust; sincerest friendship, into immitigable hate. What was this crime? It was the distribution throughout the archipelago of a proclamation dictated and transmitted by the President of the United States, without the knowledge of the American people or of their representatives in Congress. What was this proclamation, so full of fate for both peoples? Why, it was a declaration that this Republic claimed and would immediately assert exclusive jurisdiction and dominion over the whole Philippine Archipelago and all the inhabitants thereof. As must have been intended, assuming that the President was sane, this insulting act soon produced a pretext for the horrid work of "benevolent assimilation," and when a shudder went through the nation as glimpses of the bloody work were caught by the people we were soothed by the assurance that this "duty" was put upon this Republic by the Almighty. But as I am not treating of blasphemy in this letter, this phase of the question does not come within its scope.

If anything be wanting to the blackness of this act of seizing the Philippines, it is supplied by this fact, which will astound many an honest man who hitherto has acquiesced in the "duty" which Providence laid upon the Administration. When that proclamation was promulgated this nation had no more right in the Philippines, outside the city of Manila and its environs, than had England or Russia. Indeed, there were objections to our assertion of such right that could not apply to any other nation. The honor of this nation, and therefore the honor of every citizen of this nation, was pledged not to occupy or to assert any authority over that territory beyond the limits named. This special obligation was laid on us by our voluntarily entering into an agreement with Spain to that effect. This agreement is known in diplomatic terminology as a "protocol." This document, which is always the preliminary of negotiations for peace between belligerents,

and specifically defines what each may and may not do while the attempt to agree on terms of permanent peace is being made, by the same diplomatic language is termed establishing the status quo. The limitations of our rights, so far as the point I am raising is concerned, are thus defined by the protocol: "The United States will occupy and hold the city, bay, and harbor of Manila, pending the conclusion of a treaty of peace which shall determine the control, disposition, and government of the Philippines." This was our utmost right until a treaty was made and duly ratified by both parties, which was not done until many weeks after the perfidious act of issuing the proclamation.

In view of all this, I think that the imperialists are unduly disturbed by the fact that our liberty-loving people are so "backward in coming forward" with their subscriptions for a monument to the author of "benevolent assimilation." There is absolutely no ground for their apparent discouragement. The monument will be erected. This is as certain as that this day will be succeeded by night; or, to use a more appropriate simile, as surely as in the moral world the expiation follows the crime. The monument will be the fearless and conscientious work of the impartial historian of our era. And it will be more durable than—and fully as significant as—were the monuments formed of the skulls of his enemies which Tamerlane was wont to rear—another famous Asian benevolent assimilator, the blood of whose victims drenched to a mire the soil of their fatherland. But I must return from this lengthy digression.

Up to date, to say nothing of the American homes desolated by the death, insanity, or permanently disabling of their loved ones, we have slaughtered outright more than 20,000 of this devoted people. Of the victims of starvation and disease we have no account. Of the details of this butchery very little escapes the Government censors. A few ghastly incidents have, however, transpired, such as the surrounding of 60 Filipinos at a bend of the Pasig River and the shooting of them to death in spite of their piteous prayers to their brother Christians (?) for mercy. Such as the surrounding of a native house where a wedding ceremony was being celebrated and the setting of the house on fire, and then the slaughtering of the guests of both sexes as they attempted to escape from the equally pitiless flames.

Not to speak of the poor, betrayed, helpless Cubans, we have negotiated a treaty with Denmark, by which three thickly-populated islands are purchased, the inhabitants of which may elect to go with the land or remain citizens of the parent country! The very grotesqueness of this, I fear, will prevent due seriousness on the part of the people as they contemplate it.

The residents of those islands, a thrifty, refined, and highly civilized people, petitioned and prayed that they might be spared this unseemable humiliation. But the chuckle-headed man over in Denmark who makes, if that were possible, the idea of "the divine right of kings" more ridiculous if not more odious to all genuine Americans, was deaf to their entreaties; and the sordid promoters of the Philippine infamy were, of course, unmoved by the prayers of the helpless.

On this day when the glorious spirit of Washington seems peculiarly to lift the mind of the thoughtful citizen above the consideration of what Hawthorne truly terms "the big, heavy, solid unrealities, such as gold, landed estate, offices of trust and emolument," it were little less than profanation to call his attention to the incomputable millions of the people's money which the crime of imperialism has already worse than squandered. But as a stimulant to the faculty of forecasting the future, which all men worthy to be citizens of this Republic should possess in some degree, I will venture to remind your readers that the same dispatch that announces the signing of this treaty informs us that immediately the Government will proceed to expend millions of dollars in erecting a vast system of fortifications. How the mouths of the favored contractors must water as they eagerly wait for this rich chance at the people's money.

But I must close. After this, to speak of Washington's work as "a permanent success," to quote Longfellow's noble lines, or to repeat the grand peans to this Republic's glory, whether in prose or verse, whether expressed literally or allegorically—and these constitute the richest gems of our literature—would be as incongruous, and almost as pathetic, as were the grandiose declamations of Rienzi, the would-be restorer of the Roman Republic.

But does this hideous distortion of Washington's system of government, by which, to use his own words, he raised "a standard to which the wise and the honest can repair," detract in the least from his just fame? No; a thousand times no. The shame and the stigma of it go no higher than this degenerate generation—the first generation of the descendants of "the immortal men of '76" that was at once "infamous and contented."

Yours, for the Republic of the fathers,

DE WITT C. BOUTON.

ITHACA, N. Y., February 22, 1902.

The question was taken; and on a division, demanded by Mr. SULZER, there were 41 ayes and 58 noes.

So the amendment was rejected.

The CHAIRMAN. The question is on the motion of the gentleman from Tennessee to strike out the section.

The question was taken, and the motion was rejected.

Mr. COOPER of Texas. Mr. Chairman, I move to strike out the last word. Mr. Chairman, I invite the attention of the gentleman from Wisconsin and the committee to what I am going to read. From the discussion of this bill I take it that the bill concedes title in fee to the lands of the Philippine Islands in the church or friars. I have not carefully read the bill, but from the discussion it appears that fee-simple title to the lands in the church or friars is conceded by the bill. I call attention of the gentlemen of the House to the decree of the King and Cortes of Spain in 1820. In the fourteenth article of the decree will be found the following provision:

By a decree of the King and Cortes of Spain in 1820, churches are prohibited from holding any real or immovable property. In the fifteenth article of the decree will be found the following provision, i. e.: "The churches, monasteries, convents, and all other ecclesiastical communities, as well secular as regular, charity houses, hospitals, poorhouses, schools, confraternities, brotherhoods, commandancies, and every other establishment, whether ecclesiastical or lay, known by the name of mortuaries, can not, from this time in future, acquire any real or immovable property in any province of the monarchy, by testament, donation, purchase, rent charges, infundation, adjudication of rents, in payment of rents due, nor by any title whatsoever, either lucrative or onerous."

That was a decree of the King and Cortes in 1820, when the Philippine Islands, of course, belonged to Spain. In a well-considered case from Texas (and I read from the 3d Texas Supreme Court Report), in a contention where the church had acquired

property in Texas similar to the acquisition of real estate in the Philippine Islands, the church undertook to hold this real property against a grant from the State to a citizen, and as the gist and substance of the decision after carefully reviewing all the facts and acts of the King and Cortes, the court says this:

The result of our examination, so far as our very limited means afforded us the opportunity, is that the church, at the period of our revolution, held no real estate by perfect title; that it only enjoyed and held the usufruct interest in such land as it possessed. There can be no doubt, it is believed, that by the successful revolution the Republic of Texas became possessed of the right and title to all the land or public domain that belonged to the Government of Mexico at the date of the revolution, by as full and perfect title as was vested in that Government, or in the government of Coahuila and Texas.

The title in dispute was one granted by Spain like titles now held by the churches in the Philippines. Therefore I take it, if this decision be law, all that property now claimed by the churches and friars in the Philippines belongs to the Government. If this decision is the law, would it be right and proper in this bill to concede that the title was in the friars or churches?

Mr. WILLIAMS of Mississippi. I want to suggest that there is a case in the 17th Howard, United States Reports, which assumes the point decided in the case cited by the gentleman from Texas to be the law or to be the fact. Spain secularized the title of all ecclesiastical property, and this case is decided upon Spanish mortmain law, that secularization law that applies to Mexico and the Philippines both. The 17th Howard case considered; while it does not directly decide this point, takes it for granted that that is decided.

Mr. COOPER of Texas. I have not examined the case referred to by the gentleman from Mississippi, but I call the attention of the gentleman in charge of this bill to that fact, so that we may make no cession that will be injurious to the Government or the citizen desiring a homestead.

Mr. COOPER of Wisconsin. Mr. Chairman, the bill does not concede the title to anybody. The bill provides, in line 9, page 73:

The powers hereinbefore in this section conferred may be exercised in respect of any lands which, on the 13th of August, 1898, were owned or held by associations, corporations, communities, religious orders, or private individuals in such large tracts or parcels and in such manner as, in the opinion of the Commission, injuriously to affect the peace and welfare of the people of said islands.

It does not single out any corporation as owning any land; but if they did own or hold it under the laws of Spain, we are bound, under the treaty of Paris, to recognize that right.

Mr. COOPER of Texas. You only recognize such rights as they had at the time of the treaty of Paris.

Mr. COOPER of Wisconsin. The decree the gentleman alluded to is 1820.

Mr. COOPER of Texas. Yes; and the court held that they could not take title to church property, because the church was merged into the Crown.

Mr. COOPER of Wisconsin. They had exercised enough of title and jurisdiction and absolute proprietorship, so that under the treaty of Paris we did not feel justified in going any further in contesting their case in court. Judge Taft, an eminent lawyer and judge, says that under the treaty of Paris—and the Commission has made a very full investigation of this subject—they have titles that are good; and in response to a question he said specifically that they could defend those titles in the courts. That being so, we thought it would be best to pay, say, \$5,000,000 and remove this whole trouble from the Philippine Islands, for it has been a source of very considerable trouble in the archipelago during the last century and a half.

Mr. COOPER of Texas. Then the gentleman from Wisconsin admits, or there is an implied admission in the bill of the committee, that the title vests in the church or in the friars—

Mr. COOPER of Wisconsin. There is no such admission in the bill. If there is any church organization that has title, the exercise of the right of eminent domain is given by this bill. But the bill does not say, "whereas certain religious organizations in the islands are owners in fee of certain lands;" not at all.

Mr. COOPER of Texas. But you do use the word "owned." Suppose you strike that out and retain only the word "held?"

Mr. COOPER of Wisconsin. We say "owned or held." It is in the disjunctive. It covers everything held, not only by religious organizations, but by corporations or communities.

Mr. WILLIAMS of Mississippi. The gentleman says that "it covers everything." That is just the difficulty. It covers everything and covers too much. If only the word "owned" were there, that would be all right; but it says "owned or held." It seems to me that if you would strike out the words "or held," leaving the claimants to prove their ownership, then you would not concede anything in the way of ownership.

Mr. COOPER of Wisconsin. Some witnesses before our committee testified that there had been what purported to be a transfer of certain of these lands from certain orders to certain private individuals. Really and essentially, as a matter of law, those

grantees do not own that land; they hold it under color of title, and this language would permit an attack to be made on this quasi-ownership or holding. It is to meet that situation that the language is employed.

The CHAIRMAN. As the Chair understands, the amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

SEC. 22. That the government of the Philippine Islands is hereby authorized and empowered, on such terms as it may prescribe, by general legislation, to provide for the granting or sale and conveyance to actual occupants and settlers and other citizens of said islands such parts and portions of the public domain, other than timber and mineral lands, of the United States in said islands as it may deem wise, not exceeding 16 hectares to any one person nor more than 2,000 hectares to any corporation or association of persons: *Provided*, That the grant or sale of such lands, whether the purchase price be paid at once or in partial payments, shall be conditioned upon actual and continued occupancy, improvement, and cultivation of the premises sold for a period of not less than five years, during which time the purchaser or grantee can not alienate or encumber said land or the title thereto; but such restriction shall not apply to transfers of rights and title of inheritance under the laws for the distribution of the estates of decedents.

Mr. JONES of Virginia. I move to amend by striking out all after the word "person," in line 2, page 78, down to and including the word "persons," in line 4, and to insert after the word "person" the words "or corporation;" so as to read, "not exceeding 16 hectares to any one person or corporation."

Mr. Chairman, the purpose of this amendment, I will state frankly, is to restrict the Commission in the sale and disposition of the public lands in the Philippine Islands so that not exceeding 16 hectares may be sold to any one person or corporation.

The twentieth section of the bill provides that the commissioners shall prepare certain rules and regulations regulating the disposition of these public lands; but notwithstanding that provision, this section provides that the Commission may proceed at once to dispose of lands even before these rules and regulations are adopted and receive the approval of the President and are submitted to Congress. The Commission under this section is given authority to dispose of every single acre of the 68,000,000 acres of public land in the Philippine Islands. The effect of my amendment, if adopted, will be to prevent the Commission from disposing of anything except homesteads until the rules and regulations provided for herein have been made by the Commission and approved by the President.

The question being taken on the adoption of the amendment of Mr. JONES of Virginia, there were on a division (called for by Mr. JONES of Virginia)—ayes 59, noes 67.

So the amendment was rejected.

The Clerk read as follows:

SEC. 25. That the forest laws and regulations now in force in the Philippine Islands, with such modifications and amendments as may be made by the government of said islands, are hereby continued in force, and no timber lands forming part of the public domain shall be sold, leased, or entered until the government of said islands, upon the certification of the forestry bureau that said lands are more valuable for agriculture than for forest uses, shall declare such lands so certified to be agricultural in character, and the timber on such agricultural lands so declared shall be disposed of in such manner as the government of said islands shall prescribe: *Provided*, That the said government shall have the right and is hereby empowered to issue licenses to cut, harvest, or collect timber or other forest products on reserved or unreserved public lands in said islands in accordance with the forest laws and regulations hereinbefore mentioned and the provisions of this act, and the said government may lease land to any person or persons holding such licenses, sufficient for a mill site, and may grant rights of way to enable such person or persons to get access to the lands to which such licenses apply.

Mr. JONES of Virginia. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

On page 79, line 13, after the word "force," strike out all of lines 13, 14, 15, 16, 17, 18, 19, and 20, down to and including the word "prescribed," in line 21.

Mr. JONES of Virginia. Mr. Chairman, this section goes a step further than those we have been considering. The sections just prior to this provide for the sale of agricultural lands. This section provides for the sale of timber lands—forest lands. It gives to the Commission the power to say whether or not the timber lands are more valuable for agricultural purposes than they are for timber purposes; and if in the opinion of the Commission these lands are more valuable for agricultural purposes than they are for timber purposes, then the Commission can even sell these timber lands, and thus dispose of land that the purchaser really would never cultivate, but would simply buy for the purpose of cutting every stick of timber off the land. I am opposed to reposing in the Commission any such power as this, and therefore I hope that my amendment striking out this language will be adopted.

Mr. LACEY. Mr. Chairman, I hope the amendment will not prevail, because if it did it would retard the settlement of a considerable portion of the islands. There is some timber in these islands, such as mahogany and woods of that character, that is of very great value. The logs are so heavy that they can not be floated and have to be taken to market in boats. It is the most valuable of timbers. On the other hand, there are some localities where the timber is comparatively worthless, but the land is valu-

able for agricultural purposes. Now, if we absolutely reserve from sale all of the forest land, leaving no power to settle this part that is more valuable for agricultural purposes, we would retard the settlement of the country, and the object of this provision, as I understand it, is to allow the Government there to permit the settlement of some portions of this land that is now covered by timber, but which is much more valuable for cultivation than for forestry.

I would suggest to my friend in this connection that his own experience and observation in this country makes it perfectly evident that there are localities where the land is in fact covered by timber, but the timber is a burden to the land rather than an advantage. It has to be sold as brush land, land that has the burden of timber, which has to be removed, and the timber is of no actual value in itself.

Mr. JONES of Virginia. Be that as it may, Mr. Chairman, the fact remains that this section confers an immense power upon the Philippine government, a power which may be greatly abused.

Mr. LACEY. A very necessary power, however.

Mr. JONES of Virginia. A very large proportion of these public lands is forest land. This section of this bill places in the hands of the Commission the power to dispose of every acre of this forest land if it will only say that in its judgment the land is more valuable for agricultural purposes than for the purposes of timber.

Mr. TAWNEY. Does the gentleman mean the Commission, or the government, or the legislature?

Mr. LACEY. That is not an unusual provision. We have in this country the provision that you can sell land for agricultural purposes if it is more valuable for agricultural than for mining purposes. If it is more valuable for mineral, the agricultural holder can not take the land for homestead purposes. That is a power that must be vested somewhere, and it is unfair to assume that these gentlemen will abuse that power.

Mr. JONES of Virginia. I do not know how that is. The gentleman is more familiar with public-land laws in this country than I am; but we are dealing now with lands that are 10,000 miles away from here, and if possible I do not want to place in the hands of a Commission a power to dispose of all of those lands.

Mr. TAWNEY. Will the gentleman permit a question?

Mr. JONES of Virginia. Now, while there is a great deal of public land in this country—probably one-third of the entire area of the United States to-day is public land—nearly the whole of the land in the Philippine Islands is public land, and the larger part of it is covered by timber.

Mr. TAWNEY. Will the gentleman permit a question? The power that the gentleman criticises is proposed to be vested in the Philippine government, is it not?

Mr. JONES of Virginia. Yes.

Mr. TAWNEY. Does the gentleman think that power would be greater than the power he proposes to vest in that government by his substitute bill?

Mr. JONES of Virginia. We propose in our substitute bill to give to a government to be organized by the inhabitants of the Philippine Islands the power to dispose of all their property in any way they choose. The gentleman's proposition, on the contrary, is to give to a government made for the people of the Philippine Islands by the United States, and in the making of which they are not permitted to have any part, the power to dispose of their lands. We propose to give those people such full and complete independence as will enable them to enjoy an independent national existence.

Mr. TAWNEY. I beg the gentleman's pardon. That is not the provision of this bill.

[Here the hammer fell.]

Mr. CLARK. I ask for fifteen minutes in which to address the committee.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent that he may address the committee for fifteen minutes. Is there objection?

There was no objection.

Mr. CLARK. Mr. Chairman, I had no idea of projecting myself into this Philippine debate at all until the very remarkable performance of the gentleman from Indiana [Mr. LANDIS] the other day. I was entirely content to leave this question in the hands of the very able Democratic minority of the committee. Barring his exordium about a young soldier who died in his town and his eulogy on General Funston, I had heard most of the gentleman's speech twenty-odd times before. It was an old acquaintance, a familiar creature, and I expect to hear it several times more this summer. The rest of you can enjoy that great luxury by paying the price of admittance; for, whatever the gentleman from Indiana thinks about the blessings of a tariff for revenue only, he has no sort of doubt about the personal benefits of lecturing for revenue only. And it is due to the truth of history to say that the applause he receives from miscellaneous audiences over the country is not half as tumultuous or unanimous

as the applause he received from the Republican members of this House.

Upon his eulogy on General Funston I desire to make two comments: First, if General Funston is as great a hero as he made him out—and I am not denying it; I do not profess to be a judge of heroes—then the next Republican Presidential ticket ought to be “Freddy and Teddy,” instead of “Teddy and Freddy.” [Laughter and applause on the Democratic side.]

The second suggestion is that a great many people have been deviling their heads to know why the President of the United States so unceremoniously and emphatically squelched General Funston not long ago. I take it, after listening to the eulogy of the gentleman from Indiana, that the reason is that the President of the United States is suffering from the green-eyed monster of jealousy preying upon his “innards,” for, according to the gentleman from Indiana, Hero Funston stands brandishing the North Pole in one hand and the Equator in the other, while the President, as everybody knows, has never invaded the Arctic regions, at least in a military capacity. [Laughter and applause on the Democratic side.]

I hope I may make another suggestion without giving offense to anybody, and that is that while the gentleman from Indiana is erecting monuments to Republican heroes in the city of Habana he will not forget to build one to that eminent Republican financier, Mr. Neely, late of Indiana. [Laughter on the Democratic side.] Nor ought he to neglect to raise a monument to Major Rathbone, the eminent financier and protégé of MARCUS A. HANNA. [Applause on the Democratic side.]

The gentleman from Indiana [Mr. LANDIS] said that “when the war came with its responsibilities and problems and consequences, we turned our backs and ran away,” and every Republican member applauded that statement; and you would have applauded if he had declared that every man in the United States who is not a Republican ought to be drawn and quartered. With the gentleman shouting that he would not yield, with the Republicans applauding to drown me out, with the Chairman of the committee hammering his desk to the same end, I answered then that there was not a syllable of truth in that statement, and I repeat it now; and I answered it then, although the Chairman said I was out of order, because—

I'd right the wrong where it is given,  
Though 'twere in the very court of Heaven.

The statement that the Democrats turned their backs and ran away is a foul and malicious slander, I do not care who utters it. There were as many Democrats fought in the Spanish war as there were Republicans.

Mr. VANDIVER. More, too.

Mr. CLARK. More, too, and they fought as bravely and as well. Admiral Dewey [applause], Winfield Scott Schley [applause], old “Joe” Wheeler [applause], Richmond Pearson Hobson, all wrote their names high on the scroll of fame, to say nothing of the obscurer Democratic heroes in the ranks by land and sea.

Mr. WILLIAMS of Mississippi. Bagley was the first man killed.

Mr. CLARK. Bagley was the first to die in battle, and he was a North Carolina Democrat. Gen. Fitzhugh Lee rendered invaluable services to the country, and he is a Virginia Democrat, worthy of the love, admiration, and gratitude of the whole American people.

The Spanish war was an American war. It was not a Democratic or Republican war either. There was no politics in its inception. There were no politics during its progress. It was only at the close of the war, when Republicans entered upon an ignoble, unjust, and unpatriotic attempt to try to make politics out of it. And though Schley distinguished himself in battle and won a famous victory, the Republicans have tried to rob him of his glory by the meanest conspiracy in all the hoary registers of time. [Applause on the Democratic side.] But the American people are just, and they have written Schley's name along with those of John Paul Jones, Horatio Nelson, David Farragut, Admiral Perry, Admiral Dewey, and the other great sea kings. The Democrats turned their backs and ran away! The gentleman from Indiana does not deserve the poor credit of the paternity of that infamous statement. He stole it bodily from the gentleman from Ohio [General GROSVENOR], who is the father of all political fables. [Laughter.] It was not true when the gentleman from Ohio said it. It is not true when the gentleman from Indiana reiterates it.

My judgment is and always has been that had either Mr. Cleveland or Mr. McKinley granted belligerent rights to the Cubans at any time prior to 1898 the Cubans, assisted by Americans fighting on their own hook, would have achieved their own independence and we would never have had any war with Spain and would never have had this portentous Philippine problem on our hands. But they did not do it. I am not criticising them for it. It is only just to suppose that they acted honestly accord-

ing to their lights. It is no discredit to them to say that, like other folks, “their hindsight was better than their foresight.” When, however, De Lome wrote his idiotic and malicious letter about President McKinley, and when the *Maine* was blown up, killing six hundred and odd of our sailors, Democrats and all other patriotic Americans demanded war. The war came and was fought to a successful conclusion, Democrats and Republicans alike bearing themselves as heroes, whether as soldiers or as sailors. Since it closed the Republicans, with gall that is astounding, have tried to hog all the honor and turn the achievements of American valor to partisan advantage.

The gentleman from Indiana endeavored to make it appear that the Philippine and Cuban wars are the same. They had no connection with each other, except one came after the other. The Cuban war was an American war to make Cuba free, to give liberty to a down-trodden people, to extend the area of republican institutions on the face of the earth. The Philippine war is a Republican war to “benevolently assimilate” a people 7,000 miles away.

The gentleman from Indiana undertakes to shove this whole Philippine business off on destiny. That has been the plea of every robber and freebooter since the world began. He says, with a great deal of unction, that he believes in God. It would be very interesting to know whether God believes in him. [Laughter and applause on the Democratic side.] He says he believes in God. I am glad to hear it, because nobody would have thought that Republicans believe in God from the way they perform. [Renewed applause.] When he asserted that he believed in God, he intended to imply that all those who differ with him are without God in the world. It is very cruel of the gentleman to act that way. Shakespeare says:

Oh, it is excellent  
To have a giant's strength; but it is tyrannous  
To use it like a giant.

And I submit to him that it is unfair to shut the gates of mercy on mankind. I have believed in God myself, in a humble way, ever since I can recollect; but I decline to accept the gentleman from Indiana either as His prophet or His interpreter to us feeble mortals. I challenge his credentials when he undertakes to pose as the mouth piece of God on this floor. [Laughter and applause.] I would rather take Jesus Christ as the exponent of God; and he enunciated the Golden Rule, “Do unto others as you would have others do unto you,” which we most assuredly are not doing to the Filipinos. It is written, “Thou shalt not bear false witness against thy neighbor.”

Any man who asserts that the Democrats have attacked the American Army is either uncandid or misinformed. That is as strong as I can draw it here and keep within parliamentary lines. [Laughter and applause.] Elsewhere I would make it decidedly more emphatic and take the consequences. It is astonishing what men will do when they are in a hole and trying to fight out. For instance, the other day when the gentleman from Alabama [Mr. CLAYTON] and some others were opposing the proposition to give the President some more cadets to appoint, the distinguished gentleman from Pittsburg [Mr. DALZELL] shouted “Down with the Army!” and the gentleman from Indiana [Mr. STEELE], like a great poll parrot, repeated, “Down with the Army!” [Laughter.] I have no doubt if the other member of the Siamese triplets on the Ways and Means Committee [Mr. PAYNE of New York] had been in his place that he would have yelled “Down with the Army!” [Laughter and applause.]

It would not be surprising for a tough, a hoodlum, or a sans-culotte to do a thing like that; but the gentleman from Pennsylvania [Mr. DALZELL] degrades his great intellect and imperils his high standing by so doing.

I have not said anything about the Army, good, bad, or indifferent. As it happens, I have not talked about it, and therefore I can say freely, and without trying to shield myself, that no man, I do not care how ingenious he is, can bring evidence to show that the Democrats have attacked the Army; and to say they attack the Army because certain Democrats criticise certain sporadic cases of the conduct of certain soldiers which seem improper—and some of them have been court-martialed—and to say that thereby they are criticising the Army, would be just as truthful as to say that the grand jury which indicts, that the petit jury which tries, the prosecuting attorney who prosecutes, and the judge who presides at the trial are making war on organized society because they at some time prosecuted persons who infringed the law. [Applause.]

But this false cry about abusing the Army reached the reductio ad absurdum here the other day, the extreme of the preposterous, when the chairman of the Committee on Military Affairs of this House [Mr. HULL], the president of the Philippine Hard Wood Company, with the venom of a toad and the cheek of a Hindoo god [laughter and applause], said that because some members were opposing an amendment which the Senate had tacked on an

appropriation bill they were fighting the Army, when the truth is that we simply followed the lead of the chairman of the Committee on Appropriations, the Hon. JOSEPH G. CANNON, of Illinois, one of the ablest Republicans in the land.

Mr. FLEMING. Who was once a Democrat.

Mr. CLARK. A long time ago. [Laughter.]

Mr. OLMSTED. But has reformed.

Mr. CLARK. Because we can not get the economy that we desire so much on this side of the House the Democrats being in the minority frequently follow the lead of Mr. CANNON. Sometimes "Uncle Joe's" white plume leads to victory, as did the white plume of Henry of Navarre; sometimes to defeat, and sometimes to a dog fall, as it did in the contest with the chairman of the Committee on Military Affairs.

Now, Mr. Chairman, I would like to have made this speech, or one like it, the other day, dum opus fervet, when the thing was hot [laughter], but the gentleman from Indiana dragged my name in, made statements that were not true, and then, when I wanted to reply, said, "Get time on your own side," when he knew full well that all the time on the Democratic side of the House had been already parceled out and allotted to other Democrats. He has perhaps learned by this time that he made nothing by his discourtesy. I couldn't get at him then, but I have got at him now. He laughs best who laughs last. Evidently the Republicans think, or they would not keep at it, that this talk about the Democrats being opposed to the American Army will win some votes. It may do it, for all the fools are not dead yet. It may be "a good enough Morgan" until after the election; but the cry is villainously false, and it is founded on Voltaire's dictum "Keep on lying and some of it will stick." [Prolonged applause on the Democratic side.]

By the courtesy of the House I hereby reproduce an article which I wrote for the New York American and Journal on invitation of the editor, and which in condensed form expresses my opinion on this whole Philippine problem, and which is as follows:

The Philippines, like the Rajah's diamond, have proved an unmitigated curse to all who have possessed them. The English had sense enough to abandon them. They were a heavy load about the neck of Spain for three hundred years. With unparalleled good fortune for themselves the Spaniards sold them to us for twenty millions in cold cash, and we are left with the bag to hold.

The vital issue before the American people is this: "What shall be our permanent policy in the Philippines?"

It goes to the root of our institutions.

A greater question was never debated among men, for upon its proper determination depends the perpetuity of the Republic.

The tariff, trusts, finance, building of the isthmian canal, and economy in the public expenses are all important questions pressing for solution, but far-reaching and urgent as they are, they in no wise involve the existence of free government.

Jingo jugglers vociferously and vehemently insist that the overshadowing question as to our policy in the Orient was settled definitely and irrevocably by the last election. Not so, however.

A multiplicity of issues contributed to the result of the campaign of 1900. William McKinley's wondrous personal popularity was a large—perhaps the decisive—factor therein.

Mr. McKinley was many thousands of votes stronger than his party.

Many men who doubt the wisdom of our becoming an Asiatic power supported Mr. McKinley by reason of his unfailing amiability and his blameless private life. While believing him wrong, they had implicit faith that at last he would come around all right. They knew that he had changed his mind on that question radically once, swinging from the American doctrine that "forcible annexation is criminal aggression" to the un-American theory of "benevolent assimilation."

They hoped that he would experience another change of heart and return to his original position.

So far as his influence upon our destiny is concerned, it would have been far preferable for Mr. McKinley to have been a bad man with good policies rather than a good man with bad policies, for it is as true to-day as when Shakespeare wrote it that "The evil that men do lives after them."

No love for him, however intense; no admiration for his virtues, however sincere; no regret for his tragic death, however profound; no eulogium upon his character, however fervid, can alter or palliate the fact that by recanting his first opinion and by throwing the weight of his great name in favor of the Philippine propaganda he involved the country in dire difficulties and placed our institutions in imminent deadly peril.

For one hundred and twenty-six years we have vaunted ourselves as the propagandists of the idea of government of the people, by the people, and for the people. Now we are engaged in crushing a people 7,000 miles away whose only offense is that they desire to practice the theory which we have preached from the housetops.

Nor have we preached in vain, for, following our example and hearkening to our voice, a score of nations have shaken off the yolk of their royal masters, broken their shackles, and established for themselves governments modeled upon ours.

For three years the Boers of South Africa, inspired by the words of Jefferson and the deeds of Washington, made the most heroic fight for freedom recorded in the entire annals of the human race. To our ineffable shame be it said that while England was murdering those brave little republics we stood by consenting like Saul at the stoning of Stephen.

Wherefore? Because we are engaged in the same sort of bloody business in the Philippines. We appear to have entered into a sort of tacit agreement with John Bull that if he will not interfere with our foreign conquests we will not raise our voice against his foreign conquests.

On the one issue of permanently retaining the Philippines and ruling them by the sword, Democrats would have swept the land from sea to sea, for let it not be forgotten that in 1900 it was in the East that we made substantial gains, and it was in the East that imperialism was most exploited as the dominant issue.

The same per cent of gains spread all over the Union would have given us the victory. If we hope to win, we must ex necessitate rei secure recruits from the Republican ranks. That's plain as the nose on one's face.

Are Republicans a unit on this question?

By no manner of means. True that not long since "Uncle JOE" CANNON, chairman of the Committee on Appropriations, in the heat of debate, with frantic gesture, yelled at the top of his voice, "We intend to keep the Philippines forever and a day!" but it must be remembered that on that occasion "Uncle JOE" was in a hole and fighting to get out.

Republicans are constitutionally unfit to successfully or economically administer colonial affairs.

Proconsular government has been notoriously corrupt, unjust, and tyrannical since the world began, and will continue so till the end of time. All history, sacred and profane, demonstrates the truth of that proposition. It matters nothing whether the proconsuls are Romans, Britains, Spaniards, or Americans. The corruption, injustice, and tyranny grow inevitably out of the proconsular system.

It is written that "evil inventions return to plague the inventors," and the corruption, injustice, and tyranny which we inflict upon the Filipinos by our proconsular government will at last be practiced upon ourselves. We are progressing after the manner of the crab—backward.

Already one of our military satraps in the Philippines has said: "The Constitution is played out; there is no use to discuss it." Another has declared that men have been sent to prison in the Philippines for such utterances as those of Professor Schurman in his Boston speech.

Yet another has pronounced the Declaration of Independence to be a "damned incendiary document," which is precisely the opinion of it entertained by George III and Lord North.

Considered for military purposes, the Philippines would be a source of weakness, just as they were to Spain. Were we engaged in a war with a great power—as we at any time may be—the Philippines would be the place of attack, and we would be compelled to do our fighting 7,000 miles from our base of supplies, which would place us at a great disadvantage, doubling the cost and quadrupling the chances of defeat.

Why should we run such desperate risks when we have all to lose and absolutely nothing to gain?

The basic principle of republics—"governments derive their just powers from the consent of the governed"—is true or we as a nation have no raison d'être.

If that proposition is not true, Washington and the other Revolutionary heroes were rank traitors. If it is not true, John Hancock, old John Adams, Patrick Henry, Thomas Jefferson, and their compeers were pestilent disturbers of the peace of George III.

If it is not true, Theodore Roosevelt is exercising powers usurped from King Edward VII, and the Congress of the United States consists of 451 rebellious brawlers.

This miserable Philippine business familiarizes the American people with the idea of a large standing army.

General Chaffee says that we will need 50,000 soldiers in the Philippines alone for five years. Judging the future by the past, we will need that many there till the judgment day.

We are told that, waiving the quantum of the sin of subjugating a distant people, we must hold on to the Philippines because we want their trade. It is not denied that trade with the Filipinos and every other people is desirable.

Democrats are as anxious for trade as are the jingoes, but they place liberty and good conscience above money.

Democrats do not believe that we must own a man in order to trade with him.

The dollar argument is the most sordid of all, but let us take it on that low basis and see how the matter stands.

The Philippines, to say nothing of the loss of life and the huge pension load we are fastening on our children and children's children, have up to date cost us nearly \$90,000,000, according to the arithmetic of Senator HOAR.

During the fiscal year ending June 30, 1901, we expended in the Philippines \$50,000,000.

During the same period our profits from trade with the Philippines, allowing for ourselves 20 per cent profit on all we exported to and imported from those islands, were only the beggarly sum of \$1,085,541.

Expending \$90 a year to get \$1 profit may be solarwalk statesmanship, but to a plain man who understands mathematics it appears to be stark idiocy.

The only reason such an insane policy does not bankrupt the United States is because the United States is so rich. No other nation on earth could stand it, and we can't stand it long without disastrous results.

Our institutions were indeed bought with a great price. Shall we now recklessly jeopardize them through greed or by reason of a vainglorious ambition for foreign conquest? I do not believe that the American people will so decide.

It surely can not be that the spirit of 1876 is entirely dead in the American heart. To that spirit and that heart Democrats confidently appeal in this crisis of our country's fate.

The CHAIRMAN. The question is on the adoption of the amendment offered by the gentleman from Virginia.

The question was taken; and on a division (demanded by Mr. JONES of Virginia) there were—81 ayes and 108 noes.

So the amendment was rejected.

Mr. LITTLEFIELD. Mr. Chairman, I ask unanimous consent for about ten minutes to contribute a few views.

The CHAIRMAN. The gentleman from Maine asks unanimous consent for ten minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. LITTLEFIELD. Mr. Chairman, although I am feeling somewhat indisposed, I thought I would improve this opportunity to congratulate the distinguished gentleman from Missouri [Mr. CLARK] for having recovered from his intellectual paralysis into which he was jolted by the gentleman from Indiana the other day. [Laughter.]

Now, I have no part in the controversy, if controversy there be, between the gentleman from Indiana and the gentleman from Missouri, although it does appear, if the gentleman from Missouri is correct, that it has simply been transferred from the rostrum where people contribute the coin of the realm at the rate of fifty cents, seventy-five cents, or a dollar to hear the debates between these two distinguished gentlemen to this arena [laughter]; but I wish to contribute to the truth of history. I do not think that the gentleman from Missouri succeeded in sustaining his suggestion which he made emphatically on the floor two or three days ago, and that is that the gentleman from Indiana had not stated the facts in connection with our friends the Democracy, because I

understood the gentleman from Indiana to suggest that since the ratification of the treaty of Paris, which desirable work was contributed to in a large and successful degree by distinguished Democrats, our Democratic friends had succeeded in running from every problem connected with the Philippine question.

I submit to my distinguished friend from Missouri that it is no answer to say that there are Democrats in the Army who have achieved glory in connection with the Spanish war, because the gentleman from Indiana, although enthusiastic and eloquent, had no reference whatever to men in the Army. He was simply referring to our Democratic friends from the standpoint of so-called statesmanship, and the suggestion that men in the Army fought is no answer to a suggestion that our Democratic statesmen have continued to run. [Laughter.] But it does appear, while my friend says they have not run, while he may be sincere in what he says, it only demonstrates that he does not know when he is running from a proposition of that kind. [Laughter.]

But, Mr. Chairman, historical facts should not be distorted by debate, although interesting and exciting upon either side. I feel bound to say that the gentleman from Indiana was not entirely correct in his statement of facts, because our Democratic friends did not start to run immediately after the ratification of the treaty of Paris. I wish to call attention to the public fact which demonstrates that, and they are entitled to the benefit of it. There was a fact connected with the Philippine question, an instance in which some of them stayed with the proposition. The treaty of Paris provided for the payment of \$20,000,000. Now, in the exuberant imagination of our Democratic and anti-imperialistic friends this \$20,000,000 has been referred to in times past as payment for 10,000,000 men at \$2 a head. Now, however that may be, the facts deserve to be called to the attention of the committee and the American people.

Mr. SHACKLEFORD. May I ask the gentleman a question?

Mr. LITTLEFIELD. Oh, yes; the more the merrier.

Mr. SHACKLEFORD. I believe it was Mr. Reed, of Maine, who started that expression.

Mr. LITTLEFIELD. It does not make any difference who "started" it. If you were not sharp enough to invent it, you adopted the proposition and howled it all around. [Laughter.] I know that Mr. Reed is ingenious in epigrams, and you are to be congratulated that you have been amused now and then by the distinguished gentleman from Maine in connection with your propaganda. The gentleman from Texas, by the way, spoke of following the "gentleman from Maine," but did not in fact, though in the excitement of the occasion he thought he did, which is practically the same thing, for "as a man thinketh so is he," assuming that he does think.

Now, as to this appropriation of \$20,000,000—assuming, now, that it was a purchase of men per head, at \$2 a head—that is a thing that some of our Democratic friends are entitled to credit for. A bill appropriating \$20,000,000 in discharge of one of the obligations of the treaty of Paris was pending in this House on the 20th day of February, 1899, only about eleven days, if I remember correctly, after the treaty was ratified in the Senate through the assistance of our distinguished Democratic friends. The ratifications of the treaty were not exchanged until April 11, 1899.

Now, every man here knows—I will not say that every man knows; but every man ought to know, and I have no doubt will know, when he comes to think of it—that a treaty can not appropriate money out of the Treasury, and in order for that provision of the treaty to become effective, and to insure the payment of the money to carry out this great international contract, it was necessary for the House and the Senate to appropriate \$20,000,000 to buy, as our friends say, 10,000,000 people. Now, I want to say that our Democratic friends assisted in that interesting performance. It was pending, I say, on the 20th day of February, under a motion to suspend the rules and pass that appropriation; and when that vote was taken there were 219 yeas and 33 nays, an aggregate of 252, the required two-thirds being 168, and the Republicans had on that roll only 155.

Now, the same thing happened in connection with this transaction that happened in the Senate of the United States when the treaty was pending for ratification. It was not possible to pass the bill through this House without the aid of Democratic votes, and 64 patriotic, distinguished Democratic and Populistic statesmen voted for the proposition to do—what? Pay \$20,000,000 to buy 10,000,000 people, upon the theory which has been stated. Well, now, there are two points I would like to suggest.

Mr. COOPER of Texas and Mr. DE ARMOND rose.

Mr. LITTLEFIELD. I will cheerfully yield to either gentleman. I am gradually getting over my indisposition.

Mr. DE ARMOND. I should like to ask the gentleman from Maine whether it took a two-thirds vote of this House to pass a measure appropriating \$20,000,000—whether the gentleman contends that it did?

Mr. LITTLEFIELD. It did as this appropriation was pending, and the RECORD shows it.

Mr. DE ARMOND. I am asking whether it required a two-thirds vote to make that appropriation?

Mr. LITTLEFIELD. As that question was pending before the House, it did, because the RECORD so shows.

Mr. DE ARMOND. The gentleman from Maine evidently does not understand the question I am asking him, because if he did, I know he would not avoid answering it.

Mr. LITTLEFIELD. What is the question?

Mr. DE ARMOND. I am asking whether the gentleman's conception is that it requires a two-thirds vote of this House or the other House to pass a bill to appropriate \$20,000,000 or any other number of dollars for that purpose or for any other?

Mr. LITTLEFIELD. The contention of "the gentleman from Maine" is that he stated the facts exactly as they occurred, and the RECORD bears out "the gentleman from Maine." I stated that when that appropriation was pending, as it was pending, it required a two-thirds vote to suspend the rules to pass it. That is what I said. Here is the RECORD:

So (two-thirds having voted in the affirmative) the rules were suspended and the bill was passed.

That is the bill I was talking about.

Mr. COOPER of Texas rose.

Mr. LITTLEFIELD. Let me answer first the gentleman from Missouri. Do not be too much in a hurry. What I am saying is in the interest of correcting some historical data, so that we may know where we are. Now, this was a bill that was pending on a motion to suspend the rules, which requires a two-thirds vote, and does the gentleman from Missouri undertake to tell the gentleman from Maine that it does not require a two-thirds vote to suspend the rules?

Mr. DE ARMOND. Oh, no.

Mr. LITTLEFIELD. Very well, then.

Mr. DE ARMOND. Mr. Chairman—

The CHAIRMAN. Does the gentleman yield?

Mr. LITTLEFIELD. Yes.

Mr. DE ARMOND. I am very glad that the gentleman from Maine has made the statement he did, because it is a credit to his information and does not leave him under the confusing impression one would gather from his former statement he may have entertained in regard to appropriations.

Mr. LITTLEFIELD. I am very greatly obliged to the gentleman from Missouri for thus rehabilitating the gentleman from Maine. [Laughter.]

Mr. COOPER of Texas. Mr. Chairman, will the gentleman yield to a question?

Mr. LITTLEFIELD. Let us get this in consecutive order, so that even the rest of you can understand it. [Laughter on the Republican side.] As I say, a bill was pending upon which a motion was made to suspend the rules, and, by the way, I may say here that the gentleman from Illinois [Mr. CANNON] undertook to move this same bill as an amendment to an appropriation bill, but one of our distinguished Democratic friends raised the point of order, on which it went out, and afterwards the gentleman from Illinois brought in a bill under circumstances where it required a two-thirds vote to suspend the rules.

This is the bill (H. R. 12125) appropriating \$20,000,000 "for the purpose of carrying out the obligations of the treaty between the United States and Spain concluded at Paris on the 10th day of December, 1898, to become immediately available upon the exchange of the ratifications of said treaty."

Now, that was the proposition, to carry out the provisions of the treaty of Paris.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LITTLEFIELD. Is that so? I shall have to ask for a few moments longer.

Mr. COOPER of Texas. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended one minute in order that I may ask him a question.

Mr. LITTLEFIELD. Oh, I can not get half through this in a minute. I would ask that my time be extended ten minutes.

The CHAIRMAN. The gentleman from Maine asks that his time be extended ten minutes. Is there objection?

There was no objection.

Mr. COOPER of Texas. Mr. Chairman, will the gentleman yield for a question?

Mr. LITTLEFIELD. Certainly.

Mr. COOPER of Texas. I understand the gentleman from Maine complains that the Democratic side of the House voted for the appropriation of \$20,000,000 to pay the debt incurred by the ratification of the treaty of Paris.

Mr. LITTLEFIELD. Then the gentleman does not understand the gentleman from Maine at all. The gentleman from Maine is going to complain the other side for performing that patriotic duty when he gets around to it. The gentleman from Maine does not complain, not at all.

Mr. COOPER of Texas. When the ratification of the treaty of Paris was made by the Senate of the United States, was there

not an obligation on the part of this Government to pay the \$20,000,000, and would you ever have blamed the Democratic party for voting to pay that sum?

Mr. LITTLEFIELD. I will answer that by giving you a quotation from the speech of a distinguished Democrat, Mr. WHEELER, of Kentucky. It is true that an obligation rested upon us, just as to-day obligations rest upon us under the treaty of Paris. [Applause on the Republican side.] And just exactly as our Democratic friends—although I agree with them in some respects from a legal standpoint—as the gentleman from Indiana well said, have evaded and run from every one of those propositions under the treaty of Paris; and it does not answer it to say that Winfield Scott Schley, although he made a loop and escaped danger, fought in the war and acquired glory—

Mr. CLARK. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield?

Mr. LITTLEFIELD. Yes.

Mr. CLARK. Suppose that the Senate should ratify a treaty that every member of the House was opposed to—make an extreme case—necessitating an appropriation, do you think the House of Representatives in that kind of a case would be under any obligations to make the appropriation or not?

Mr. LITTLEFIELD. Well, now, I can quote the gentleman Democratic authority on that in just a moment; but before I reach it let me say this—

Mr. CLARK. I want the gentleman's opinion of the case. That is a fair question, a legal question, and I want to hear what he has to say.

Mr. LITTLEFIELD. As early as 1794 or 1814 the House of Representatives by solemn resolution declared that it had the right to exercise its constitutional judgment upon the question as to whether or not it would carry out similar conditions in a treaty away back there.

Mr. CLARK. That is all right.

Mr. LITTLEFIELD. I do not express any opinion on it, but that is what the House held away back there. Now, just for a moment, here were some of our distinguished friends who voted to carry out this obligation of the treaty of Paris:

Mr. BAILEY of TEXAS, Mr. BANKHEAD, Mr. BRANTLEY—I can not stop to read them all; Mr. COWHERD of Missouri, Mr. CUMMINGS of New York, Mr. DINSMORE, Mr. FLEMING, Mr. LANHAM, and even Mr. LENTZ of Ohio voted to do it. Mr. LIVINGSTON, Mr. McCLELLAN of New York, Mr. RICHARDSON of Tennessee, the leader of the Democratic side of the House; Mr. ROBINSON of Indiana, Mr. SLAYDEN, Mr. SULZER, Mr. UNDERWOOD, Mr. WILLIAMS of Mississippi.

Now, I will read you what the distinguished gentleman from Kentucky [Mr. WHEELER] said upon this very occasion, before this vote was taken, so as to show that our Democratic friends who voted with us are entitled to the credit of it. Now, I do not complain about that. I congratulate them on performing a public duty under those circumstances. Here is what Mr. WHEELER said:

Mr. Speaker, it seems to be fashionable for gentlemen to say how they intend to vote on this bill. I avail myself of this opportunity to say with great pleasure that I intend to vote against the bill, because I believe it to be wrong in principle and infamous in execution. And, sir, I can not understand how gentlemen can say they are opposed to the appropriation, they are opposed to the policy of the Government, they are opposed to the destruction of the lives of innocent islanders who are fighting for their homes and firesides, and yet, for a sentiment, for fear it will give offense to some effete and decayed monarchy, they propose to vote for this measure.

Now, if Mr. WHEELER was correct, the war was then on; voting for the \$20,000,000 appropriation was voting war upon defenseless people, but our Democratic friends patriotically stood up to the number of 64 and voted that way, and Mr. WHEELER suggested that they were not entirely sincere upon that proposition. But we have 64 men who in the first great obligation devolving upon this country by the treaty of Paris stood shoulder to shoulder with the Republican party in discharging that duty.

Well, now, since then they have failed to stand with the Republican party in discharging the obligations, great, severe, and tremendous though they may be, vested in us and saddled upon us by the negotiation of that treaty. Now, what should we say about our distinguished friends who started out with us, but since have not continued to go with us in discharging these obligations? I do not propose to characterize them, but I will read what my friend from Kentucky [Mr. WHEELER], acting as a prophet and a seer, said on that very occasion. I do not adopt his language, but here is what he said:

I am not a prophet nor the son of a prophet, but I venture to predict the time will come when those who are now so swift to give in their adherence to the policy of the Administration will be equally quick to swear that they were out of sympathy with it.

Now, if I am correctly informed and fully advised, I think our friends are out of sympathy with it; but this was not all of my friend's prophecy. He went on further. Now, I do not say this. I do not go so far as to say that I indorse it. I simply say that a

distinguished Democrat from Kentucky, a man of character and ability and integrity, said this about his Democratic friends:

And, sir, with all due deference and respect to some gentlemen on this side and some gentlemen on the other side, I can not refrain from expressing a superlative contempt for a man who believes a thing to be wrong, but for the sake of form will give in his adherence to it.

Well, I suppose he intended that blistering, scorching language to apply to our 64 friends who were voting the \$20,000,000 to buy, upon their theory, 10,000,000 of people at \$2 per. Now, I do not characterize them in that way. I simply call attention to this in order that the historical facts may be well understood, and that my friend from Indiana may be properly corrected in this respect.

Now, that is the record, and I will put into the RECORD, by the way, the list of the Democrats who, I believe, acted patriotically; and I will say, for the benefit of my friend from Missouri, Mr. CLARK, that he voted "no" upon that proposition. My friend from Missouri, Mr. DE ARMOND, also voted "no." There were 33 Democratic friends who voted "no" consistently, I have no doubt, and I have no doubt they have maintained a consistent attitude ever since. But it simply demonstrates that subsequent to this act, this attempt to discharge one of the great obligations resting upon the Republic by virtue of this treaty of Paris, our friends have been turning and running the other way. This is the list.

#### Democrats voting for appropriation:

Allen;	Davey,	Lewis, Ga.	Ridgley,
Bailey,	De Vries,	Livingston,	Robinson, Ind.
Bankhead,	Dinsmore,	Lloyd,	Settle,
Bell,	Dockery,	McClellan,	Sims,
Berry,	Driggs,	McLain,	Slayden,
Brantley,	Elliott,	Maddox,	Smith, Ky.
Baker, Md.	Fitzgerald,	Maguire,	Spight,
Barlow,	Fleming,	Meekison,	Stallings,
Bodine,	Fox,	Meyer, La.	Stark,
Brenner, Ohio	Greene (Pop.)	Miers, Ind.	Stokes,
Brucker,	Henry, Miss.	Moon,	Strode (Pop.)
Burke,	Henry, Texas	Newlands,	Sulzer,
Catchings,	Kleberg,	Ogden,	Underwood,
Clardy,	Lanham,	Pierce, Tenn.	Vincent,
Cowherd,	Latimer,	Rhea,	Williams, Miss.
Cummings,	Lentz,	Richardson,	

(See Cong. Record, 55th Cong., vol. 32, part 2, p. 2119.)

By way of further answer to the gentleman from Missouri; Mr. WHEELER said:

I know we have the constitutional right to refuse to vote this appropriation, and behind the agis of the Constitution I propose to exercise that right and vote against it, and to demand the yeas and nays, that the country may know how many there are of us in this body willing to go on record in defiance of the infamous penny-a-liners who are trying to drive every man out of public life who does not bow with superserviceable servility to their imperious dictates.

Now, I have just a word that I want to say here in connection with this question, which is, perhaps, more or less germane to this bill. I do not altogether like some of the terms of this bill, but I do not believe that the antecedent and cotemporaneous facts and suggestions that have been referred to in this debate have any legitimate force or consideration here, because I look upon the treaty of Paris as a great historical fact.

It is entirely immaterial from my point of view whether William Jennings Bryan made that treaty possible or not. The fact is that it is a treaty, the law of this land, of the archipelago. The fact which is of importance is that it is not only the law of this land, but it is the law of all lands. Under the Constitution it is the supreme law of the land, and by virtue of international law it is the supreme international law.

It governs this country, it governs the archipelago, it governs all countries of the world in dealing with this country and with this archipelago. In this treaty one of our obligations to Spain is to see that the Spanish citizens can engage in business and employment in this archipelago and be protected therein. The Republic, in my judgment, was made responsible to evolve order out of chaos in the archipelago.

It was bound to establish government, a government of law and order, and to see that life, person, and property should be protected in the archipelago, and not only to maintain this treaty, but to see that the obligations under the treaty are discharged, in order that the peace of Christendom be maintained. So far as I am concerned, while I do not like this provision, which only proposes that a part of the bill of rights shall go there, when I think they are all there, which makes them citizens of the archipelago when they owe allegiance to the Republic, I think they are full citizens of the Republic to which they owe allegiance. That is a matter which, in my view, the bill itself can not control.

But I believe in the bill, and especially that feature of it that confers legislative rights in the lower branch of the house upon Filipinos who are capable of taking part in it on the basis of the existing conditions, which enables them to control the real legislation for the people, and for that reason I am glad to have this opportunity to say that I firmly believe in the bill, which ought

to be passed in the discharge of one of the great obligations resting upon the Republic. It involves a change from military to civil rule. I would like to see our friends upon the other side stand with us upon the proposition that they are willing to improve the condition of the Filipinos in the archipelago, exchange the civil for the military rule, as they were willing to appropriate the \$20,000,000 to carry out the first and most obvious obligation involved in the treaty of Paris. [Loud and continued applause on the Republican side.]

Mr. DE ARMOND. Mr. Chairman, I desire to have permission to address the committee for ten minutes.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent that he may be allowed to proceed for ten minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. DE ARMOND. Mr. Chairman, I have no intention whatever of trying to supplement, explain, or modify anything said so well by my colleague [Mr. CLARK]. What he said covers fully and abundantly all the questions to which he addressed himself. He spoke, as he always speaks, earnestly, ably, courageously; and exhausted the subject discussed.

The gentleman from Maine [Mr. LITTLEFIELD] evidently appreciates that fact, because while he seemed at the outset as if he were going to answer my colleague, it became very evident as he proceeded that he had no such purpose, and it is absolutely assured, now that he has concluded, that he did not touch a single thing said by my colleague.

The discussion has some interest, however. The gentleman from Maine started out to maintain the proposition that the Democrats have run from everything involved in this Philippine controversy. Now, I really was interested when the gentleman delivered that pronunciamento, and was curious to know what his specifications would be, and what he would offer in justification of his contention. He specified nothing at all; and of course it was unnecessary to offer anything in support of the specification. [Laughter and applause on the Democratic side.] The Democrats run from this proposition?

Mr. OLMSTED. Will the gentleman allow me?

Mr. DE ARMOND. I must decline that illumination that would be thrown upon this whole question by injecting at this point the wisdom of my friend from Pennsylvania. It would be so overwhelming that it would be confusing to all of us. [Laughter on the Democratic side.] I therefore prefer to proceed a moment in this semi-twilight that exists in the absence of that gleam which would come. [Renewed laughter.]

Mr. Chairman, the gentleman suggests that we ran from the propositions involved in this Philippine controversy. Now, I wonder what particular proposition and from what particular part.

Mr. OLMSTED. I was about to suggest—

Mr. DE ARMOND. I would rather the gentleman would not, because it can not be possible that he could know what the gentleman from Maine evidently does not know or he would have suggested it. [Laughter.] It is a kindness to decline to permit the gentleman from Pennsylvania to make a suggestion as to what the gentleman from Maine knew or intended to say. It is an evident kindness. [Laughter.]

The gentleman from Maine finds that some persons here voted to appropriate \$20,000,000. That is running from something. What are the propositions to which the Democrats rush, and what are the propositions from which they run?

They stood from first to last on this proposition, and they stand upon it to-day, and they will stand upon it as long as a Democrat remains in the land: That this Republic has no right under the Constitution, no right in the light of our history, no right in decency or of any human principle that deserves consideration upon this continent, to force an alien rule upon the Filipino people, and to establish on their side of the world a colonial empire. [Applause on the Democratic side.]

At one time I thought, when an important matter with reference to Porto Rico was up, that a certain most distinguished gentleman from the State of Maine was about to nail his colors to the mast, and was about to sail the seas of political life, devoted also to the proposition that the Constitution controls, and that the rights of the people, not only of our own land, but of other lands with which we have to deal, are so sacred that we could not take up the rôle of tyrants in destroying them. [Laughter and applause on the Democratic side.] I will not say that he has run away from any such a proposition. I may have misunderstood what his proposition was, and he may have misunderstood the sentiment, not in the country at large, perhaps, but in a certain corner of the country, respecting that proposition. [Laughter on the Democratic side.] I do not know how that is.

The gentleman finds, too, that certain distinguished Democrats favored the ratification of the treaty with Spain and that certain Democrats voted for the appropriation of \$20,000,000 to be paid to Spain. Let me submit this proposition: Does the gentleman

accuse the Democrats who voted for the ratification of the treaty? Does he accuse the Democrats who voted to appropriate the \$20,000,000 as guilty of some wrong, or does he defend and try to excuse the conduct of his party by the fact that they were found in good company when these things took place?

Now, which is the proposition? These Democrats voted wrong or they voted right. If they voted wrong, you voted wrong with them; if they voted right, you voted right with them. Now, are you excusing or defending yourself? [Laughter on the Democratic side.] Who is running away?

When the treaty was ratified no man proclaimed that the purpose of the Republican party or of any section or element of our citizenship was to hold the Philippine Islands at the point of the bayonet. No man proclaimed then any such policy as that of making a howling wilderness and leaving strewn over the wilderness the bloody corpses of men, women, and children, whose greatest offense was that they fought for liberty in their own land. Nobody proclaimed that.

It was intimated, not stated openly and boldly—it was intimated and the credulous were given to understand, that our Republican friends would deal with these questions when they came as Americans should deal with them, and even to this day you do not dare to proclaim what your policy is. Are you going to hold the islands permanently? "You will find it out by and by." When are you going to let them go? You do not know; you do not suggest. You are feeling along, feeling your way, feeling into the pockets of the Filipinos, feeling around for their lands and their money and their timber, feeling around for anything you may fasten your hands upon and find devices and means for carrying away. Yes; you are feeling your way. [Laughter and applause on the Democratic side.]

But, gentlemen, there is a retreat involved in this business. Your party has made a signal departure in principle. Your party has departed from everything in connection with this whole controversy which from time to time you professed. If you had been candid and honest, the people would have relied upon you to do what you should have been accustomed to do, having regard for the Constitution and respect for the Declaration of Independence.

Here is a bill now in which you provide that a man in his own land, out of the very territory in which he was born, where his forefathers for three hundred years have lived, may get 40 acres of land for a home, while a Godless corporation, organized for the purpose of exploiting and robbing, can get 5,000 acres of land. [Applause on the Democratic side.]

This bill is a scheme artfully contrived to take away from the Filipinos everything that can be carried away with profit and to use and enjoy, to the exclusion of every right of the people who dwell in that land, everything that can be used profitably. It is the robber's game. Talk about "Old Glory" floating over such a performance! You ought to raise the pirate flag. That would properly characterize what you are doing and properly indicate to those who see your flag flying what your purposes are. And when your fell designs are accomplished, if ever unhappily they be, that flag—the black flag, the flag of spoliation, the flag of robbery, the flag of wrong—will properly represent your achievements.

The gentleman from Maine seems to be in the business of making suggestions in regard to "running away;" and he seems to suggest that Schley made "the loop" in order to escape danger. The gentleman must have said that without thought. He did not mean, I think, to make an attack upon Admiral Schley. He did not mean that the man who commanded the American fleet, the man who won for America's arms the great victory down at Santiago, was a coward.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DE ARMOND. I ask five minutes more.

Mr. OLMSTED. I shall object, unless he will let me ask him a question.

Mr. DE ARMOND. Make it ten minutes, and I will give you all the opportunity you may ask.

The CHAIRMAN. Is there objection to extending the time of the gentleman from Missouri for ten minutes?

Mr. COOPER of Wisconsin. I object to an extension of more than five minutes, and when that time has expired I shall demand the regular order.

Mr. DE ARMOND. Well, I will yield to the gentleman from Pennsylvania in a moment. We have discovered in this exploitation—

Mr. OLMSTED rose.

Mr. DE ARMOND. Oh, let us get through with Schley. Schley is in a very embarrassing position just now. [Laughter.] Schley and "the loop!" Let us dwell a moment on that. Let us dwell for a moment on the man who stands in the naval history of this country with reference to these recent events second only to the hero of the battle of Manila Bay. Making a loop to get out of danger! Taking the coward's part! Surely the gentleman from

Maine could not have meant that. What he said must have been said in the wild exuberance of his enthusiasm, in the exultation with which he was exploiting something, through the feeling upon him of the necessity of magnifying and expanding, because he has too good an intellect to mislead him into the belief that he was really intending to talk so. His intellect is altogether too good for him to have intended to say anything about it. The gentleman really, I think, made his remark about Schley without thought and without meaning. He did not think, but he talked, and unfortunately he slandered an American hero when he did it. [Applause on the Democratic side.]

Mr. Chairman, if all of us could be as safe in history and as prominent in history as Admiral Schley; if there could be attributed to us no shortcomings and no evidence of cowardice which may not be attributed to him; if we might be credited with the same candor and the same manliness that he displayed, and if by any possibility our services to our country could be as valuable and as glorious to all our fellow-citizens as his, and if a page of the world's history could be illumined by anything which we might do to a thousandth part of the extent to which it has been gloriously illumined by what he did, fortunate indeed would we be! I am satisfied that the gentleman from Maine would do well—not justice to Schley and Schley's record, because Schley and Schley's record and Schley's achievements are far above the reach of flippant words or evil designs—by doing justice to himself, so that he will not pose as the slanderer of Schley.

But I notice that my time is slipping on, and I am really desirous to yield to the gentleman from Pennsylvania [Mr. OLMSTED] for the question which he wishes to ask.

Mr. OLMSTED. I simply wish to ask the gentleman from Missouri if, when, on the 29th of April, 1898, himself, his colleague, and 129 others upon that side of the Chamber voted against the bill to provide the revenues for the expenditure necessary to carry on the war, they were not running away from the war into which they had dragged us "by the scruff of the neck?"

Mr. DE ARMOND. Mr. Chairman, I did not know that so soon and by such direct evidence the real charity that was in my mind and my heart when I tried to keep the gentleman in his seat would be exemplified and established so completely. [Laughter on the Democratic side.]

Now, the gentleman's conception of the importance of these questions, of the bearing of this incident upon that proposition, of the relation of this fact to that theory, has been demonstrated by himself to be so peculiar, and his understanding of running away so remarkable, that I think even he, upon cooler reflection, and perhaps with the aid of friends making suggestions, will reach the conclusion that I did him far more kindness than he has done for himself. No, I do not think we ran away from anybody. I do not think the man who votes by his judgment and conscience, I do not think the man who stands as well as he can by his principles, I do not think the man who tries to be American as our forefathers were American, who tries to have regard for the Constitution as they had regard for it, who tries to respect the Declaration of Independence as they respected it, who tries to respect the rights of man as the noblest and greatest and loftiest and purest in our own land and all lands have done, is running away from anything. I do not think he has need to run away from anything, but I do not think that the truckling policy which began with wanting a coaling station, which later on reached out and got the cession of the islands, is particularly commendable.

Oh, yes, we could dispose of the matter nicely. We did not want the islands; we did not want them; we did not wish to acquire territory; we were magnanimous and generous; and then step by step, little by little, we are filching away the rights of people as a thief in the night filches away property. It may not be running away from things, but it certainly is reaching into things which had better be left alone.

Mr. WILLIAMS of Mississippi. It is running away with things.

Mr. DE ARMOND. It is running away with principle after self. [Applause on the Democratic side.]

[Here the hammer fell.]

The Clerk read as follows:

SEC. 36. That where an adverse claim is filed during the period of publication it shall be upon oath of the person or persons making the same, and shall show the nature, boundaries, and extent of such adverse claim, and all proceedings, except the publication of notice and making and filing of the affidavit thereof, shall be stayed until the controversy shall have been settled or decided by a court of competent jurisdiction or the adverse claim waived. It shall be the duty of the adverse claimant, within thirty days after filing his claim, to commence proceedings in a court of competent jurisdiction to determine the question of the right of possession, and prosecute the same with reasonable diligence to final judgment, and a failure so to do shall be a waiver of his adverse claim. After such judgment shall have been rendered the party entitled to the possession of the claim, or any portion thereof, may, without giving further notice, file a certified copy of the judgment roll with the Philippine bureau of public lands, together with the certificate of the commissioner of mines that the requisite conditions prescribed by this act have been complied with, whereupon the whole proceedings and the judgment roll shall be certified by the chief of the Philippine bureau of

public lands, to the secretary of the interior for the Philippine Islands, and a patent shall issue thereon for the claim, or such portion thereof as the applicant shall appear, from the decision of the court, rightly to possess.

The adverse claim may be verified by the oath of any duly authorized agent or attorney in fact of the adverse claimant cognizant of the facts stated; and the adverse claimant, if residing or at the time being beyond the limits of the province or military department wherein the claim is situated, may make oath to the adverse claim before the clerk of any court of record or any notary public of any province or military department of said islands, or any other officer authorized to administer oaths where the adverse claimant may then be. If it appears from the decision of the court that several parties are entitled to separate and different portions of the claim, each party may pay for his portion of the claim, with the proper fees, and file the certificate and description by the chief of the Philippine bureau of public lands, whereupon he shall certify the proceedings and judgment roll to the secretary of the interior for said islands, as in the preceding case, and patents shall issue to the several parties according to their respective rights. If in any action brought pursuant to this section, title to the ground in controversy shall not be established by either party, the court shall so find, and judgment shall be entered accordingly. In such case costs shall not be allowed to either party, and the claimant shall not proceed in the office of the secretary of the interior for said islands, or be entitled to a patent for the ground in controversy until he shall have perfected his title. Nothing herein contained shall be construed to prevent the alienation of a title conveyed by a patent for a mining claim to any person whomsoever.

Mr. COOPER of Wisconsin. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. GILLET of Massachusetts, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill S. 2295, and had come to no resolution thereon.

#### ORDER OF BUSINESS.

Mr. COOPER of Wisconsin. Mr. Speaker, I ask unanimous consent that so much of the order as requires a recess at this time under which the House and the committee are acting may be vacated.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent that so much of the order governing the consideration of this bill as requires the recess to be taken from 5 o'clock until 8 p. m. be vacated. Is there objection?

Mr. RICHARDSON of Tennessee. Mr. Speaker, reserving the right to object, I would like to ask the gentleman what his object is?

Mr. COOPER of Wisconsin. The object is to pass the bill to-night. We have a very full attendance. We have nearly completed the bill, and I think we can get to a vote easily in an hour.

Mr. WILLIAMS of Mississippi. That will not do away with the night session.

Mr. COOPER of Wisconsin. Yes; it will.

Mr. PAYNE. I will state to the gentleman from Tennessee that the final adjournment of this session of Congress will probably depend upon the final disposition of this bill. It is quite essential that we should get it into conference as soon as possible.

Mr. RICHARDSON of Tennessee. I understand that; but if it takes an hour longer to complete the reading of the bill, and then we have two yea-and-nay votes, it will keep us here until 7 o'clock and after, and I shall object.

Mr. WILLIAMS of Mississippi. Oh, no; let us stay here. It will save us time in the future.

Mr. RICHARDSON of Tennessee. For myself I do not think that we could get through before 7 o'clock.

The SPEAKER. The Chair will state that the Clerk reports that he can finish the reading of the bill in fifteen minutes.

Mr. RICHARDSON of Tennessee. I understood it would take an hour longer. I am not going to interfere with the minority members of the Insular Committee. If they desire to go on to-night, I have no objection. I was objecting for my own gratification, and I will not press my own wishes in the matter, if they desire to conclude the bill to-night, though I am quite sure if we have two yea-and-nay votes it will be past 7 o'clock before we are through.

Mr. JONES of Virginia. I think the minority members of the committee have no objection to the request made by the chairman.

Mr. RICHARDSON of Tennessee. That being true, I do not object.

Mr. SHAFROTH. I will ask the gentleman from Wisconsin whether this will preclude the offering of amendments and the brief discussion of amendments that may be offered.

Mr. COOPER of Wisconsin. Oh, no.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

GEORGE LEA FEBIGER.

By unanimous consent, the Committee on War Claims was discharged from the further consideration of the bill (S. 6117) for the relief of George Lea Febiger, and the same was referred to the Committee on Claims.

## PHILIPPINE GOVERNMENT.

And then, in pursuance of the special order, the House again resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (S. 2295) temporarily to provide for the affairs of civil government in the Philippine Islands, and for other purposes, with Mr. GILLET of Massachusetts in the chair.

The Clerk read as follows:

## MUNICIPAL BONDS FOR PUBLIC IMPROVEMENTS.

SEC. 50. That for the purpose of providing funds to construct sewers, to furnish adequate sewer and drainage facilities, to secure a sufficient supply of water, and to provide all kinds of municipal betterments and improvements in municipalities, the government of the Philippine Islands, under such limitations, terms, and conditions as it may prescribe, with the consent and approval of the President of the United States, may permit any municipality of said islands to incur indebtedness, borrow money, and to issue and sell (at not less than par value) registered or coupon bonds in such amount and payable at such time as may be determined by the government of said islands, with interest thereon not to exceed 5 per cent per annum.

Mr. TAWNEY. I offer the amendment which I send to the Clerk's desk.

The amendment was read, as follows:

In line 6, page 97, after the word "annum," add:

"Provided, That the entire indebtedness of any municipality under this section shall not exceed 5 per cent of the assessed valuation of the property in said municipality, and any obligation in excess of such limit shall be null and void."

The amendment was agreed to.

Mr. VANDIVER. Mr. Chairman, in line 6, page 97, I move to strike out the word "five" and insert the word "four."

The CHAIRMAN. The gentleman from Missouri moves to strike out the word "five," in line 6, page 97, and to insert the word "four."

Mr. VANDIVER. Mr. Chairman, I just want to say a word. It seems that this provision is calculated to offer a market for the investment of money in bonds. The previous section, which has just been adopted, fixes the gold standard, which assures the payment of those bonds in gold. In every market of the world gold bonds can be sold or money can be borrowed at less than 5 per cent, and at less, even, than 4 per cent. If we are going to take charge of the government of that country, while I am opposed to the whole proposition, at the same time I believe that in common justice and fairness, even according to the policy of the bill itself, there ought not to be provided an exorbitant rate of interest to be paid mainly by the natives of the islands. There are various other provisions in the bill to which I seriously object. I should like to oppose the whole proposition; but I, at least, think the condition now under consideration ought to be remedied. It is bad enough to undertake to govern those people without their consent; it is still worse to tax them 5 per cent for their internal improvements when every other nation on earth borrows money at 3 or 4 per cent.

The amendment of Mr. VANDIVER was rejected.

The Clerk read as follows:

SEC. 51. That all municipal bonds shall be in denominations of \$50 or any multiple thereof, bearing interest at a rate not exceeding 5 per cent per annum, payable quarterly, such bonds to be payable at the pleasure of the government of the Philippine Islands, after dates named in said bonds, not less than five nor more than thirty years from the date of their issue, together with the interest thereon, in gold coin of the United States of the present standard value, or its equivalent in value in money of said islands, and said bonds shall be exempt from the payment of all taxes or duties of the government of said islands or of any local authority therein or of the Government of the United States.

Mr. VANDIVER. In line 12 of the section that has just been read I move to strike out the word "thirty" and insert the word "twenty."

The CHAIRMAN. The gentleman from Missouri moves to strike out the word "thirty," in line 12, page 97, and to insert the word "twenty."

Mr. VANDIVER. One word. If we are to establish this system, and give the Philippine Commission authority to issue these bonds at an unusually high rate of interest, it seems to me we ought to limit them at least that much, and not allow them to run for thirty years.

The amendment of Mr. VANDIVER was rejected.

The Clerk read as follows:

## COINAGE SYSTEM.

SEC. 58. That the gold dollar of the United States, consisting of 25.8 grains of gold, nine-tenths fine, as defined by section 3511 of the Revised Statutes of the United States, shall be the standard unit of value in the Philippine Islands.

Mr. JONES of Virginia. Mr. Chairman, I move to strike out the whole of section 58.

The CHAIRMAN. The gentleman from Virginia moves to strike out section 58.

Mr. JONES of Virginia. Mr. Chairman, it must be known to every member of this House that for hundreds of years the only currency to which the people of the Philippine Islands have been accustomed has been a silver currency. This section provides that the Philippine Islands shall hereafter be upon the gold standard. All of the business transactions of the people of these

islands has been based upon a silver currency. Certainly to change all of that now and to place them upon the gold-standard basis must disturb business throughout the islands and bring about a most disastrous condition of affairs there. For this reason I trust that my amendment to strike out this section will be adopted.

I may say to those members of the House who are inclined to be frightened at the skeleton of silver that the Senate bill which we are seeking to amend does not provide for a gold standard in the Philippine Islands. On the contrary, the bill which recently passed the Senate recognizes the fact that if we suddenly place these people upon a gold basis it will result in great disaster and perhaps in ruin to the people of those islands. I trust that the gold advocates and supporters of the gold standard in this body will not be so forgetful of the interests of the people in those islands, who, as I have said, have never had any other currency than the silver currency, and whose transactions are all based upon a silver currency, as to fix upon them a gold standard. Surely Republican members of the Senate are no less loyal to the gold standard than are those of this House.

Mr. SHAFROTH. Mr. Chairman, I desire to offer, if it is in order now, and if not, in a minute, after the motion shall have been disposed of, a motion to strike out this provision and insert the corresponding provision of the Senate bill with relation to coinage, and upon that—

The CHAIRMAN. The Chair is inclined to the opinion that that should wait until the motion to strike out has been disposed of.

Mr. SHAFROTH. I would like to be heard on the motion to strike out.

The CHAIRMAN. Is the gentleman in favor of the motion or opposed to it?

Mr. SHAFROTH. I am in favor of the motion.

The CHAIRMAN. The Chair feels that he ought to recognize a member of the Committee.

Mr. SHAFROTH. I offer this amendment to the gentleman's motion—a motion to strike out and insert.

The CHAIRMAN. The Chair will recognize the gentleman later; but thinks the motion of the gentleman from Virginia should first be disposed of, and then the Chair will recognize the gentleman from Colorado.

Mr. CRUMPACKER. Mr. Chairman, I move that all debate upon this section and amendments thereto shall be closed in five minutes.

Mr. SHAFROTH. I hope the gentleman will not do that. I inquired of the gentleman, when he asked unanimous consent, as to whether a fair allowance would be given to the discussion on this question, and inasmuch as the Senate has sent over a provision of the bill which is not partisan in its nature—

Mr. CRUMPACKER. I amend my motion by making it ten minutes.

Mr. SHAFROTH. I would like to be recognized.

The CHAIRMAN. The gentleman from Indiana moves that all debate on this section and amendments thereto be closed in ten minutes.

The question was taken; and the motion was agreed to.

Mr. SHAFROTH. Mr. Chairman, the amendment which I offer is to strike out section 58 and insert in lieu thereof the first section of the Senate provision, relating to coinage in the Philippine Islands.

The House bill provides for the coinage of what is termed a light-weight silver coin, redeemable in gold. The Senate bill provides for the coinage of a silver dollar of identically the same weight and fineness as the British dollar, and upon identically the same terms and conditions as that coin is minted for Hongkong, Straits Settlements, and the oriental trade. It continues in existence the silver standard, which is now the standard of the Philippine Islands and the Orient.

I want to call your attention to the fact that the Senate provision relating to coinage was not considered as a partisan matter in that body. The Philippine government bill as introduced in the Senate by Senator LODGE contained the identical provisions with relation to coinage that the House bill before us for consideration contains.

The Senate Committee on the Philippines called before them expert witnesses as to the trade and currency of the Orient. They were not silver men, but men from New York, who believe in the gold standard for the United States, but who have had experience in oriental affairs. Mr. George H. Macy is a large tea merchant of New York City, having factories and wholesale houses in most of the large cities of China and Japan; Mr. A. M. Townsend, whose place of business is 50 Wall street, New York, is agent of the Hongkong and Shanghai Bank, which has branches in all the principal cities of China, Japan, India, the Straits Settlements, and in the Philippine Islands; Mr. Francis B. Forbes was a member of the firm of Russell & Co., large importers from the Orient;

he lived in China for nearly twenty years, and at one time was chairman of the Shanghai General Chamber of Commerce.

All of these gentlemen testified that, in their judgment, the establishment of the gold standard in the Philippine Islands would be a great mistake, both for the United States and for the people of those islands. Mr. Conant, the author of the provisions contained in the House bill relating to the currency, also testified before the Senate committee. After the hearing of the evidence and consideration by the committee it was unanimously determined by the Republican members of the Senate committee that the money system best suited to the Philippine people and which would produce best results, both to the Philippine Islands and the United States, was the same system which Great Britain has for the Straits Settlements and Hongkong, namely, the coinage of a silver dollar of 416 grains nine-tenths fine (which is identical with the Mexican dollar circulating in China) from silver bullion presented upon payment of 1 per cent.

I wish to call attention to the significant fact that after the hearing of the evidence relating to this subject not only one Republican Senator changed his views, but every Republican member of that committee came to the conclusion that it was best to strike out of the Senate bill the very provisions now urged by the House committee, and insert in lieu thereof the very amendments which I am now offering, and which I propose, as sections are reached, to offer as substitutes for the House provisions.

I want to call the attention of the Republican members of this House to the fact that there are as good gold-standard men upon the Senate Committee on the Philippines as can be found anywhere in the United States. Senator ALDRICH is a gold-standard man; Senator LODGE is a gold-standard man; Senator BEVERIDGE is a gold-standard man; Senator PROCTOR is a gold-standard man.

In fact, all of the Republican members of the committee are gold-standard men. Senator BEVERIDGE and Senator DIETRICH, of that committee, had visited the Philippine Islands and the Orient and examined personally into the needs of the people of those islands for a currency. When these Senators unanimously agreed to change the provisions of their own bill and insert the provisions for a silver standard, the reasons must have been overpowering. That fact alone ought to make the members of this House consider the question from a nonpartisan standpoint and not be stampeded by a political cry against silver.

It is conceded by all writers upon finance that the changing of a monetary standard of a nation is a very grave undertaking, and should be done only when it is clear that a better system, and one that can be successful, could be adopted.

The House bill provides for the coinage by the Philippine government of pesos of weight of 322.1 grains of pure silver. The United States silver dollar contains 371.25 grains. The British silver dollar for the Orient and the Mexican silver dollar contain each 374.2 grains of pure silver. The House bill therefore authorizes the minting of a light-weight silver coin, and makes it redeemable by the Philippine treasury in gold at the ratio of 2 pesos for one gold dollar. The pretended benefit from such a silver peso is that it will remain in the Philippine Islands, because it contains less quantity of silver than the Mexican dollar and the British dollar, which constitute the principal currency of the Orient.

The balance of trade is against the Philippine Islands. In the last report of the Secretary of War he places the exports from the islands as \$23,000,000 and the imports to the islands as \$30,000,000, leaving a balance of trade of \$7,000,000 against the islands. A balance of trade must be met either by silver or by gold. If we make a silver coin for the Philippine Islands, which is so overvalued as not to be available for the payment of balances, it will necessitate the payment of all balances in gold, and the gold will have to be furnished by the government in the Philippines, and their only means of getting gold would be from the United States.

The question is, therefore, whether it is better for the United States to let the Philippine people settle their balances in silver, which, as the greatest silver-producing country in the world, we desire to sell, or whether we wish to furnish the Philippine government with the gold necessary to meet their balance, and perhaps to meet all the demand of the Orient for that metal.

In other words, do we wish to facilitate the shipment of gold or silver from our shores? Do we wish to deplete either our stock of gold or the quantity of gold held in our Treasury?

Mr. Chairman, gentlemen upon the other side of this Chamber have claimed that we were in the Philippine Islands, not alone for what trade we could get from those people, but for the advantages which it would give us in oriental trade. Here at the threshold they propose a monetary system for those islands which they admit can not be used in commerce with the Orient. Great Britain is in the Far East for trade, and in order to facilitate the same she adopted a monetary system for her provinces in the Orient of an open mint for the coinage of a silver dollar identi-

cal in weight and fineness with the Mexican dollar. Anyone having silver bullion, upon the payment of 1 per cent to the British mint, can have coined British dollars, which are a legal tender in the Straits Settlements and Hongkong, and which pass current at the same value in all the Orient.

The Mexican dollar is not a well-minted coin, the workmanship upon it being bad and it varying in weight as much as 1½ per cent. They are so defective that in large amounts they will be received only by weight, whereas the British dollar is received by piece. In China, 11 provinces each coin a different dollar, containing different devices and different number of grains of silver. That makes it impossible for a Chinese coin to circulate beyond the border of the province coining the same. Therefore there is now a most favorable opportunity of putting into the Orient, through the Philippine mint, a dollar which will become the dominant circulating medium of China.

The high-class workmanship upon our dollar, together with its accuracy in weight, would make it in a short time the preferred dollar of the Orient. If it is to the interest of Great Britain, a gold-standard nation, which produces no silver to speak of, and whose people must buy silver for coinage, to maintain an open mint for the coinage of that metal, how much greater interest have we, the greatest silver-producing nation in the world, in creating an open mint for the coinage of a dollar which will not only settle balances between the Philippine Islands and the world, but which promises to become the coin of the Orient, with its incidental advantages to our trade. Shall we surrender such a field to Great Britain without a contest?

Gentlemen say that we tried the experiment of a trade dollar in 1873, and it failed. Why did it fail? Because we provided that it should contain 4 grains of silver more than the Mexican dollar, which was the one in general circulation in the Orient. It made our trade dollar worth nearly 2 cents more than the Mexican dollar. Who would want to pay debts with a dollar that cost 2 cents more than the dollar in general circulation?

Anyone possessed of the slightest knowledge of political economy would know that the dearer dollar could not supersede the cheaper in circulation. This is the reason the trade dollar issued by our Government was a failure.

But that is no argument against the issuing of a superior trade dollar as against the fact that the one issued by Mexico, which country has no possessions whatever in the Orient, and which even has not a good port of export, has been a success as a trade dollar.

The experience which we have had in the Philippine Islands in tinkering with the currency of that country, by attempting to fix a gold equivalent for their peso, has been a failure. We should never have attempted to fix the value of 2 pesos as equal to \$1 in gold, but should have left the value of the two metals to be fixed by the general world market, which all banks throughout the world follow. As long as the bullion value of 2 pesos was less than 1 gold dollar, the requirement of the Philippine Commission upon the banks in Manila to pay 2 pesos for \$1 in gold was exceedingly profitable to the banks, and when the bullion value of 2 silver pesos became more valuable than \$1 in gold, as it did in 1900, the banks refused to exchange pesos for gold.

When silver rose in 1900, it made 2 pesos more valuable than 1 gold dollar, which made silver more valuable in China than in the Philippine Islands at the two-for-one ratio. That caused the exportation of silver from the Philippine Islands. In order to overcome that, the Philippine Commission enacted a law imposing an export tax on pesos and Mexican dollars of 10 per cent. That stopped the exportation of the pesos and Mexican dollars; but then the balance of trade had to be met in gold, which, even if satisfactory to the Philippine people because they could get 1 gold dollar for 2 pesos from our Government in the Philippine Islands, made a continual drain on the United States Treasury for gold to meet balances of trade between the Philippine Islands and the Orient.

Since that time silver has declined in value, so that now the ratio of one gold dollar for two pesos is no longer attempted to be imposed. Chinese brokers in Manila are giving two pesos and a quarter for a dollar in gold, and shipping that gold to China.

In the same way, if you attempt to fix by law, as in this bill, a currency which is redeemable in gold by the Government, you are bound to get into the difficulty of either giving the people an inadequate silver currency, or of making the Philippine treasury the gold-supply depot for the Orient.

Any system that makes one metallic money redeemable in another is an absurdity and is bound to be temporary. When a silver coin is made redeemable in gold it becomes simply a promise to pay gold. How absurd to stamp promises to pay upon as dear material as silver when just as good and binding promises can be printed upon paper at no appreciable cost. To say that such a currency is anything but temporary is ridiculous. No currency can be permanent unless it automatically responds to the

demands of commerce, such as is given by an open mint for gold in a gold-standard country, and for silver in a silver-standard nation. Any other monetary system requires continual legislative tinkering in order to meet the legitimate demands of commerce and the people, and in order to extricate the Government from the complications arising from an artificial system.

Gentlemen have referred to the fact that we are adopting the same system of currency for the Philippine Islands as is now in force in India. If so, they had better hesitate before enacting these provisions into law. It is by no means conceded, even in England, that the Indian currency experience has been satisfactory. Many of her most prominent statesmen and financiers, including Sir Robert Giffin, have condemned it as bad and temporary.

The Right Honorable Lord Aldenham, director of the Bank of England, a gold-standard man, in his testimony before the India currency committee in 1899, said:

It is to my mind a necessity of a good standard that it should be automatic; that the needs of commerce should be supplied by commerce itself. Now, in the place of that, the closing of the Indian mints substituted a managed currency. Instead of being automatic, you may say it was autocratic; the Government has under the present system, and would have under the proposed system, to settle what amount of currency is needed for the people. It should regulate itself by the needs of commerce. The currency existing in rupees is divorced from the metallic value of the rupee and is dependent only upon the face values. It is, in fact, a forced currency, a debased currency.

Mr. George Handasyde Dick, president of the Chamber of Commerce and Manufactures in the city of Glasgow, Scotland, in December, 1901, published a statement with relation to the Indian currency, which contains the following:

The foregoing are horns of the dilemma upon which the currency policy of India is impaled.

The first is, all history and experience show that there is nothing so detrimental to the progress and well being of a nation as an artificial currency "managed" and unduly limited. This is illustrated to-day by the prosperity enjoyed by the silver-currency countries where the currency is allowed to expand automatically in comparison with the present agricultural and commercial adversities of India with her limited currency. It is also illustrated by the recent phenomenal prosperity in America, following upon an increase in her legal-tender money, since March of last year, of about \$200,000,000.

Mexico is said to be suffering from scarcity of her coin, due to an unusual demand for it from the Far East. The other dilemma is that the government of India dare not allow its silver currency to increase without check, because any such considerable increase might at once upset the exchange between India and London.

It is therefore submitted that the present policy of the Indian government to maintain India's foreign exchanges by limiting the supply of the only metal money which India will circulate is subversive of India's interests.

The two objects aimed at are incompatible with one another, and mutually destructive.

Even with the gold currency which Japan had its export has completely disorganized her trade. Consider the prosperity of China's trade now, with her unrestricted silver money, in comparison with the position in Japan. China has recently paid an enormous indemnity to Japan, and stands bound to pay an enormous indemnity to the allied countries who recently attacked her; but her trade continues good.

From what appears in the earlier part of this paper, it is failure and not success that has attended the attempt to set up a gold standard and currency in India.

The difficulty with the House provisions is that it starts the Government into the banking business by making one currency redeemable in another, and thereby starts the endless chain upon the gold reserve of the Philippine treasury. It even permits the Philippine government to sell drafts on our Government. It necessitates the Philippine government to provide a gold reserve and to maintain it at all times against the endless chain, not only for use in the islands, but also to meet balances of trade. It sets up a gold depot where gold can be obtained more favorably than at any other point in the Orient, and consequently is likely to become the supply for all the demands of the Orient upon that metal without any compensating advantages.

If gentlemen say the Philippine government can refuse to redeem silver in gold, we answer, so could our Government have refused to pay greenbacks in gold, but it never did it, even when we had to borrow gold to maintain the reserve.

Mr. Townsend in his testimony before the Senate committee clearly illustrates the working of that system:

Mr. TOWNSEND. At certain times and in certain conditions of trade the Philippines would have to export a certain amount of bullion in the absence of merchandise, and the 40-cent silver dollar could not be sent away, because it is worth 50 cents in Manila and worth only 40 cents outside. So it could not be sent away. If you have the silver dollar you would have to take it and get the more valuable gold and send the gold away, and the difficulty would be for the treasury to keep up the redemption fund.

Senator BEVERIDGE. So you figure that there would be a constant loss to the Government of 10 cents on each redemption?

Mr. TOWNSEND. There would not be a loss, as the Government would not issue the silver coin for less than 50 cents and they would give 50 cents for it. The loss to the Government would be in maintaining the gold reserve. The tendency would be all the time to redeem the silver dollars and to send away the gold which was received for them, and the expense to the Government would be in continually keeping up that reserve. The laying down of the American gold dollar in the Philippines to keep up that reserve means a cost of freight, insurance, and interest which I calculate amounts to about 1½ per

cent, and the course would be for the Government continually at its own expense to send gold there, and it would be exported for the benefit of the exporter.

The statement that the currency of the House bill would facilitate exchange between the United States and the Philippine Islands is about the only sound argument of the opposition, and that amounts to very little, for China has no difficulty in either receiving pay for goods exported or in paying for goods imported. The rate of exchange may be slightly higher than it would with the Philippines under such a system, but the difference would not amount to one-half of 1 per cent. Under the provisions of an open mint, for a dollar of the same weight and fineness as the British dollar and the Mexican dollar there will be no complications whatever with the government of the Philippine Islands, as it will not be necessary to maintain a gold reserve or enter into the banking business.

The Government, when it pays its soldiers and officers, can pay them at their option either in gold or in the American-Philippine, the British, or the Mexican dollar, at the bullion value of that dollar, as the banks in Manila now pay the same, and can suffer no material loss in so doing.

The coinage of the silver dollar provided in the Senate bill will provide an automatic currency for the Philippine Islands, responsive to the demands of commerce—good at the same value not only among the people, but in payment of foreign exchange; not only at home, but in the Orient.

It will create a currency which, in my judgment, will become the principal circulating medium not only of the Philippine Islands, but of the entire Orient, thereby giving incidental advantages in trade and supplying a demand for the silver of America for nearly all the circulating medium of China. For these reasons I maintain that the Senate provisions relating to currency should be substituted for the corresponding provisions of the House bill.

Mr. HILL. Mr. Chairman, the statement that has been made that the Philippines have been on a silver basis for three hundred years is without foundation of fact. The same statement was made in the Senate report on this bill, whereas as matter of fact up to 1884 they were on a gold standard, and the mint at Manila coined \$20,000,000 gold prior to that time. It was driven out by the bringing in of the Mexican silver dollar, the cheaper money, which under the fall of silver has gradually driven out the gold. These facts can be substantiated absolutely by the report of the Schurman Commission, on pages 144 to 147, inclusive.

Mr. Chairman, I would be glad if we had time to discuss the merits of this bill rather than politics, and to take up the consideration of this question. If we could do so, I would offer as a substitute for the proposition in the bill, the use of American money. But I want to reply to the remarks made by the gentleman from Colorado [Mr. SHAFROTH] in his statement in regard to the way in which the provisions for the free coinage of silver in the Senate bill got there. There was a hearing before the Senate committee of three persons, one was the manager of the British and Hongkong Bank, a gentleman who is to-day residing in England, who lived in the East ten years. Another gentleman was a tea merchant from Shanghai, and a third presented the views embodied in the bill now before the House.

I wish to call attention to this one fact, and leave this proposition to the House of Representatives and with the country, as to the effect of the provisions of the Senate bill. It provides for the coinage of a dollar to circulate at its bullion value, and the gentleman from Colorado says it is a success; that Mr. Townsend, the president of the British Hongkong Bank, said there had been 110,000,000 of those dollars coined and circulated in the Orient. The gentleman from Colorado, when he returned from his trip to Manila, told me in conversation that the British Hongkong Bank manager at Manila told him that bank alone on its own account had coined 64,000,000 of that 110,000,000 dollars.

Mr. SHAFROTH. The bank in all its branches.

Mr. HILL. The average profit must have been at least 6 per cent, or over three and a half million dollars. You adopt the Senate proposition and what will be the result? December last silver had gone from 2 to 1 in Manila down to 2.47½ to 1 now, and there has been a loss on the Chinese indemnity alone of 70,000,000 taels by shrinkage of the war indemnity in less than one year. What would be the effect on Philippine business interests? There is not a paper that comes from Manila to-day but is begging for relief. I have papers from there saying that the first thing they want, over and above civil government, over and above mining laws, is American money. That is what they want and that is what we want to put there, gentlemen.

Mr. SHAFROTH. Do not these letters and cry come from the American Chamber of Commerce in the Philippines?

Mr. HILL. The American Chamber of Commerce! Why, I have papers from all over there; here they are on my desk. I

will also put in the RECORD extracts from the Washington Post and the Times, beginning with last December and coming down to a dispatch from Manila dated May 25, showing conditions there and emphasizing their demand for American money:

The United States Philippine Commission has passed an act authorizing the insular purchasing agent to draw money in gold for the payment of supplies purchased, as the merchants refuse to sell goods for Mexican silver.

A general feeling of uneasiness prevails among the business men of Manila from the unofficial announcement that beginning January 1 the United States Philippine Commission intends to reduce, by the difference of the fall in the price of silver, the present ratio of two Mexican dollars for one gold dollar. It is hoped, however, that some solution of the difficulty may be found which may obviate this necessity, as, for instance, the taxing of each silver dollar imported into the islands by the difference between its actual bullion price and 50 cents in gold, until such time as the United States Congress gives authority for the issuance of a Philippine currency.

#### TROUBLE OVER FINANCES—VALUE OF MEXICAN DOLLARS STILL AGITATES MANILA MERCHANTS.

A dispatch from Manila yesterday says: Numerous meetings of merchants and others have been held recently, at which resolutions were passed urgently requesting Congressional action to meet the financial situation here. Since the ratio was officially changed, January 1, for the first quarter of 1902, to be \$2.10 Mexican silver to one American gold dollar, business transactions of any sort have become difficult.

The majority of the business houses have raised their prices 5 to 10 per cent, and some houses refuse to accept any but American coins, which are difficult to obtain owing to the vast speculative shipments of coin during the past few months. Some banks refuse to recognize the government ratio and are fixing their own ratio at one American gold dollar to two Mexican silver dollars. Even the government's American employees, whose salaries are payable in Mexican dollars, object to the change, owing to the large increase in prices.

The leading banks refuse to handle government checks, not because they have any doubt of obtaining the money, but because of the frequent long delays over trifling irregularities. The postal authorities refuse to accept Mexican dollars for American dollars at any ratio.

#### AMERICAN MONEY WANTED—THE PHILIPPINE TREASURY FACE TO FACE WITH A SERIOUS CONDITION.

The Secretary of War has forwarded to the Senate Committee on the Philippines the following cablegram from Acting Governor Wright, of the Philippines, concerning the condition of the treasury of the Philippine government:

"After making available in United States money appropriations immediately necessary, there is left in the insular treasury about \$600,000 money of the United States. Practically none is being received from customs or internal revenues; must very soon face the question obtaining enough next month to pay obligations payable in only money of the United States; request suggestions as to method of obtaining money of the United States; can pay for it only Mexican dollars; can advertise for bids to furnish gold, payment to be made in Mexican currency, or can raise ratio so high that customs and internal-revenue receipts will be gold; either method highly objectionable, and would greatly deplete treasury balance. Price of gold at local banks to-day is \$1 for \$2.41 Mexican, but no large orders can be filled."

#### MANILA FEELS NEED OF CURRENCY REFORM—BUSINESS MEN DECLARE THE WHOLE SYSTEM A CURSE—A SERIOUS CHECK ON LEGITIMATE TRANSACTIONS.

MANILA, May 26, 1902.

The currency difficulties have reached a stage where the whole system is generally considered a curse by the business men. In interviews the largest firms of merchants here absolutely condemned the continuance of the present silver standard or anything similar, declaring it a heavy drawback to the prosperity and development of the country.

It is impossible to conduct legitimate business by means of the present medium. To make time contracts under present conditions is to enter upon problematical ventures, while large transactions of any kind are absolutely prohibited. The shifting standard kills business, and nobody except the banks and exchange speculators derives any benefit.

Action by Congress fixing a standard is urgently imperative. In addition to the merchants, thousands of civil employees are monthly losing on their remittances to the United States, which is causing much dissatisfaction.

Mr. SHAFROTH. Is there a bank in the city of Manila that asks for it?

Mr. HILL. There never was on the face of the earth such a monumental specimen of adolescent statesmanship as that coming over from the Senate which the gentleman wants to introduce into this bill. [Laughter and applause on the Republican side.] It is in violation of every sense of political honor, in violation of the vote of the Republican party in this country over and over again. I have got here a letter from Governor Hunt, from Porto Rico, stating his position on the Porto Rican matter, that I will not read now, but I will put in the RECORD with my remarks. I asked him: "What would you do in the Philippines in view of your experience in Porto Rico?" And he said, referring to Porto Rico and their experiences: "I think the use of American money was entirely advisable." The letter is as follows:

EXECUTIVE MANSION,  
San Juan, P. R., April 1, 1902.

Hon. E. J. HILL,  
Banking and Currency Committee,  
House of Representatives, Washington, D. C.

MY DEAR SIR: Your letter of March 18, in respect to the question of currency circulating medium for the Philippine Islands, was duly received, and I take pleasure in replying to some of the questions you suggest.

It must always be remembered that the change of money in Porto Rico pursuant to the so-called Foraker law, which was the act of Congress creating a civil government in Porto Rico, was effected a year after the terrible hurricane of 1899 and less than two years after the change of sovereignty. The hurricane had left a great deal of ruin and misery behind it, and the people were generally disheartened and poor. In addition to this, the issuance of rations, which had been undertaken as a relief measure immediately

after the hurricane in August, 1899, was only discontinued July 15, 1900, or fifteen days before the change of currency occurred.

There was considerable apprehension on the part of the people and some little misunderstanding. In some places storekeepers closed their shops, because there was little or no American money to be had on August 1 in the particular towns where such action was had and because they feared that Porto Rican money would only be taken at its bullion value after that date.

Market people, omnibus drivers, street vendors, storekeepers, and house owners could not understand that the new American dollar ought to have a greater purchasing power than the Porto Rican peso, and it was because of this misunderstanding and apprehension that on August 1 persons who had charged a peso for an article asked and received an American dollar.

Omnibus fares, which were 10 centavos on July 31, were 10 cents on August 1. Wages were raised considerably, and some mild strikes occurred, but through compromise these were adjusted in a few days, and there was less labor trouble than I had thought there would be. Rentals rose, and a dollar was exacted after August 1 for every peso that had been collected the month before.

Naturally, business was much disturbed for a short time, but the disturbed conditions were soon adjusted with some relation to American money. I think it can be safely said, however, that there never has been, in all respects, an entire readjustment; rents, for instance, never having gone back to what they were prior to August 1, 1900. Wages are somewhat higher than they were prior to that time, but, generally speaking, all prices have risen in Porto Rico within the past eighteen months, as all conditions have much improved.

The general result has been good, though the period of disturbed conditions was bad while it lasted. But it is a satisfaction to the people to know that they use the same money circulated in the main country and can transact business with a facility because of this fact.

I think, therefore, that the change was desirable, but that a preferable method of effecting it might have been had by a more gradual retirement of Porto Rican money through agencies such as United States depositaries. The people being unaccustomed to sudden changes did not prepare for that which came.

I think the use of American money was entirely advisable.

I remain, sir, very respectfully,

WILLIAM H. HUNT, Governor.

I also insert letter from E. L. Arnold, cashier of the American Bank in San Juan, Porto Rico:

AMERICAN COLONIAL BANK OF PORTO RICO,  
San Juan, August 15, 1901.

CHARLES A. CONANT, Esq.,  
Special Commissioner to Philippine Islands, Manila.

DEAR SIR: Yours of the 25th July came duly to hand. The change in currency in this island was made easily and comparatively quickly and did not result in hardship to the people to any great extent. At first the smaller merchants were disposed to ask dollars in place of pesos for their wares, but competition in business soon stopped that. Wages have risen slightly, but not as a result of the change of moneys, the cause being purely the result of better conditions and greater profits among the agricultural classes, save with the coffee growers.

With them the destruction of crops, and in many cases of whole plantations, by the hurricane of 1899 has cheapened the price of labor. We do not think that harm resulted to anyone, save temporarily in a few cases, through change of money, and it has removed the fluctuation of value in the money of the country. American currency was at a premium most of the time and values changed as much as 2 per cent in a single day. There is no more of that, much to our relief, and the people here appreciate the change from their cheap money to one that passes current the world over. We trust the same plans may be carried out in all of "Uncle Sam's" new dominions, as it does a good deal toward Americanizing the people of the country.

Truly, yours,

E. L. ARNOLD, Cashier.

Now, what we should do, gentlemen, is to do what we did at Porto Rico, what we are doing in Hawaii. Take up every coin; put our own money there. Can we do it? I say it is easier to do that than anything else, easier even than the proposition of this committee, for American money is there already and must be driven out to make room for a cheaper currency. I will insert in the RECORD editorial comments of the New York Times, New York Journal of Commerce, and New York Evening Post upon this proposition:

[From the New York Times.]

THE PHILIPPINE CURRENCY.

The plan for coinage and currency in the Philippines which is included in the bill for the government of the islands reported to the Senate requires very thorough discussion. On the face of the report, it is a defective and mistaken plan.

In substance, it proposes unlimited coinage of silver dollars of 416 grains, nine-tenths fine, to be legal tender in the islands. It adds a provision of no great importance for silver certificates of not less than \$10 in denomination. Then there is to be a subsidiary coinage, which is to be furnished from any of the mints in the United States. The standard dollars, it will be noted, are of a weight a little greater than that of a United States dollar and a little less than that of the trade dollar which was tried some years ago.

It is difficult to see in what this scheme of coinage differs in the least, except in the weight of the dollar, from the scheme of free coinage which was defeated in this country with so much trouble and at the expense of such confusion, discredit, and loss. Nor is there any reason to suppose that the scheme will work any less badly in the Philippines than here. We shall await the text of the bill for further comment, and shall be impatient to see the explanation of the committee as to its provisions. As reported the plan is mischievous.

[From the Journal of Commerce.]

It seems incredible that after all of our experience with silver, after the success which has attended the struggle for the gold standard, and after the adoption of the gold standard by India and Japan, any considerable number of gentlemen in Congress should still be determined to maintain the silver standard in the Philippines. It is in the last degree discreditable if any of them think they can provide a market for silver for the benefit of our mine owners and regardless of the well-being of our dependency. Aside from the immorality of this, a recollection of recent events ought to satisfy any person that it is ridiculous. The Philippines do not use over 30,000,000 silver dollars, and that is not an annual consumption; it is a total circulation of coins, the greater part of which endure for years.

In view of the failure of our trade dollar of 1873 no one can count confidently upon a Philippine dollar displacing the Mexican and British dollars in the Orient. From 1878 to 1893 this country took from \$20,000,000 to \$55,000,000 of silver off the market every year, and yet we failed to sustain the price of silver; only for a few months after the passage of the "Sherman" Act did it advance. Anything the Philippines could do would be insignificant compared with our futile effort to "bull" the market. The Philippines may well have a silver currency. We have a paper currency, but the silver standard ought not to be thought of. It would hurt our trade as much, proportionately, as that of the islands.

[From the Journal of Commerce, June 5.]

It is incomprehensible that the Senate should have passed a bill establishing the silver standard in the islands. It is the more astonishing that it should have done so in a bill which provides that the bonds to be issued for the acquisition of the friars' lands and the local improvement bonds to be issued by municipalities shall be gold bonds. In the face of all the experience we have had in twenty-five years, and all the experience of Mexico and India and other countries, the Senate has voted to establish in our islands a silver standard currency and gold obligations. Nothing could be more injurious; nothing could more insolently defy the teachings of reason and experience and contradict the conclusions reached by the American people after a generation of agitation.

[From the New York Evening Post.]

The question what kind of money we shall sanction in the Philippines ought to be determined in harmony with the world's progress, and not in conflict with it—that is, in favor of the gold standard. A few years ago Japan was confronted with the same question. She had nominally the double standard, but actually the single silver standard. In order to keep pace with civilized nations, she found it necessary to adopt the gold standard. The market ratio between silver and gold at the time when she decided to take this step was 32 to 1. She accordingly decreed that the gold yen should bear that relation to the silver yen as to past contracts, and that for the future gold should be coined in unlimited quantities for private individuals, but that silver should be coined only on Government account.

The plan was carried out successfully, and no harm was done to anybody. The experience of India is no less useful as a guide. That country has passed successfully from the single silver standard to the single gold standard by taking as a basis and point of departure the actual market value of the two metals at the time when the change was decided upon—16 pence per rupee. The coinage of rupees was prohibited except on Government account, the English sovereign was made legal tender in India at that ratio, and gold coinage for private persons was authorized at the Indian mints in unlimited amounts. There is no occasion for a special coinage for the Philippine Islands. A special silver coinage would be a step backward. It would be an injury in the long run to the Filipinos, and would tend to a recrudescence of silverism in the United States.

I also insert a letter, published in the New York Tribune on June 2, from Dr. James C. Hallock, an expert on the subject of coinage, calling attention to the effect which this new Philippine coinage will have on our own monetary circulation. It is as follows:

[New York Daily Tribune, Monday, June 2, 1902.]

PROPOSED FILIPINO COINS—PESSIMISTIC VIEW OF A CORRESPONDENT ON THE EFFECT OF PENDING BILL.

To the Editor of the Tribune.

SIR: Counterfeiting is a serious charge to make against any nation, particularly against one's own. On Tuesday next, June 3, the Senate will doubtless vote for the issue of seven more coins of the United States, to wit: Another silver dollar, another 50-cent piece, a 20-cent piece, another 10-cent piece, another nickel 5-cent piece, another bronze cent, and a half cent.

But the United States Government will nowhere receive the new dollar for a dollar, nor the 50-cent piece for half a dollar, nor the 20-cent piece for one-fifth of a dollar, nor the 10-cent piece for a dime, nor the 5-cent piece for half a dime, nor the cent for a cent, nor the half cent for half a cent. The metal in these queer coins will be the same as in the present pieces of similar denominations. In none will the weight be less; in the dollar and cent it will be more. The new coins will be practically identical with the old. However, as the United States Government will not receive them in payment outside of the Philippines, they will really be frauds in America, counterfeits of United States coin, and none the less so because the Government will be the counterfeiter.

As soon as the United States Government shall go into the business of counterfeiting, private counterfeiters will change their methods. They will no longer expose themselves to severe penalties of fine and imprisonment by secretly counterfeiting United States coin, but with perfect safety procure these counterfeiters which the Government will make and put them into our circulation. The new pieces being coined for use in the Philippines, where the government will receive the new dollar for the value of the silver in it (now 40 cents), and the other coins in proportion, these reformed counterfeiters and others will be able to procure there through brokers at the rate of 40 cents on the dollar.

In my letter published in the Tribune on April 14, 1902, attention was called to the new trade dollar proposed by the Senate Committee on the Philippines. The currency of the other trade dollar coined under the act of 1873 and its final redemption under the act of 1887 show that such a piece will enter into our circulation to a large extent, and that after people have suffered from its intrusion for a number of years Congress will grant relief by authorizing and directing its redemption. This will surely be the outcome of the coinage of the new pieces and their introduction into our domestic circulation.

At first some difficulty may be met with in introducing the new dollar, for people, remembering the annoyance and loss which the other trade dollar occasioned, may be somewhat on their guard. There are, on the other hand, three of the new pieces which will enter into our circulation as if greased. They are the 50-cent piece and 10-cent piece, which will contain silver of the same weight and fineness as our half dollar and dime, and the 5-cent piece, containing the same weight of nickel as our current nickel. Who is going to stop and examine every half dollar, dime, and nickel tendered to see if it be marked "Filipino"? These are the pieces that will be incessantly pushed upon us with the greatest industry.

Brokers will get the 50-cent piece in the Philippines for 20 cents, the 10-cent piece for 4 cents, the nickel for 2 cents, to put them into circulation here at a profit of 150 per cent. Every \$1,000,000 introduced will mean a profit of \$600,000 to private parties and no profit to the Government, but only shame, disgrace, and curses for its stupidity in issuing such counterfeiters of its own coin. There will also be vexatious annoyance from palming off the 20-cent piece for a quarter and the half cent for a cent. The new cent,

two-thirds larger than our current cent, thus indicating a substantial difference in weight, will not suffer in public estimation on that score and will readily circulate.

If this most unwise duplication of our current coins is carried into effect to provide the Philippine Islands with United States coin, millions of them will be brought to this country and circulated here. Two years hence no one will be able to tell what United States coins he has in his pocket or his till unless he shall have carefully scrutinized every one upon its receipt. Few people will take that trouble.

JAMES C. HALLOCK.

WESTMINSTER, CONN., May 31, 1902.

Mr. SHAFROTH. Then you are not in favor of the provision of the committee's bill?

The CHAIRMAN. The time of the gentleman from Connecticut has expired.

Mr. HILL. I ask for five minutes more.

The CHAIRMAN. Is there objection?

Mr. SHAFROTH. I am willing, if five minutes be allowed on this side.

Mr. SMITH of Kentucky. I object.

The CHAIRMAN. The question is on the adoption of the motion of the gentleman from Virginia to strike out the section.

The motion was not agreed to, there being—ayes 45, noes 84.

Mr. SHAFROTH. I offer the amendment which I send to the Clerk's desk.

The Clerk read as follows:

Strike out section 58 and insert in lieu thereof the following:

"That the Philippine government is hereby authorized to establish a mint at the city of Manila, in the Philippine Islands, for coinage purposes, and the coins hereinafter authorized may be coined at said mint. And the said government is hereby authorized to enact laws necessary for such establishment: *Provided*, That the laws of the United States relating to mints and coinage, so far as applicable, are hereby extended to the coinage of said islands."

Mr. HILL. I desire to offer an amendment as a substitute.

Mr. SHAFROTH. I ask that ten minutes be allowed for debate—five minutes on each side. It seems to me that where a proposition of this kind has come to this House from the Senate it is entitled to serious consideration. [Cries of "Regular order!"]

The amendment of Mr. SHAFROTH was rejected, there being—ayes 55, noes 89.

The Clerk read as follows:

SEC. 59. That there shall be coined for use in the Philippine Islands a coin of the denomination of 1 peso, which shall contain 25 grams (a) of silver of the fineness of .885. The peso shall be divisible into 100 equal parts, called centavos, and there shall be coined silver pieces of 50 centavos, 20 centavos, and 10 centavos, containing silver of the same fineness and in equal proportions with the peso.

Mr. HILL. In order that I may get five minutes time for debate, I move to strike out this section. I shall withdraw the motion when I am through.

Mr. Chairman, my intention has been for several weeks to offer an amendment substituting American money for the class of money provided by this bill. The bill as it stands provides for the gold standard and the coinage of silver at the ratio of 32 to 1. I want to say to the Republican members of this House that after a more careful study of this question than I have given to any other during this session, I am convinced that this proposition is a mistake.

Right alongside of that I want to put the statement that Lyman J. Gage, late Secretary of the Treasury, says I am wrong, and he thinks that the provisions of the pending bill are better, for the present at least, than would be a provision for American money, which I would substitute. I want to be perfectly fair about this proposition. Personally I think it is a mistake, but at the same time I shall vote for this bill because I will not set up my judgment against the judgment of such a man as Lyman J. Gage. I have been to the War Department and found this fact, which substantiates what I saw personally in the Philippine Islands—that the money of account, the money of commerce, to-day in the Philippine Islands is American coin.

I believe it is a mistake to start off a new government and a weak government like that of the Philippine Islands by putting them into the banking business, as we propose to do, and compelling them to maintain the parity between gold and silver at any ratio. I would have them treated just as we are treating Porto Rico and Hawaii.

Mr. McDERMOTT rose.

The CHAIRMAN. Does the gentleman yield to the gentleman from New Jersey?

Mr. HILL. Oh, I can not; I have but five minutes. There is to-day in the Philippine Islands more American money than all other kinds of money put together. We have sent there from the Pay Department \$24,455,429.91 in cash, to say nothing of \$12,040,818.04 in drafts. We have sent from the Quartermaster's Department \$3,070,000; from the Commissary Department, \$370,000, making about \$28,000,000 in cash, on the gold basis, that we have sent to the Philippine Islands, and as far as it can be traced through the British and Hongkong bank only \$1,000,000 has been

taken away. The committee do not claim that prior to our occupation there was more than forty millions of silver there, now worth about \$17,000,000 gold. I have the newspapers of Manila here. You can take those advertisements. There are 12 advertisements in that paper which specify prices, and 11 out of 12 are in American money and one in Mexican—everything, theaters, restaurants, employments of various kinds, all naming American money.

Mr. SHAFROTH. That is an American paper, is it not?

Mr. HILL. Oh, certainly; there are no others published, which I saw, in the Philippine Islands except American.

Mr. SHAFROTH. Oh, yes; there are.

Mr. HILL. And the salaries of employees, the Army, are all paid in American money, and in my judgment it would be far better for us to-day, if we had time to discuss this thing and discuss it on the merits, to put the American money, not only gold, but silver, into the Philippine Islands and let the securing of gold for commercial purposes be a banking proposition, just as it is in Porto Rico and Hawaii.

You take the reports of banks there to-day. The bank deposits on December 31 showed \$2,566,600.69 of American money, and they have got to have it. They have got to have their duties paid in American money. The report on June 15 showed that the insular funds in American money were reduced to about \$615,000 unappropriated. But I am not going, here within an hour of the closing of debate on this bill, to introduce a proposition as important as this and antagonize this committee for this reason, I want to say to the chairman of the committee: It is in your power in the conference committee, under the terms of the bill as it now stands, to report back to these two Houses either the proposition of the bill or American money, or the Senate proposition.

That is for you to consider. I am not introducing this amendment to-night. I think you are wrong; I believe honestly you are wrong. I believe the purpose and the effect of your 32 to 1 silver coinage under your gold-standard law will be that the money of commerce will be gold and that the poor peasant on the farm in the Philippine Islands will take his peso, supposing that it is an American dollar or its equivalent, and for that reason I am against it, but it is too late. I do ask, however, of the committee that when they go into conference they will very carefully consider that proposition.

[Here the hammer fell.]

[Mr. MERCER addressed the committee. See Appendix.]

Mr. COOPER of Wisconsin. Mr. Chairman, I have only a word or two to say in reply to the gentleman from Connecticut [Mr. HILL], and then I shall move to close debate on this section. The gentleman from Connecticut admits that Mr. Gage, the late Secretary of the Treasury, to whom he wrote for an opinion upon the subject of this coinage plan, replied that he, Secretary Gage, believed not in the introduction of the American coinage, but in the plan incorporated in the pending bill.

In addition to that we have Professor Hollander, who was in Porto Rico at the time of the substitution of the coinage there, and he said that he is strongly opposed to any proposition to abruptly substitute American coinage in the Philippines, and that if they were to do it over again in Porto Rico they would adopt a different plan to introduce it there.

Mr. HILL. The governor says no.

Mr. COOPER of Wisconsin. Then we have another gold expert, Mr. Conant, and here I have a letter recently received at the War Department, written by Professor Jenks, who was secretary of the Industrial Commission. He was requested by the Secretary of War to go to the archipelago and study the industrial and financial conditions there. After investigation there, he writes a letter to Colonel Edwards of the War Department, from which I will read an extract:

The result of this is that I am very positively of the opinion that Conant's plan (that is, the plan embodied in this bill, originally suggested by the Taft Commission two years ago) is better than free silver under conditions as they are here. I should myself favor free silver instead of the American gold standard, although I think probably the Commission would not. Conant's plan is, however, I am certain, very much better than either.

Then we have the testimony of George E. Roberts, the Director of the Mint, who says that the abrupt introduction of American coinage in the Philippines would be inadvisable at this time. I can put the argument all in a nutshell. Millions of those people are not well educated. They are but little traveled. They are a people of tribes, of different languages, full of prejudices.

The proposition to introduce pure American money amounts to this: To introduce an American silver piece of a certain size which is worth twice as much as a silver piece of exactly the same size of their money. They would look at the size of the coin, so Mr. Conant and Mr. Roberts say, and so the Commission say, and so all the experts say who have testified before us, and the ignorant people among them would wonder how this piece of silver of the

same size as their money could be worth twice as much. There would be confusion and distrust.

The object of the Commission now is to make a token coin; to stabilize it, so to speak, with reference to our gold dollar; to put it at the ratio of 2 to 1; to make it a sufficiently low token coin, so that it will not leave the islands. In other words, to adopt the exact plan which England adopted in British India when she took a rupee, which is worth 19, and made it worth 32 in exchange value, and kept it at that ratio with the sovereign. It has gone at that ratio ever since, and they have more gold in their treasury than they know what to do with, according to their official reports.

Mr. HILL. Will the gentleman yield for a single question?

Mr. COOPER of Wisconsin. I do.

Mr. HILL. I do not wish to misunderstand the gentleman, but I want to know if I understood him correctly. [Cries of "Vote!" "Vote!"]

Mr. TAWNEY. Mr. Chairman, a question of order.

The CHAIRMAN. The gentleman will state his question.

Mr. HILL. I desire to ask the chairman of the committee [Mr. COOPER of Wisconsin] if I understood him correctly that he would prefer the free coinage of silver under the Senate proposition to the straight adoption of American money?

Mr. BARTLETT. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BARTLETT. How is this debate proceeding?

The CHAIRMAN. By unanimous consent.

Mr. BARTLETT. I object.

The CHAIRMAN. The time for debate has expired.

Mr. COOPER of Wisconsin. I ask unanimous consent that the gentleman from Connecticut may ask his question.

Mr. SMITH of Kentucky. I object.

The CHAIRMAN. The question is on the motion of the gentleman from Connecticut to strike out the paragraph.

Mr. HILL. I withdraw the motion.

Mr. SHAFROTH. Mr. Chairman, I desire to offer an amendment.

The amendment was read, as follows:

Strike out the section and insert:

"That the said Philippine government is authorized to coin a silver dollar, which shall contain 416 grains of standard silver, and the standard of said silver coins shall be such that of 1,000 parts by weight 900 shall be of pure metal and 100 of alloy, and the alloy shall be of copper. And upon the said silver dollar there shall be devices and inscriptions to be prescribed by the government of the Philippine Islands, with the approval of the Secretary of War of the United States, which devices and inscriptions shall express or symbolize the sovereignty of the United States and that it is a coin of the Philippine Islands, together with the denomination of the coin expressed in English, Filipino, and Chinese characters, and the date of its coinage."

[Mr. SHAFROTH addressed the committee. See Appendix.]

Mr. SOUTHWICK. Mr. Chairman, the pending bill provides for a temporary administration of the affairs of the civil government in the Philippine Islands. Its provisions have been lost to sight on account of the wide range of debate and, at times, the violence of partisan discussion. Yet, so far as the bill proper is concerned, I question whether there is any member of the House of Representatives who can conscientiously and patriotically oppose its passage. The title of the measure indicates the spirit and purpose of every line of legislation involved in the bill. Provision is made for an organic law for nearly 10,000,000 human beings, or more than three times as many Americans as inhabited the 13 colonies when our great experiment in free government was actually undertaken on the Atlantic slope in 1789. These millions of Filipinos are divided into many classes and tribes. They speak many languages and dialects. They occupy an archipelago comprising many islands, provinces, and municipalities. While the Senate bill and the House bill have in view practically the same object, they differ in detail.

Personally, I prefer the House bill, because it provides, as the Senate bill does not, for a Philippine congress in which the Philippine Commission is to be the senate and the lower house is to be composed of Filipinos elected by those who shall be entitled to vote under certain conditions provided by the bill. To my mind this is by far the leading provision of the measure which is under consideration. It provides a popular participation in the Government of the Philippine Islands, and is earnestly desired by leading Filipinos, by Governor Taft, and by the Philippine Commission as highly desirable, in order to give to the people of the islands not only experience in governmental affairs, but greater satisfaction with the existing authority of the United States. In other words, the House bill seeks to reduce the military power in the Philippines. It enlarges the civil power and gives a much greater measure of local self-government to the Filipinos than they now enjoy.

This is a move in the right direction, and fittingly supplements the steady progress toward higher and better things which has marked affairs in the Philippines since Americans first set foot on the island of Luzon. I believe that every citizen of the United

States should be proud of what has been accomplished in the far-off islands of the Pacific during the brief period of American occupation.

In all the islands where peace prevails and law and order reign, schools have now been established. In the period of Spanish domination educational institutions were confined to Manila, Iloilo, and a few other of the larger cities. To these centers of population few were able to send their children from the outlying districts, and at best they could secure a mere smattering of education there. American rule, however, has given schools to the masses, until to-day there is scarcely a town of importance on any island which has been pacified that does not enjoy the blessings of a free public school. The legislative reports show that nearly 200,000 pupils have been enrolled, against a maximum enrollment during Spanish domination of 30,000. Moreover, not included in the figures given are more than 20,000 adults attending night school in the city of Manila, all of whom are eager to learn our language.

In the Philippines, as in every other country whose natural resources have not been developed, the land question is of the highest importance. The policy which we have pursued in permitting homesteaders to settle on the public domain, and causing the wild spots to blossom and produce, is to be pursued in the Philippines. The great drawback under which the people of the archipelago have labored for centuries, that of the control of large tracts of land by the religious orders, is to be removed. Provision is made for buying the lands owned by the friars; and these domains are to be opened for settlement by the Filipinos. In order that the lands may be used for the purposes desired, provision is to be made for limiting the land holdings of corporations to small amounts. We are to introduce into the Philippines the land policy which has made the Western section of our own country great and prosperous.

The marvelous and perhaps unprecedented feature of the American occupation of the Philippines is that civil government has followed in the very wake of the army. Military pacification has immediately been followed by the establishment of civil institutions, and in many instances the governors of provinces who have been selected are native Filipinos. It is a matter for congratulation that in the pacified provinces the people are resuming their wonted occupations—principally agricultural pursuits—which had been neglected in a large measure since 1896. In the cities manufacturing and commercial pursuits likewise have been resumed; and the marvelous feature not only in Manila, but in the other cities throughout the islands, has been the marked increase in the wages of laborers since the American occupation.

Furthermore, in the Philippines, as in Cuba, American methods have promptly taught the necessity for proper sanitation; and, as the dreaded yellow fever has practically been stamped out under American military rule in Habana and Santiago, so in the city of Manila the death rate has been reduced one-half during the short period which has elapsed since American soldiers and marines first disembarked on the water front of the Philippine metropolis.

To native governors has been added a native constabulary which has been organized and developed into a thoroughly equipped branch of the public service; and the native officers and men, in a fearless discharge of their duties, have well supplemented the efforts of the army in clearing both the highlands and the lowlands of roving bands of banditti. Law and order have been restored throughout most of the 127,000 square miles of Philippine territory.

Courts of justice of the American order have been instituted, where for the first time in the history of the islands justice has been administered impartially between both the rich and the poor; and the Filipinos are beginning to realize that their personal liberties are safe-guarded as would never have been possible under Spanish rule, nor under the despotism of Aguinaldo.

Roads and highways have been built, bridges have been constructed, cables and telegraph and telephone lines have been laid, and provision is now being made for making of the bay of Manila the best harbor in the Orient.

These developments but partially indicate the real progress which has been made under the wise administration of the Philippine Commission, and some day not only the Filipinos, but Americans generally, will realize the high character, persistent industry, and extraordinary genius of that great man who heads the Philippine Commission, and who has devoted the best years of his life to bringing order out of chaos and providing good government for the people of our new-found possessions in the Pacific. To what extent the transformation from military rule to civil rule has proceeded in the Philippines can be appreciated only by those who have followed the daily records of the progress which the Taft Commission has made. Nothing could more eloquently tell the rule of military pacification and civil rule

than the statement sent to the Senate as late as June 19, by Secretary Root, wherein it appears that the number of troops in the Philippines is now only 23,000, whereas on the 1st of June, 1901, there were more than 70,000 American soldiers in the islands. Moreover, orders already issued will presently reduce the number of troops in the Division of the Philippines to 18,000.

Mr. Chairman, the consideration of the pending measure has been marked by acrimonious and partisan discussion. A Democratic minority, searching for an issue, has arraigned the national Administration as being guilty of imperialism and has attacked the Army of the United States with a venom not witnessed since the war of the rebellion. Personally, I am not in the slightest degree deterred from my support of the pending measure by reason of the charges of imperialism. I heartily favor the Philippine policy into which the American people were originally drawn by reason of the destruction of the battle ship *Maine* and the war with Spain. I fully approve the policy of the United States in dealing with the people of the Philippines from the day Dewey's fleet entered the harbor of Manila. More than that, I approve our entire policy in the Pacific Ocean, which has added not only the Philippines, but also the Hawaiian Islands and the Ladrones; which has dotted the Pacific Ocean with American coal heaps and given to our Navy a line of easy communication from San Francisco, 8,000 miles across the ocean, to Manila, which lies within twenty-four hours of the coast of Asia.

I believe that we are in Manila to-day and occupying the Philippines as rightfully and as lawfully as we are in possession of New Orleans and St. Louis. I have no patience with the Democratic policy which prevails on the other side of this Chamber, and which manifests itself in the cry of imperialism and the demand that our Army and Navy shall be withdrawn from the Philippines. There never has been a time since Dewey's men first raised the Stars and Stripes over the arsenal at Cavite when we could honorably have withdrawn. The exigencies of war compelled us to capture Guam and Manila and annex Hawaii. When our battle ships demolished the Spanish fleet and our soldiers and marines took possession of Manila, we overthrew the power of Spain, which, prior to our advent, had stood for the maintenance of law and order and the protection of life and property.

When our war with Spain began insurrection in the Philippines against Spanish authority was a thing of the past. Aguinaldo and his principal lieutenants, numbering 34 in all, had been bought by Spanish gold and sent out of the archipelago. Aguinaldo himself did not return to the neighborhood of Manila until May 19, 1898, or eighteen days after the Spanish fleet had been destroyed by Dewey and Manila was at the mercy of his guns. There were hundreds of Spanish families—men, women, and children—families of German and English business men, and also thousands of Spanish prisoners in the hands of our troops when Manila surrendered to Admiral Dewey and General Merritt.

The United States Army was absolutely responsible for the protection of the people of the city and its interests. It was subsequent to the capitulation of the city, and during the period which elapsed between that event and the signing of the protocol, after the capture of Santiago, that Aguinaldo, fortified by Spanish gold, was busy heading a conspiracy which ultimately developed into open warfare against the sovereignty of the United States. In this connection the recent testimony of Admiral Dewey should not be forgotten when he declared: "I will say that I believe he [Aguinaldo] was there for gain—for loot, for money—and I further believe that independence never entered his head."

That Aguinaldo organized a conspiracy against the American troops during the period between our naval victory of May 1, in Manila Bay, and our final conquest at Santiago early in July is not open to question, and is now a matter of history. And that this conspiracy continued during the existence of the protocol into which Spain and the United States had entered, prior to the ratification of the treaty of Paris, is also patent. Our troops occupied Manila and its suburbs, quietly and inoffensively, and outside of certain established lines they did not venture.

Any other course on the part of the United States than the maintenance of sovereignty and law and order in Manila would have been a crime of crimes, and would have let loose upon the civilized population of the city and its extensive business interests a horde of Filipinos whose entrance would have been marked by such atrocities as have always attended a savage invasion since the beginning of time. It would not have ended with the accomplishment of the object which Admiral Dewey attributes to Aguinaldo—the mere accumulation of money—but would have resulted in general slaughter, pillage, rapine, and ruin. And the United States would have been branded by the civilized world as a despicable coward and as a traitor to the very cause of civilization. [Applause.]

In view of the horrible possibilities which would have attended the departure from Manila of the army of Merritt and the fleet of Dewey, it is childish to claim that, then and there, the United

States could have avoided the responsibilities in the Philippines which now it is obliged to face. Had we, in weakness and cowardice, withdrawn after having fought to destruction the dominion of Spain which, despite all the errors of misrule, at least stood for the cause of law and order, it would have been necessary for Great Britain or Germany, or both, to enter Manila Bay, and, landing their marines and sweeping the streets of Manila with shot and shell, restore order and protect the foreign population and the business and commercial interests of Manila against the horde of Aguinaldo. [Applause.] How despicable a figure the United States would have cut, in running away from the responsibility which concerned it, does not require extensive consideration.

It was while the United States troops were occupying Manila, and simply protecting it from the army of Aguinaldo, which was mobilizing on the outside, that the trouble began. The instructions to our troops from General Otis were to avoid a conflict with these Filipinos under all circumstances. But with ribald jest, with curses and indecent oaths and insults—to employ the language of General Funston—

They taunted us as cowards and dared our men to open fire. \* \* \* Nearly all of us, I think, realized that it was not a question of months, but a question of a few days until the clash must come. Aguinaldo and his paper government, his cabinet, and his self-appointed congress retired to Malolos and there issued proclamations. Finally, two weeks before the beginning of the war, an insurgent captain, who refused to respond to the challenge of the sentry of the city of Manila, was shot dead. That was the first actual clash.

About three days after that, a private soldier of the First Montana Regiment who was on sentry duty outside of the city was approached by a man with a rifle about 10 o'clock at night. He gave the usual challenge, but the man did not respond, and instead of that fired at him at a distance of a very few yards, but, Filipino-like, missed him. Only two days later a private of the South Dakota regiment, on outpost 2 miles north of the city, was approached by apparently an unarmed native who asked him for a match. The sentry started to hand him one, when he drew a bolo—a native knife about 2 feet long—and gave him a terrific blow across the face, cutting him from the top of the skull down to the chin; and, I am glad to say, within a half a second the native fell dead, shot through the heart.

A few days later a drunken mob of Filipinos, partly officers and partly soldiers of Aguinaldo's army, attempted to rush through the lines of the First Nebraska near Santa Casa, when the presence of Colonel Sterns, that magnificent soldier who fell at Cang Co, prevented a fight from opening at that time. He had great influence over the natives and over his own men and he induced them to retire. Three days later an insurgent lieutenant and two soldiers approached a sentry on the Santa Lucia bridge, 3 miles east of Manila. The sentry, in accordance with orders that sentries usually have, challenged the three at once, and, instead of turning, the men gave him an insulting reply, came forward, started to cross his post, and he fired, and by one shot killed the lieutenant and one soldier. The remaining soldier ran back to the insurgent line after this shot rang out and the First Nebraska was ordered out.

Of course there was a great deal of excitement, and everybody thought it was like the incident of the attempt to assassinate the sentry of the Montana regiment, which resulted in the shooting of the Filipino captain in Manila; they also thought that the thing was ended for the time being, but within a minute or two rifle firing broke out from the insurgent trenches in front of the First Nebraska Regiment and the war had begun.

Instantly sky rockets were fired into the air as a signal of attack, and rifle firing began all along the line of the insurgents.

This outbreak occurred just before the time of the ratification of the treaty of Paris; and when the question is raised, whether or not the American soldiers had the right to return the Filipino fire and defend themselves, I can only quote the words of Senator SPOONER:

We had a perfect title to whip any body of troops that attacked our men anywhere under God's heaven.

The insurrection in the Philippines against the authority of the United States had begun, and the President of the United States had the same right to employ the Army to put it down as he would have had in case of an Indian outbreak in New Mexico or Arizona. There was never any shadow of turning from the policy in the Philippines which was inaugurated by President McKinley and has been continued by his successor. If our Army and Navy could not withdraw while the interests of civilization and humanity demanded that it should protect the people and the interests of Manila after Dewey's victory, there was a double, even a triple reason why it could not in honor be withdrawn after it had been assailed in open warfare by the Filipinos and after the ratification of the treaty of Paris had given to our Government sovereignty over the islands by as perfect a title as that by which we possess any considerable area of territory within the continental boundaries of the United States.

I can not understand how any political party searching after a winning issue could propose a policy of scuttling so far as the Philippines are concerned. Had this policy been pursued by President McKinley in 1898; had the flag which Dewey's men raised over the arsenal at Cavite been hauled down; had our troops been mobilized within the confines of Manila and placed aboard the transports, and had battle ships, monitors, cruisers, and transports sailed away, eastward-bound for San Francisco; had all the horrible results which shortly would have attended the irruption of Aguinaldo and his army into Manila been realized, the election days of 1898 and of 1900 would not have rolled round soon enough to satisfy the American people in its overwhelming demand that a political party and an Administration composed of cowards

should be deprived of all power in the legislative and executive branches of our Government. [Applause.] Even the irresponsibility of a political minority does not justify the Democrats in Congress in disputing the sovereignty of the United States in the Philippines. [Applause.]

Loose talk regarding "imperialism" should deceive no one regarding the policy of the United States in the Philippines. It is the duty of our country to establish a stable form of government at Manila just as much as it was to drive the Spaniards out of Habana and establish a new government there after the iniquity of the *Maine's* destruction had been laid at the door of Spain. Our policy in the Philippines is in line with the policy which has prevailed from the foundation of the Government, with this qualification, there never has been an extensive addition to the territory of Uncle Sam where military rule has given way so quickly to civil authority, as in the case of these islands of the Orient.

How strange that the shades of Thomas Jefferson should be invoked by those who rebuke us for imperialistic innovations. This cry of imperialism, like many other partisan cries, is not without precedent. It broke forth in a perfect storm of popular disapproval, so far as the Federalists were concerned, around the devoted head of the author of the Declaration of Independence. He had purchased Louisiana as we have purchased the Philippines. For months after the great territory had been bought from Napoleon—greater in area than the entire thirteen colonies with all their territories—our new-found possessions had no government except the will of the President, and it was even treated as foreign territory for tariff purposes.

We purchased New Orleans and St. Louis, as we have purchased Manila and Iloilo. We purchased the French and the Spanish, and all the aborigines of that vast territory of Louisiana, just as we have purchased the Tagals of Luzon and all the outlying tribes and peoples of the islands which go to make up the Philippine Archipelago. President Jefferson governed the people of Louisiana without their consent. He divided his purchase into two Territories—that of Louisiana and that of Orleans—and in the act providing for this division, passed on his recommendation, the governor and secretary, and every member of the council, which was the only legislative body of the Territory of Orleans, was appointed by Jefferson; that is, the people of our new-found possessions were not allowed to elect a single member of their legislature, while under the House bill which is pending here, when order shall be restored in the Philippines the people of those islands can elect every member of the popular branch of a legislature which is provided for in this bill.

Jefferson went further in the direction of what our friends call imperialism in his treatment of the possessions purchased from France than has ever been dreamed of in connection with the government of the Philippines. [Applause.] The Federalists termed him a tyrant worse than Charles the First. When the anti-imperialists of those days talked about the constitutional rights of the people of Louisiana, Jefferson's staunch Democratic friends in Congress insisted: "Louisiana is a territory purchased by the United States and not a State;" and further: "Whatever limitation the Constitution fixed to the power of Congress over the State it fixed no limitation to the power of Congress over territory."

Jefferson and the Democracy insisted that they would govern Louisiana, not under any constitutional grant of power, but by the right of acquisition, as they saw fit. They did so govern, and they were prepared to use the Army of the United States if necessary to enforce our sovereignty within the borders of Louisiana. If there be any doubt on this point, read the President's message to Congress in June, 1804, wherein he stated that he had called out the militia in Ohio, Kentucky, and Tennessee and held the troops in readiness to crush out the opposition that might develop in Louisiana.

We had our anti-imperialists in those days—timid souls who viewed with alarm the expansion of our territory, the development of our resources, and the increase of our power. Some insisted that the territory east of the Mississippi River and its outlet to the Gulf should alone be retained; that the territory westward of the Mississippi was worthless and should be sold. Their names are not recalled at the present day. [Applause.] The memory of Jefferson, an "imperialist," will live as long as our institutions last, and even until the records of civilization shall have passed away, not only as the author of the greatest declaration handed down to man since the time of the Sermon on the Mount, but also as an expansionist and an imperialist who added to our possessions and our sovereignty the great Valley of the Mississippi and the great Northwest. [Applause.]

It was a sign of political decadence and of approaching dissolution that the Federalists of 1804 opposed the extension of the boundaries and the sovereignty of the United States; and the Hartford convention was scarcely needed to eliminate a moribund party from the political situation in this country.

The acquisition of Florida from Spain raised similar opposition from the anti-imperialists of 1818, and our records show the same shallow talk about "the enslavement of unfortunate people," "the purchase of human beings," "the use of the United States Army in extending our sovereignty by brute strength." But this is all of the past. To-day no sentiment exists in favor of ceding Louisiana back to France and Florida back to Spain. [Applause.]

The eloquence of Tom Corwin could not prevent the American eagle's being carried into the halls of the Montezumas; could not prevent the annexation of Texas and the acquisition of California and the Southwest. And perhaps the most lamentable episode in the career of our greatest orator and constitutional exponent is that wherein Daniel Webster, anti-imperialistic-like, withdrew to Boston and viewed the plains, valleys, and mountains of the Far West as his descendants to-day cry against the acquisition of the Philippines.

Almost within the memory of the present generation it was repeated over and over again that Alaska was worthless; that Russia had been for years endeavoring to give that territory away; that the United States had been victimized when it bought Alaska with gold—bought the land, bought the people, bought the forests above and the minerals beneath, just as Jefferson bought the territory of Louisiana. But Uncle Sam has never engaged in a great real estate operation which the American people have regretted. [Applause.] Even barren and frozen Alaska has developed a Klondike. [Applause.]

How quickly and how thoroughly President McKinley proceeded to supplement military conquest with civil rule, in which the native Filipinos should be given the highest degree of home rule compatible with existing conditions, is clearly shown in his instructions to the Secretary of War as early as April 7, 1900, when he recalled this extract from his message to Congress of December 5, 1899:

As long as the insurrection continues, the military arm must necessarily be supreme, but there is no reason why steps should not be taken from time to time to inaugurate governments, essentially popular in their form, as fast as territory is held and controlled by our troops.

In announcing to the Secretary of War the selection of a Commission headed by William H. Taft, President McKinley gave these instructions:

You will instruct the Commission to proceed to the city of Manila, where they will make their principal office, and to communicate with the military governor of the Philippine Islands, whom you will at the same time direct to render to them every assistance within his power in the performance of their duties. Without hampering them by too specific instructions, they should in general be enjoined to make themselves familiar with the conditions and needs of the country; to devote their attention, in the first instance, to the establishment of municipal governments in which the natives of the islands, both in the cities and in the rural communities, shall be afforded the opportunities of managing their own local affairs to the fullest extent of which they are found capable, and subject to the least degree of supervision and control which a careful study of their capacities and observation of the workings of native control show to be consistent with the maintenance of law and order and loyalty.

Thus we clearly perceive that, even while the insurrection engineered by Aguinaldo was in full blast, the President of the United States was taking proper and practical measures toward supplementing military with civil control at the very earliest practicable moment, and giving to the natives the fullest measure of home rule possible. Truly such utterances on the part of the lamented McKinley did not savor in the slightest degree of imperialism. On the contrary, they indicate clearly his determined policy of restoring civil rule at the earliest practicable moment to a greater degree than obtained at any prior period, in the history of our own country, when new-found territory has been added. Thus, California, for instance, for four years after it became United States territory, from 1846 to 1850, was under the direct and supreme control of the Army authorities.

Alaska remained without civil government for more than thirty years after the territory had been purchased from Russia, and only now is being favored with the civil institutions which President McKinley insisted should follow in the very wake of our army in the Philippines. While it has been the aim and policy of the American people, whenever new territory has been added, to extend to its new-found citizens the blessings of civil institutions, nevertheless, during our entire history no case can be found where this policy of superseding military with civil control was so quickly, so systematically, and so thoroughly pursued as in the case of the Philippines.

It is not surprising, therefore, that, during this entire protracted and acrimonious discussion of the pending bill our Democratic friends have persistently refused to direct their attention to the provisions of the bill itself. The record which the Taft Commission has made, in establishing civil institutions in the archipelago, is not open to adverse criticism. The Commission has performed its duties faithfully and well. All accounts agree as to the excellent progress which it has made, and at no time has there been friction between the military power and the newly established civil institutions in the islands.

The order of President McKinley of April 7, 1900, appears to have been obeyed in spirit as well as letter. And this pending bill is designed to supplement the work of the Taft Commission and give to the people of the Philippines a greater participation in civil affairs than they enjoy to-day. It is significant, I say, that with all the varied and vicious opposition to this bill which has been manifested by the Democratic minority, it has really never directed its attention to the bill's provisions. We have heard resonant denunciations of imperialism and imperialists, wild demands that independence should be granted to the Filipinos, vigorous insistence that the United States should adopt a policy of scuttle; and, last and principally, I regret to state, the most slanderous, disgraceful, and unpatriotic denunciation of the Army of the United States, its officers and its privates, which has ever been heard within the walls of this Chamber and the legislative Chamber at the other end of this building.

The only possible explanation of the Democratic policy toward the Army of the United States, which has recently been exhibited here, is that the minority is floundering around in search for an issue.

From what I have read in the newspapers and magazines, and from numerous conversations with private citizens, I believe that the Democratic party is again manifesting its capacity for blundering. From the day when our troops first arrived in Manila and begun the pacification of the island of Luzon; in the case both of volunteer troops from the States, as well as the regular troops of the United States Army, we have seen manifested not only here in Congress, but throughout the columns of the entire Democratic press, with here and there an honorable exception, a tendency to magnify all reports from the Philippines which might be construed as indicating brutality on the part of American officers or privates in dealing with the Filipinos.

That occasionally American soldiers in the Philippines, as elsewhere, have forgotten the duties which they owe to their enemies and to themselves is not to be doubted. But the treatment of such cases has not been left by our Democratic friends to the constituted military authorities. They have not waited to discover whether these cases have been brought to the attention of courts-martial, or where cases have been tried by the military courts they have not waited for the judgment of such tribunals. They have prejudged; they have invented; they have overlooked the improbability of reports of American cruelties to the Filipinos.

They seem to have forgotten the hard common sense of the American people, which distinctly tells our people that the very natures of American soldiers are not transformed by the fact that they are fighting their country's battles 8,000 miles out on the Pacific; that Americans are Americans in any other part of the world; that they are by far the fairest fighters in the world. Time and time again, since this Democratic policy of attacking the Army was inaugurated, both in and out of Congress, facts have demonstrated that the alleged outrages inflicted by American troops were either fabrications or gross exaggerations.

And the fact has not escaped the attention of the American people that the Democratic minority in its criticism of the Army has directed its attention entirely to our own officers and soldiers and has overlooked the fearful atrocities which the Malays of the Philippines have perpetrated against our troops. The Malay is far from an attractive creature. When we go back in the history to discover our first knowledge of him we find him playing the rôle of a cannibal—a man-eater. And to the natural savagery of the Malay there has been added, among the Filipinos, the cunning and cruelty acquired from the Spanish.

The news accounts from the Philippines have given scores and hundreds of instances of fiendish barbarity, cruelty, and treachery on the part of the natives, which, in our history, can only be duplicated by the performances of the Apache Indians of Arizona. When to treachery and murder has been added shocking mutilation of the bodies of our boys in blue in the Philippines, is it strange that our soldiers there, as was occasionally seen in this country during our wars with the savage aborigines, should have been roused to a height of indignation with a desire to revenge the awful fate of their comrades and been led to overstep the rules of civilized warfare? Many of the proven instances of Filipino treachery and savagery are almost too dreadful in their details to be repeated. They exist in the records of the Army to the extent of hundreds of cases.

Our soldiers are charged with having administered the water cure. Why was the water cure administered at Igaras, for instance? Because Private O'Hearn was captured by people who were apparently friendly to us, was tied to a tree, was burned for four hours with a slow fire, and finally slashed with bolos. His murderers confessed under the water cure. And our Democratic friends have been denouncing the comrades of O'Hearn for administering the water cure to his murderers, while the dreadful fate which overtook O'Hearn and maddened his comrades has not occupied Democratic attention in the slightest degree.

At Dunangas the body of Corporal Donehy was dug up, mutilated, and burned.

At Calinog Privates Dugan, Hayes, and Tracey were murdered by the town authorities.

At Dingle, Private Nolan was tied up by women, while in a stupor, and his throat cut by Filipinos called to the scene.

Near Pototan Lieutenant Wagner was murdered on the road by Filipinos dressed in American uniform.

A little midshipman just out from Annapolis, in a yawl from the flagship *New York*, in need of water, landed at Nipa Nipa, a little village flying the white flag of peace and friendship. He lifted up his empty water jar as he approached the shore; the natives pointed to the white flag and held up their jars. He cast his boat into the surf and advanced 50 yards from the beach where the good Samaritans were awaiting him with their water jars. As he drank his first deep draft, two of the women approached behind him and buried their knives in his back.

Lieut. Col. J. T. Dickman, of the Twenty-sixth Infantry, referring to the loss of his men through Filipino treachery, made this official statement:

The conduct of the American troops in the Philippines has been so humane as to be a continued source of surprise to all foreigners and to the natives.

Brig. Gen. J. F. Bell gives this typical specimen of native treachery:

On January 10, five bodies of native scouts, who were only soldiers of the Fifth Infantry and were taken prisoners in a barrio of Batac, January 1, were found east of Batac. The soldiers' legs and arms had been cut off and the bodies otherwise mutilated. One white soldier named Lyons, Company K, Fifth Infantry, after having been taken prisoner, was cut with bolos and was left for dead on the field. He revived, and was able to crawl to a shack when night came on. Information was given to a local leader, and he was again taken prisoner and murdered.

And General Bell, after participating long and actively in our military operations in the Philippines, gives this official opinion:

I have been in Indian campaigns where it took one hundred soldiers to capture each Indian, but the problem here is more difficult on account of the inbred treachery of these people, their great number, and the impossibility of recognizing the actively bad from the only passively so. If it were deemed advisable to pursue the methods of European nations and armies in suppressing rebellions among Asiatics, the insurrection would have been put down months ago. Even now, although the seeds of rebellion have permeated all sections, such methods would soon end all active insurrections.

The operations of Gen. Jacob H. Smith and Maj. L. W. T. Waller of the Marine Corps in the island of Samar have been denounced by our Democratic friends in unmeasured terms and with especial reference to the "kill and burn" order which General Smith issued in order to render Samar "a howling wilderness." Yet, despite all that has been said, General Smith never intended to order the killing of women and children, as has been alleged. As a matter of fact, his troops never killed women and children. Without his drastic measures the war on the island of Samar would not have been ended yet. Nor do our Democratic friends admit the provocation for General Smith's policy, which was that the natives of Samar were more treacherous and implacable than the tribesmen of the Soudan or the Apaches of Arizona. It was for reasons which—when the findings of the court-martial ordered by the President shall be available—will undoubtedly be found entirely sufficient that General Smith in Samar pursued the awful, but necessary policy followed by Sheridan in the Shenandoah Valley and by Sherman on his march to the sea.

Rather than indulge in indiscriminate abuses of General Smith, as our Democratic friends are doing, I should prefer to await the verdict of the court-martial which has reviewed his operations on the island of Samar. I should prefer to give him the benefit of the doubt, in the meantime, and to say as said his counsel at his trial:

He was wounded in the assault on San Juan Hill and now carries a Mauser bullet in his body. He has served in these islands for three years, and his activity, pluck, and energy are known to all men living in the Philippine Islands. For forty-one years he has worn the uniform of the United States Army, with honor to himself and a benefit to the flag under which he has fought and bled; and now he is at the close of a most remarkable and successful campaign, during which he has accomplished that which Spain, in her three hundred years of occupancy, never attained—the pacification of Samar; while returning to his family and his native land, after thirty-eight years of service, as he, and all those who knew him, thought, with honor and glory, he is halted and taken off the transport to face charges for the language he used in giving the instructions for the conduct of a most successful campaign.

I should prefer to quote this from the Manila American rather than articles defamatory to the American soldier:

The administration of the army in the Philippines has been admirable and there can not be too much said in praise of the services of the officers and men. Confronted with an elusive and treacherous enemy, driven to impassable and untrampled brush, through miry fields and desolate jungle, the American army has well sustained the glory of the flag and perpetuated the sacred principles of liberty and justice.

These Democratic attacks are being made upon soldiers more than 10,000 miles from Washington, who have no opportunity of replying in their defense. It is a cowardly procedure. [Applause.]

I have sat here quietly and patiently during all this debate and I have yet to hear from the Democratic side a single admission of the horrible treachery and cruelty practiced by the Filipinos

toward our troops. No Democrat has cited the few specific instances which I have presented, nor the hundreds of others of similar import, which may be found and are easily accessible in the records of the War Department. Take, for instance, the horrible official figures presented by the commanding officers of the different departments in the Philippines from time to time regarding the treatment by the Filipinos not only of American soldiers, but also of natives who sympathized with the American cause. For instance, Colonel Sumner, commanding the Department of Southern Luzon, reported on January 4, 1901, this dreadful compilation:

Natives assassinated for sympathizing with Americans, 14; natives assaulted for sympathizing with Americans, 104; assassination of municipal officers, 1; assaults upon municipal officers, 1.

General Hall, commanding the Second District in the Department of Southern Luzon, under date of January 12, 1901, gives these figures for crimes indicated above: 17; 103; 3; 12. Colonel Wilder, superintendent of police of the city of Manila, under date of December 21, 1900, reported 10 natives assassinated for sympathizing with Americans, and the commanding officer of the First District of Northern Luzon, under the same date, reported 100 assassinations of Filipinos, whose offense was sympathizing with Americans. From every department and from every island in the archipelago which has been in a state of insurrection come similar reports. Hundreds of Filipinos who have been friendly to our cause have forfeited their lives to their loyalty.

In view of this horrible record of assault and assassination of Filipinos whose offense has been loyalty to the American cause, what do the Democratic advocates of scuttled proposals for the great masses of Filipinos who have demonstrated their friendship for us and who favor the adoption of American ideas, American methods, and American institutions in the Philippines? Are our friends and allies to be turned over to the tender mercies of those who already have rolled up these horrible figures of assault and assassination? No more despicable abandonment could be found in history if we should desert our new-found friends at the present juncture. The blood of these would be on the hands of the Democratic party, if it were sustained in its present position by the American people and the American flag in the Philippines were hauled down to be supplemented by the skull and crossbones of Aguinaldo and his band of looters and assassins. May a Divine Providence in mercy prevent such a bloody blot on the fair record of the United States of America. [Applause.]

Yet Democratic attention seems to be confined rather to the alleged brutalities of General Smith and Major Waller, surrounded by those both savage and treacherous, and compelled to resort to harsh measures in order to suppress insurrection—confined to American soldiers who administered the water cure in order to extract information from Filipinos regarding the whereabouts of men guilty of murdering American soldiers. The fierce nature of the Malay, behind all these outrages which has found manifestation in barbarities too shocking to contemplate, is not held up by our Democratic friends in extenuation, if not excuse, for the shortcomings of American soldiers.

Our Democratic friends apparently have sought to create the impression that the Army of the United States that is following the flag of its country and suffering all kinds of hardships and privations in the swamps and forests and mountains of the Philippine Islands, is a brutal aggregation given over to willful excesses and abuses of power. One might imagine, from listening to these Democratic tirades, that the Army of the United States had been recruited from the most brutal classes in the slums of our great cities. And this Democratic criticism is showered indiscriminately, and has been from the beginning, on the volunteer regiments from Nebraska, Iowa, Montana, Pennsylvania, Washington, and other States, as well as upon the regular troops.

The Army of the United States is not made up of hirelings. It is composed of brave, active, resolute young Americans. Neither in Europe nor elsewhere is the army so close to the people as in the United States. Our officers and men represent every State and Territory in the Union, and there is not a locality which can not point with pride to some of its noble sons who are in the military service of Uncle Sam. From my native city of Albany a score of young Americans are in the Army of the nation. No testimonial of their character is needed from me; they are known to family, friends, and neighbors. And I can assure you that, so far as my own locality is concerned, the Democratic policy of attacking the United States Army, far from receiving Democratic support is openly and roundly condemned by the people of both of the great parties alike.

Unlike their Senators and Representatives in Congress, the Democratic masses of the United States are not prepared to indorse a policy of indiscriminate abuse heaped upon the officers and men of the Regular Army. Altogether apart from the consideration that a very large proportion of the Army is composed of Democrats is the fact that the great mass of the Democratic

party is composed of loyal Americans who look with surprise and disgust at the spectacle which has recently been presented here in this building, where the representatives of their party, at both ends of the building, have vied with each other in seeking to discredit the military arm of the Government. [Applause.]

At the other end of the building a Democratic Senator [Mr. RAWLINS of Utah] has gone so far as to term that gallant soldier, General Chaffee, who commands our troops and is military governor of the Philippines, as one "who received his education in savagery." That of General Chaffee! The man who served gallantly and with honor in the Army of the Potomac until wounded in the Gettysburg campaign; who was brevetted in July, 1863, "for gallant and meritorious services in the battle of Gettysburg, Pa.;" who was promoted "for gallant and meritorious services in the battle of Dinwiddie Court-House, Va.;" who was again promoted "for gallant and efficient services in an engagement with Comanche Indians at Paint Creek, Texas.;" who was highly commended by General Lawton "for successfully planning an attack on Stone Fort at El Caney, Cuba, in July, 1898;" who left the theater of operations in the Philippines to command the American forces at Taku; who joined with the other forces of civilization in the march on Peking. This of General Chaffee! An Ohio boy who, by meritorious services, has steadily worked his way upward on the roll of honor from the position of private to that of major-general in the Army of the United States. This of General Chaffee! An American volunteer who has fought the country's battles on the fields of the rebellion, in the swamps of Cuba, on the plains of the West, in the jungles of Luzon, and in the awful march on the capital of the Chinese Empire. "Who received his education in savagery!" And that utterance of the Democratic Senator from Utah is but a specimen of the abuse which has been heaped upon the American Army by our Democratic friends for weeks and months past. None escapes these general denunciations, from Commander in Chief Chaffee down to the humblest private. Our Democratic friends would have us believe that not only has the very nature of the men who fought their country's battles in Cuba and in China been transformed by their experience in the Philippines, but that from men of heart and mind and conscience they have descended to the level of the brute and the savage.

Personally I have viewed this performance with surprise, but with complacency. I do not believe that the Democratic members of Congress, in their assault on the Army, are representative of Democratic sentiment throughout the United States. It is not a Republican army which they are assailing, nor is it a Democratic army. It is an American army, composed of both Republicans and Democrats; men from the East and men from the West; men from the North and men from the South. I know personally of Democrats who are disgusted with the course of their Senators and Representatives on this matter, and who feel that even if their party was mistaken in its selection of tariff reform or free silver coinage as an issue, it at least did not disgrace itself as in the present attack which it is making on the men who wear the blue and the khaki uniform and are fighting their country's battles in the far-off Orient.

Let no time be wasted on the proposition that the United States shall guarantee to the Filipinos complete independence. Many, many years will elapse before the people of the islands, even under American tutelage, will be in position to govern themselves. There is no need of crossing the bridge of independence until we come to it. There is no necessity for making promises now which may return to plague us in the future. Long before the time when these people are fitted for independence shall arrive, they are quite likely to be united so thoroughly in all their feelings and sentiments with the American people that they may prefer annexation and a Territorial form of government, and even admission to statehood in the American Union.

Let not our Democratic friends indulge in unnecessary hysteria because the Filipinos are being governed without their consent. They can find numerous instances in the history of our country, from the first acquisition of additional territory by Thomas Jefferson in 1804 down to the acquisition of the Philippines under William McKinley in 1898, where this country has proceeded to govern without asking consent. But the concern of some of our Democratic friends over the dusky-hued Filipinos is painfully ludicrous. Here are gentlemen from the Carolinas, Georgia, Alabama, Mississippi, Louisiana, and Texas—from the very heart of the cotton belt—grieving that the United States should attempt to govern the Filipinos without their consent when there are 7,000,000 colored people in the South who, although in a majority in several of those States, no longer have a representative in this House and are no longer permitted to exercise an elective franchise.

The rights guaranteed to these colored people by the Constitution are violated, both in letter and in spirit. The fifteenth

amendment to the Constitution might just as well be repealed. These gentlemen on the other side of the House, and the people whom they represent at home, I declare, are governing the colored masses in the population of the South without their consent. There, in the cotton belt, is real imperialism; there is the imperialism which not only governs American citizens without their consent, but also deprives them of participation, even to a limited degree, in legislation for the communities in which they reside. Instead of abusing American soldiers and wasting sympathy on the Malays of the Philippine Archipelago, I would suggest to my Southern friends that right at home they should proceed to confer upon the colored population of the South at least that limited participation in public affairs which we have already bestowed upon the Filipinos of the far-off Pacific. [Applause.]

I am satisfied that when the people of the United States are heard from at the ballot box next fall, then, and during the campaign, abuse of American soldiers who are facing the enemies of their country, fighting those that are firing on our flag, wading through swamps, fording rivers, climbing mountains, and enduring untold hardships for the restoration of law and order in our island possessions, will be found to be a losing issue. Oregon has already been heard from on this Democratic proposition of a policy of scuttle for the Philippines and unlimited abuses for American soldiers; and two members of this House have been returned from that far Northwestern State by majorities approximating the highest figures ever recorded. [Applause.]

If our occupation and control of the Philippine Islands represent imperialism, how proud we were not only that we were in possession of Manila, but with lying off her docks were our men-of-war ready for action and that throughout the island of Luzon were our fighting regiments quickly to be mobilized and placed on transports, when a cry of horror arose from the entire civilized world, two years ago, over the dreadful situation in Peking. Religious fanaticism and hatred of the foreigners in China had found expression in an outburst of Boxer fury, which sought to take the lives not only of our missionaries scattered throughout the Empire, but even of the ministers of the United States and the other civilized nations represented at the Chinese capital, along with the lives of the attachés of the legations and the women and children connected therewith.

Then I say we were proud of the fact that we had been guilty of imperialism in the Philippines; proud that the ships of battle and the transports loaded with troops were quickly transferred from Manila to Taku; proud that Gen. Adna R. Chaffee, "who received his education in savagery," was in command of the United States troops disembarked on the soil of China; proud not only that we had been guilty of imperialism, but also that we had become a world power and were prepared to join with the forces of civilization in marching on the capital of the Chinese Empire for the relief of men, women, and children besieged there by religious fanatics. And the most heroic figure among the allied commanders of the forces of civilization which began that march was General Chaffee. He was resolute when others were faint of heart; he declared that the American troops would march to Peking, if necessary, alone. [Applause.] What his words were I know not, but they must have been worthy of a place in history along with the immortal declarations of Lawrence and Dix. [Applause.] What true American regretted, as our troops struggled on through heat and dust toward Peking, for the relief of men, women, and children in the legations there, that we had been guilty of imperialism; that we had become a ruling power, and that we had the men and the guns necessary to do our part in that great international drama of rescue? [Applause.]

The question has often been asked, What are we going to do with the Philippines, if we retain them? The very question suggests the shirking of responsibilities. We did not seek the Philippines; we did not seek an expansion of our territory; we did everything possible in an equitable way to avoid going to war with Spain. It was the villain's hand who fired the mine placed under the battle ship *Maine* which forced us into war and changed the map of the world; which forced Dewey out of Hongkong within twenty-four hours and compelled him to seek the batteries, the mines, and the fleet of Spain in the harbor of Manila. There never has been a moment since Gridley opened fire from the *Olympia* when we could beat an honorable retreat from the harbor of Manila. [Applause.]

The Philippines are as much a heritage of the war as is Porto Rico or Guam or Hawaii. They imposed national responsibilities upon us which we must meet. A nation is like an individual. It must face responsibilities and it must face them like a man. The Filipinos, as contrasted with Americans, are as mere children to grown men and women. We must treat them as children; we must supply them with a course in the kindergarten; they are not fit as yet for a course in the higher institutions of learning. [Applause.] We have back of us eight hundred years of steadily

advancing civilization, which have given us the best form of government on the face of the earth. The Filipinos, in a large part, have back of them only a record of barbarism, supplemented by centuries of Spanish oppression and misrule. It is our duty, which must be met, to educate them along the lines of American development and progress. We must afford to them every facility for improvement. These islands have come to us for purposes of betterment and not for loot. [Applause.]

But beyond the mere consideration of the institutions of the Philippines and the policy already under way of Americanizing their people, we need not lose sight of the fact that the islands afford a new field for the industrial and commercial enterprise of the American people. They represent vast natural resources in their mountains, laden with precious metals; in the primeval forests, waiting for the ax of the lumbermen; and in the fertile fields which have scarcely been touched by modern agricultural methods. They will yet team with a vast population, largely American, and in time will become one of the leading markets of the world for the products of American agriculture and industrial genius. [Applause.]

Furthermore, they represent the extreme American outpost in the Orient, within striking distance of the coast of Asia. Let the unprogressive or the unpatriotic deride the idea as they may; nevertheless, the fact remains that the United States has become a world power, and like other powers of the earth is hunting for markets. Our triumph in China was not confined to the success of Chaffee and the other allied generals of civilization in forcing the gates of Peking. Our diplomacy enjoyed a triumph less sensational and picturesque, perhaps, but nevertheless quite as substantial, when we used our influence to prevent the partition of China, to hold back the Russian invader, and to secure for our manufacturers and producers the "open door" into China. John Hay, Secretary of State, shares with Maj. Gen. Adna R. Chaffee the glory of that invasion of China. [Applause.]

From our distant outposts at Manila, with ships and soldiers, if necessary, and in cooperation with Great Britain and Japan, if necessary, we will maintain the door into China for our traders, open. That Chinese Empire, with its 400,000,000 people, affords the greatest market in the world, so far as future possibilities are concerned. For with the modern civilizing influences which will now have full play in China, with the construction of railroads, and with the development of the great natural resources of the Empire, will come an increased capacity on the part of the Chinese to consume.

It is scarcely conceivable to what vast proportions this Chinese market will develop. And we would be false to the interests of American manufacturers and producers and American wage-earners if we should withdraw, unless honor compelled it, from the Philippines, and thereby surrender not only the possibilities of that great market in the archipelago, but also the vantage ground at Manila, from which we may perform our part in maintaining the door into China's market open. This may be termed imperialism, but it may also be termed progress. Whatever it may be termed, it represents the way which, out of our present complications in the Philippines, will ultimately give to us vast markets both in the islands of the Pacific and on the mainland of Asia.

As well withdraw from Honolulu, from Pearl Harbor, from Guam! For, certainly, if we do not intend to retain Manila, and from Manila the advantages in China which our soldiers and diplomats have given to us, why not abandon the other islands of the Pacific where American coaling stations have been established and by which we maintain a practicable route through that vast expanse of water, 8,000 miles, from San Francisco to Manila? [Applause.] The policy of scuttle which our Democratic friends favor for the Philippines involves the abandonment of all our other possessions in the Pacific, and all of our advantages at the door of China.

Indeed, why retain Porto Rico; why purchase the Danish West Indies, with the splendid harbor of St. Thomas; why expend hundreds of millions of dollars on the construction of a canal between the Caribbean Sea and the Pacific Ocean in the interest of increased trade if we are to surrender our control of the trade of the Pacific which in the fullness of time Divine Providence appears to have given us? And yet the Democratic vision on the other side of this Chamber appears to be so contracted that during the entire progress of this debate no single Democratic Representative has referred to all these advantages resulting to us from the so-called policy of imperialism. Their thoughts and utterances seem to have been concentrated on reckless abuse of the American Army. [Applause.]

Our possession of the Philippines, already a practical fact, was confirmed in international law, by the ratification of the treaty of Paris. There are times when patriots can be partisans, and there are times when partisans must be Americans only. On

matters of principle and policy Republicans have differed materially and radically with the man who, during the last two Presidential campaigns, has been the candidate of the Democratic party for President of the United States. And yet, above and beyond all partisan considerations, I express my own belief that when the history of the past four years shall be written, and when the character and methods and achievements of William J. Bryan shall be given the cold and calm consideration of the historian, the most brilliant chapter will be where Mr. Bryan, the Democrat and the partisan, laid aside both Democracy and partisanship, came to Washington and lobbied in the corridors and on the floor of the Senate Chamber for the ratification of the treaty of Paris.

His course was not popular with his party, which, almost to a man, at the other end of this building, was arrayed against ratification. Only one individual could influence from that Democratic minority sufficient support, combined with a Republican majority, to give the two-thirds vote necessary to ratify the treaty of Paris. That man was Mr. Bryan; and it was only his remarkable hold on the affections and the aspirations of his party which permitted him to secure the votes necessary for ratification. Time is constantly changing the perspective; yet when all the excitements, the sensations, and the mistaken issues, which have marked the last two national campaigns of the Democratic party, shall be forgotten, the service, personal, persistent, and productive, which Mr. Bryan rendered in dragging Democratic Senators unwillingly to the support of the treaty of Paris will, in my opinion, be the enduring monument which history will raise to the memory of the brilliant and versatile Nebraskan. It was truly a patriotic performance on Mr. Bryan's part. [Applause.]

Permit a man without partisanship nor oratorical proclivities, but who possesses practical knowledge and experience—a naval officer, Admiral Remy—to give his views on the present situation in the Philippines. On his arrival in the United States from Manila, recently, this was his summary of the situation:

Concerning general conditions in the islands, General Chaffee told me before leaving that things were progressing satisfactorily—slowly but surely—and that pacification was only a matter of time. Talk of withdrawal of the United States from the Philippines is based on inaccurate and incomplete knowledge of conditions out there. This country could not withdraw. Chaos would be the result. My observations have convinced me that the natives are not capable of civil government yet. They need a guiding hand, and now that we have undertaken the task we can not for the sake of humanity withdraw until the work is completed.

The end of the Philippine matter is clearly in sight. All indications point to the collapse of the insurrection, which to-day largely partakes of the nature of brigandage. Ere long the country will be agreeably surprised to learn officially from the President of the United States that all the islands of the Philippines, where resistance of our authority has occurred, are pacified; and in line with the humane policy pursued by our military as well as civil authorities in the islands will probably come a proclamation of amnesty for the Filipinos recently in revolt. With that will ensue a glorious conclusion of the policy instituted by the lamented McKinley and steadfastly maintained by President Roosevelt, grandly enforced by the valor, endurance, and humanity of the American forces in arms, and worthily supplemented by the achievements of the Taft Commission, which has supplanted chaos with civil institutions of an enduring character.

The hands of the clock are rapidly approaching the hour when this long discussion will close and by Republican votes this measure will be passed.

When you ask me what of the future and what of the Republican policy toward the Filipinos, I point to this measure which is under discussion. It means better things for the people of the islands; it means improved conditions of government; it means increased participation of the people in the management of their own affairs; it means progress for the islands; it means the upbuilding of government; it means the education of children; it means the safeguarding of liberty; it means the elimination of the elements which made insurrection against Spain possible and gave Aguinaldo his opportunity.

And let us hope and trust that ultimately the hope of our dead President will be realized, that—

all the inhabitants of the Philippine Islands will come to look back with gratitude to the day when God gave victory to American arms at Manila and set their land under the sovereignty of the people of the United States.

As an appendix to my remarks I desire to submit a publication by an eminent physician and surgeon of the city of New York, which, I believe, is altogether germane and pertinent to our occupancy and control of the Philippine Islands; and I sincerely hope that after careful perusal our Army officers may have suggested to their minds ideas which will lead to improvement in the matter of rations for American soldiers. Without indorsing all the views herein contained, I present this appendix as a production which is suggested by the experience of a talented and observing man, and is well worthy of attention.

## APPENDIX.

## NATIVE TROOPS FOR OUR COLONIAL POSSESSIONS.\*

[By Maj. Louis Livingston Seaman, M. D., LL. B., New York City, Surgeon First United States Volunteer Engineers.]

The time is at hand for the authorities of the United States to decide a military question of the gravest importance, namely, whether our island possessions in the Tropics shall be garrisoned by troops sent from this country or whether native troops shall be recruited for this purpose. Involved in this question are considerations of climate and subsistence; of vast expenses for transportation of men and food; of expenditures for wages and future pensions; of intricate hospital arrangements involving elaborate establishments, mutually dependent but thousands of miles apart.

For the solution of a similar problem in China the recent experiences of Great Britain at Wei Hai Wei are luminous in purpose and results, and most timely for immediate application to this country's needs, especially in the Philippines. It is worth while to study with the utmost care what England has done with her native battalion at Wei Hai Wei.

Forty miles to the eastward of Chefoo, where in the year 1835, with the guns of the Russian fleet clearing for action, the treaty of Shimonoseki was ratified by China and Japan, lies the harbor of Wei Hai Wei. It is a bay formed by a sharp break in the rugged coast line, and is protected at its entrance by the island of Liu Kung Toa. Nature has been liberal to China in the matter of shelters to commerce, robbing the eastern shores of the Pacific that she might furnish the western with magnificent harbors and bays. Of these Wei Hai Wei takes easily primary rank, with its capacious, deep mud-bottomed harbor and its natural defenses.

Wei Hai Wei (pronounced as though it were written Way High Way) was founded in the reign of the Emperor Hung Wu, of the last (Ming) dynasty, about A. D. 1399. The third syllable—for there are three syllables rather than three words—means a walled military post; the first, though homophonous, means to awe, or, as we would say, to overawe; the middle member of the name is the word for sea. Thus Wei Hai Wei is the "Terror of the Sea," so called because it was used as a base from which to subdue the pirates that infested the neighboring seas.

In the year 1883 the first steps were taken to fortify Wei Hai Wei as a base for military operations, but the war with the French in 1884 led to the abandonment of the work before much had been accomplished. When peace came the interrupted activity was renewed and the rapidly growing northern ocean squadron of the Chinese navy found here its summer rendezvous, the harbor at Port Arthur, or Lu Shon Kon, as the Chinese call it, being far too small to shelter more than a few ships at one time.

Later two light-houses were erected. Forts were built under German superintendence, and supplied with guns by Krupp, whose agent, the late General Schnell, was instructor in gunnery in the Chinese garrison. Money was spent liberally, and excellent work was done in the way of fortifying the place, for the mandarins got their "squeeze" not by "jerry building," but by purchasing less than was provided for, and by drawing money for the expense of battalions which never existed. And when they did go in for "jerry building" their methods were radical. The presiding genius of the day, Li Hung Chang, found on his last inspection, made just before the Japanese sank the *Kow Shing*, and so opened the war, that a fort on the far east end of the bay had been built of wood. Mighty was the wrath of the great Li, and frightful the consternation of the two generals responsible for the fraud, fellow-provincials and protégés of Li himself. They were instructed to rebuild at once, and with stone.

But whence the funds? These were found in a way that was simplicity itself. A battalion was estimated for, and although it never existed, save on paper, money was drawn for its maintenance. Stone was obtained speedily from the wonderful and inexhaustible granite quarries of Shih Tao, in the Shan Tung promontory, and there it lies to-day, for the Japanese war put a stop to further fortifications. And when the Chinese Government recently turned the place over to the British the local authorities had no knowledge of the existence of this material, which was boldly claimed by a disgraced general.

On November 21, 1894, Port Arthur fell into the hands of the Japanese, who shortly began to turn their attention to Wei Hai Wei. On the 20th of January following 25,000 men were landed on the sheltered shore of Yung Cheng Bay under cover of the guns of the Japanese fleet. From that place to Wei Hai Wei a march of more than 40 miles was necessary over a country innocent of a road wider than a pack-mule track, and on February 12, 1895, Wei Hai Wei was evacuated by the Chinese.

Of their fleet, some were sunk and some captured. Admiral Ting, a brave officer, willing to fight, but under orders not to leave the harbor, chagrined and heartbroken, swallowed opium after signing articles of capitulation. The country around was occupied speedily, and effectually by the Japanese. The treaty of Shimonoseki provided that Wei Hai Wei should remain in the hands of the Japanese until certain stipulations should be carried out, and for nearly four years Japan maintained a large garrison there, but on July 24, 1898, the Japanese flag disappeared from the harbor. For a brief time the Chinese emblem displayed its dragon swallowing the sun, shortly to find a companion in the Union Jack, and finally to disappear a few months later, leaving the British nominally, as they had been actually, in control of Wei Hai Wei, their new "sphere of influence."

It is on these historic shores that the experiment of transforming the Chinaman into a modern fighting machine has been successfully made by the newcomers, while the military experts of the world are watching the results with increasing interest.

And since the policy of our own country to retain permanent possession of our new insular colonies now seems established, we, too, should be especially interested in the experiment from a military as well as an economic point of view. Wherever the flag of England floats, there you will find her defenses maintained by native guardians. The flower of her army is not consumed in colonial garrisons. In India, the Gurkhas and Sikhs, officered by Englishmen, form her military reliance. In West Africa the Houssas are her defenders. In Egypt the Baggaras, transformed by the skill of Kitchener, rout the forces of the Mahdi. In the Windward and Leeward islands and Jamaica, native regiments (blacks) are employed exclusively; so, too, in Australia and Canada, her soldiers are mostly native born, and in South Africa, until the outbreak of the present war, Zulus, supplemented by a small contingent of English troops, maintained her defense and security. Where, indeed, would England be to-day were it not for these native forces guarding her colonial empire, while her own soldiers are engaged in the Transvaal hostilities.

Quick in her perception of this great advantage, she no sooner got possession of her new sphere in China than she at once set about organizing a means of defense by utilizing the material at hand, knowing that if successful she could at once eliminate two of the greatest problems besetting an army on a foreign shore—that of acclimatization, and of subsistence, with the attendant dangers of climatic and epidemic diseases.

\* Read at the ninth annual meeting of the Association of Military Surgeons of the United States, at the Academy of Medicine, New York, June, 1900, and also published in the North American Review.

It was my good fortune, on a recent visit to Wei Hai Wei, to meet Col. C. H. Bower, R. A., to whose genius has been intrusted the serious experiment of transforming native Chinese from mild-mannered coolies to modern soldiers, to witness many of their drills, and to get from Colonel Bower's own lips his account of the work. He approached the task with many misgivings, but after six months of patient work his views changed radically. The first battalion, Chinese regiment, recruited during the past year, numbered at the time of my visit 300 men, all from the Shan Tung Province, where the finest specimens of physical development of China are to be found.

These men are enlisted for three years, under the regular provisions of the British army act, for service in any part of the world. They have been selected with the greatest care. The average height is 5 feet 8 inches, with a chest development of 38 inches, a standard higher than that of the regular British army to-day. Three companies of 120 men each were well advanced in training. The organization of the company in detail is similar to that in the United States Army. All the commissioned officers are British, but the noncommissioned staff, with the exception of 1 sergeant-major, 1 color-sergeant, 1 orderly room clerk, and 1 armor sergeant are Chinese.

It is certainly wonderful what a few months' hard work accomplished in "licking these 'rookies' into shape." Colonel Bower assured me that while originally he was far from being impressed with the idea of making soldiers of the Chinese—indeed, he was decidedly prejudiced against even such an attempt—experience had convinced him of his error, and that he was now becoming an optimist. The initial processes of drilling were tedious, and required much patience on the part of the drillmaster; but the men soon learned to respect their superiors and became attached personally to them; and the officers, having once gained the confidence of the men, could do almost anything with them. Discipline was maintained with but little use of the guardroom, and drunkenness was unknown.

These Chinese recruits are remarkably respectful, orderly, docile, and learn their tactics well, but the greatest patience has to be exercised with them until they fully understand their positions and are brought to a realization of their responsibilities, of which, in their early days, they seem to have no understanding. For more than six thousand years the Chinaman has followed his own method and it is difficult to make him realize the importance of precision in military affairs. For instance, when a leave of absence for seventy-two hours is given to him, he will return perhaps in ninety-six, thinking it is all right. What's the difference?

He can not be made to see it: "came back all right; three days all the same four, so long as he did come back." But when put in the guard room for a week and made to do extra labor, his sleeping sense of duty is awakened and he does not repeat the offense. Notwithstanding that the drills at Wei Hai Wei have been very severe, desertions were unknown, although opportunity could be found easily, as the British concession or sphere of influence extends only 10 miles inland. The uniform of the troops is rather picturesque; straw hats in the extreme heat of summer, to be replaced by turbans in winter; khaki blouses and breeches for the summer, to be exchanged for rough Irish frieze in winter; red cummerbunds, and putties instead of leggings, with the regular artillery boot of the British army.

Colonel Bower was especially enthusiastic over the results of his men's musketry practice at the rifle butts. At the time of my visit they had been trained for short-range work only—one, two, and three hundred yards; but their scores had been exceedingly gratifying, better even than those of the average British soldier after an equal amount of practice, to the great astonishment of all the officers of the regiment.

The cost of these troops to the British Government is another surprise. Their ration consists of one catty of rice (1.33 pounds), one-third catty of flour daily, and one pound of meat once a week. The cost of this to the British Government is \$2.15, Mexican, a month; the soldier's pay is \$8.09, Mexican, a month, making the entire cost to the Government for the soldier and his subsistence \$10.15, Mexican, or \$5, gold, a month.

All vegetables and luxuries are purchased by the soldier at his own expense. The health of the men was excellent. Since the organization of the regiment there had not been one death or a serious case of intestinal disease, although the period has included the most inclement season of the year. Colonel Bower was convinced that with a year or two more of training his men would be equal to any soldiers in the world.

At the time of my visit the battalion had its first experience in fighting fire. A conflagration occurred in the old city.

On such occasions it is the custom of the natives to sit by supinely, watching the progress of the flames, even though a whole city may be in a blaze, or to indulge in looting. But the English officers were on the scene quickly with the Chinese battalion, a fire brigade was organized promptly, water was passed up in buckets and the fire put under control, while the populace stood by and marveled.

Within a year of their enlistment, these troops successfully stood the crucial test of leading a charge. In a sharp action with a vastly superior force of boxers, the same who are now menacing the safety of the Chinese Empire in the provinces of Shan Tung and Pi Chi Li, and about Tien-Tsin and the Imperial City, Peking, the Chinese battalion, with their British officers, quickly routed the enemy, killing 60 and capturing a large quantity of arms. Their own casualties amounted to only two, both British officers, who were wounded. Thus they demonstrated beyond cavil their fidelity and loyalty to the new flag they had sworn to uphold, even when their opponents were their own countrymen.

Hitherto we have been accustomed to laugh at the soldiery of China; but the fact that her soldiery is a laughing stock on account of lack of training and bad generalship proves nothing against the Chinaman's courage. Fortunately there can be no question of his innate bravery. For a consideration, or when convinced that he is right, he puts the fear of death entirely out of his mind. Like the negro, the Egyptian, or the Malay, all the Chinaman wants is the inspiration and leadership of resolute white officers. Conspicuous examples of their personal bravery are not lacking in the official reports of our own officers serving in the Philippines, notably those of Lieutenant Batson, of Major Bell, of Captain Sawtelle, of General MacArthur's staff, of Colonel Powell and Captain Durfee, of the Seventeenth Infantry, and of Major Shields, surgeon of the California Volunteers. My own observations on the firing line confirm these opinions. The Chinese drivers or litter bearers were as absolutely unconcerned under fire as though out in a snow storm, and they obeyed their orders implicitly.

An incident illustrating the bravery of the coolie is narrated by Major Fitzgerald. It occurred at the battle of Malolos, in Luzon. An American soldier had fallen at the front; two coolies had rushed forward with their litter, consisting of a little hammock swung from a pole, and were bringing the man back to the dressing station, when a bullet pierced the thigh of one of the litter bearers. He continued on, however, as though nothing had happened, until he deposited his charge beside the improvised operating table. Not until some time later was it found that the coolie was wounded severely and suffering intense pain. He endured it all with the patience and stoicism of his race, and expressed surprise that attention should be bestowed upon him at all; he had expected to be left by the wayside.

That the yellow and black races make excellent fighting material when properly officered by whites, has been proved conclusively in innumerable instances. In our own army at San Juan Hill, the Twenty-fourth and

Twenty-fifth United States Infantry and Tenth Cavalry, negro troops, led by their gallant white American officers, did as effective work as any men, regulars or volunteers, on the field.

Nor did their heroism cease there. Later, when that more dreaded enemy, yellow fever, appeared in every camp, and when volunteers were called for to nurse the sick and dying and to bury the dead, it was these men of the negro regiments who responded to the call, notwithstanding that their numbers had been terribly reduced in the battle only a few days before, and the fatal pestilence was raging in their own ranks. One hundred and twelve of these martyrs succumbed to the disease, but they quavered not in the hour of danger.

Nor is this record for fearlessness in the so-called inferior races confined to our own Army. What did Kitchener do with the Egyptian peasants who for centuries had been regarded as menials and cowards? By tactics similar to those now being followed by Colonel Bower with the Chinese at Wei Hai Wei, he transformed them into cavalymen, who not only successfully resisted but charged and broke the bloodthirsty followers of the Mahdi and defeated them with terrible slaughter.

Fifteen years ago the idea of making a soldier of an Egyptian would have been ridiculed as a practical joke by military men. Training and the inspiration of leadership won the victories, and the Egyptian soldier of to-day has his place in history.

The experience of "Chinese" Gordon at the taking of the Taku forts in 1860 is eloquent in its showing of the individual bravery of the Chinaman. Large numbers of coolies were pressed into his service as cooks, litter bearers, and for transportation purposes. Arriving at the moats surrounding the forts, these slaves of duty seized the scaling ladders, rushed into the water nearly neck deep, and in the face of a galling rifle and artillery fire placed the ladders on their shoulders from man to man, thus forming a continuous bridge supported by human pillars, and let the British army walk over their heads to the other side of the moat. Then, rushing from the water with their ladders, they ran to the walls of the fortress, and were the first to scale their ramparts. Thus was courage inspired, and thus did it become contagious, even as panic and disaster would have resulted had the leadership failed.

Nor has Spain been without experience in the use of native troops in her colonies. In the very place where this urgent military question must be met and solved by the United States, namely, in the Philippines, upon which Spain placed strong reliance, was her native Filipino troops, of whom, when Manila fell, she had about 5,000. They were among her best disciplined and bravest troops, familiar with the country, its warfare, its dangers, and its ambuscades, in excellent health and thoroughly acclimated, speaking the language of the country, free from danger of tropical diseases, and subsisting on native foods. Our failure to secure them for service under the American flag was promptly taken advantage of by the wily Aguinaldo, who, upon condition of their swearing fealty to him and entering his army, promised them immunity from their countrymen and reward for their services.

It was only a short time before the entire force was under his control, almost every soldier being made an officer in the Filipino ranks. It was in this way that Aguinaldo was enabled to create the disciplined array that was destined to cope with our army of over 50,000 men.

In view of our failure to secure the trained Spanish-Filipino soldiers, and considering the suspicion that exists and will probably continue to exist toward us among the natives of these islands, the experiment of Great Britain with the Chinese battalion at Wei Hai Wei is of signal concern to the United States. In our Philippine possessions there are already more than 100,000 Chinese, who form by far the most industrious class of the inhabitants. The Chinese mestizo (half Chinese and half Filipino) is acknowledged to be superior to the Eurasian or to the mestizos of Oriental cross, Japanese, Hindoo, or Bornese. Many of them are wealthy bankers or merchants. Others are engaged as compradors and clerks, banking houses employing them almost to the exclusion of other nationalities, on account of their quick wit, sterling honesty, industry and individual merit. As in the Hawaiian Islands, they form the most valuable element of the population.

The Chinese-Hawaiian half-caste is the keenest business man and the most industrious citizen to be found in those islands. The exclusion of the Chinese laborer in that land will do inestimable damage in retarding industrial and commercial development. Despite his fanaticism when directed by ignorant rulers, he has shown his superiority over other Orientals in his untiring industry, his domesticity, and his honesty.

In the large foreign hongs of China and Japan he is the trusted employe in places requiring responsibility. When put in competition with the Bornese, the Filipino, the Singalese, the Hawaiian, the Japanese, or the Indian, he invariably wins, as may be seen by his rise from poverty to wealth and influence in the cities of Singapore, Calcutta, Sandakan, Manila, Honolulu, or Yokohama. It is time the world recognized that in the great race of civilization, and the greater race for the survival of the fittest, the nation that has preserved the integrity of its Government for over six thousand years; that has witnessed the rise and fall of the civilization of Chaldea, Egypt, Greece, and Rome; that can claim the discovery of the compass, of gunpowder, the game of chess, and the printing press, is more to be feared for its virtues than its vices. The presence of the Chinaman in the Philippines, as in the Hawaiian Islands, will do more to promote the industrial development of these colonies than any other single factor. His exclusion was a diplomatic blunder to be rated with our failure to secure the army of Filipinos trained by Spain and the discharge of the civil guard of Manila, 500 strong, all of whom immediately entered the service of Aguinaldo, and the irrational rationing of our troops, which did and is still doing so much to invalidate and decimate our army. To attribute to climate the diseases of the Tropics is an error due to ignorance and custom. The vast majority of ailments credited to climate have their origin in the use of improper foods, overfeeding, or the abuse of stimulants.

During the past two years it has been my misfortune to see two great armies—one in our own southern country, Cuba and Porto Rico, and one in the Philippine Islands—largely invalidated through culpable ignorance or neglect, by improperly subsisting the troops. To the eternal disgrace of our medical and commissary departments it will be remembered that when entire regiments were suffering from stomach and intestinal catarrhs, from diarrhea ailments (and I have seen more than 75 per cent of an entire command in this condition at one time), they were subsisted on a ration of rich meats, pork and beans, tomatoes, and other foods that aggravated the diseases, crowded the hospital tents, and left the men weak and emaciated, so that their return to health was a prolonged struggle. Taps and the last volley were often the only reward many a poor soldier received for his patriotism.

As represented in caloric units, the ration supplied to the American soldier in tropical lands amounted to thirty-eight hundred units, while that given to an English prize fighter in a temperate zone, when training for the ring, amounts to only 2,800 caloric units.

It is an old saying that "it is the ration that wins the battle." As furnished to the soldier the ration was an excellent winter food, rich in elements requisite for respiration under a low temperature, but for a tropical land the enormous excess of carbon furnished by it to the lungs, over and above that which they could dispose of, imposed upon the liver and kidneys additional duties of elimination, producing congestions, fermentation and catarrhs, dyspepsia

and lithæmia, glycosuria and phosphaturia, interfering with metabolism, and creating conditions favorable to bacteriological development, together with almost the entire train of diseases which have crowded our army hospitals. In phosphaturia, especially, the nervous system is deprived of the salts necessary for its proper function, which privation not infrequently results in mental disturbances that may end in suicide or insanity. How little the heat is directly responsible for these cases may be inferred from the extreme rarity of sunstroke in the Tropics.

Dr. John Ordonaux, emeritus professor of medical jurisprudence in the College of Physicians and Surgeons, served with distinction thirty-five years ago in our war of the rebellion as a volunteer surgeon. It was at that time that the famous saying, "Beans killed more than bullets," arose. In round numbers, the mortality from bullets, directly and indirectly, was 100,000, while that from disease was 500,000, or five to one. Commenting on this fact thirty-seven years ago, "that the ration served our troops in the South was the same in winter as in summer," Dr. Ordonaux said:

"By proper disposition of his diet man lives as healthfully under the equator as under the pole. The East Indian with his rice and yams, and the Eskimo with his seal blubber and putrid fish are both healthy enough in their respective climates, but let them once change residences without changing their diet, and what would be the consequence? The Eskimo would be attacked with putrid fever, and the East Indian would die of inanition."

"We perceive from this the absolute necessity of modifying all forms of diet in such a way as to accommodate them to the physiological requirements of varying seasons. For habit is not acquired as against laws of chemical combination, and no man can become habituated to doing that with impunity, which, being a violation of the physiological laws of his system, is, by its frequent admonitions of pain, notifying him of the evils about to overtake him."

"As the ration bill now stands, it presents us with too concentrated a form of diet for continued use. It abounds in fibrine, gluten, and fat, without, however, a sufficiency in starch, mucilage, gelatin, and acids. Aromatic herbs and spices, without which health can not for any length of time be preserved, particularly in hot climate or seasons, are entirely omitted, while fat pork, an article contra indicated in summer both by the state of the appetite and the physiological necessities of the system, stands as a sheet anchor of its animal food."

And of what avail was this prophetic warning? The ration table of the United States Army in the Spanish-American war was substantially the same as that during the rebellion.

From the dawn of history experience has shown that in time of war disease was a far more deadly foe to an army than the bullets of an enemy. In the war of the Crimea the French lost in killed 21,000, and from disease 100,000, or about 1 from bullets and wounds to 5 from disease. The English losses in that dreadful campaign ran a little higher, the proportion between fatalities from bullets and wounds and that from disease being 1 to 6.

In our civil war about the same proportions were maintained, 1 to 5. In round numbers, 100,000 men fell on the field or died from wounds, and 500,000 perished in hospital wards from the more fatal enemy, disease.

But it has been reserved for the Spanish-American war to cause a blush of shame and indignation at the apathy and stupidity which has permitted preventable diseases to play such havoc with the army. In the campaign, the actual hostilities of which lasted from July 1 to August 12, about six weeks, the mortality from bullets and wounds amounted to 268, while that from disease reached the appalling number of 3,862, or about 14 to 1. With proper subsistence and sanitation these proportions for such a short service should have been reversed.

With our military hospitals in the Philippines still crowded, despite the constant relief of their wards by shiploads returning on transports, and the decimating policy of irrationally subsisting the troops still in force, it behooves the United States to follow the example of England at the earliest possible moment and to resort to the only reasonable course left open for the maintenance of her army in the Orient, namely, the utilization of native troops. Most authorities agree that it will require a garrison of at least 40,000 men to maintain order in the Philippines, even after peace is declared, but I coincide with General Lawton, who told me that he thought it would require many more than that number to bring order out of chaos, to establish law in the various provinces, and to maintain its complete supremacy.

The United States now has 25 regiments of volunteers in the Philippines, whose term of service will expire on June 30, 1901. Most of the enlisted men will wish to return at the expiration of that time, some sooner, while some will be willing to serve longer. A majority of the commissioned officers would welcome the opportunity to retain their places permanently. I would suggest that at the earliest possible date such of the enlisted men, not exceeding one-third, as desire their discharge on account of sickness or for other causes be allowed to leave the service. Then from the third battalions of each regiment let all the enlisted men, excepting a few noncommissioned officers in each company, be transferred to the other two battalions, thus filling them to their full strength. Enlist one battalion of Chinese or of native friendly Filipinos (Macabebes or Ilocanos) to each regiment, making the composition of each regiment two battalions of white and one battalion of native troops, with white officers throughout, and a certain proportion of white non-commissioned officers in each native company. At such time as the authorities deem advisable, transform a second battalion of white to native troops in a similar manner. Then, when the proper time arrives, and the success of the move is demonstrated, transform the third battalion of each regiment, and, as circumstances may justify, replace such of the white noncommissioned officers as may seem best for the interests of the service by native non-commissioned officers, but keep white commissioned officers first, last, and all the time.

Published statistics recently furnished by Congress state that the cost of the army in the Philippines in the last year was about \$150,000,000. It is easily within reason to declare that each fighting man costs the Government more than \$1,000, gold, a year for pay, subsistence, cost of transportation service, and medical attendance, without any calculation for his future pension claim. The pay of the American soldier in the Philippines is \$16, gold, a month. His ration costs far more, when the enormous wastage and cost of transportation is calculated. It is no uncommon incident for entire cargoes of beef to be lost in transportation across the Pacific. I know of three such instances last summer. And in calculating the cost of the American soldier, no mention has been made of the expenses of hospitals, with their medical staffs, nurses, orderlies, helpers, etc., all of which add enormously to the expenditure.

The native Chinaman or Filipino can be enlisted in unlimited numbers for \$10 a month and can be subsisted for \$4 more. Additional expenditures for transportation, etc., might cost \$2 more, making a total of \$16 a month, or not more than \$20, gold, a year, or about one-fifth of our present expenditure, and with no danger from an everlasting pension claim in the future.

In an interview with Li Hung Chang, at his palace in Peking, some months prior to the outbreak of hostilities in China, he assured me that China would interpose no objection to the enlistment of her subjects in the American Army. But if, in the present crisis, such recruits are not considered desirable, there are many friendly Filipinos to be substituted. Great Britain recruits her ranks from various tribes or castes in India, and tribal hatreds are often utilized in the pacification of outbreaks among the natives. The same

policy can be advantageously followed by us in the Philippines, where the friendly tribes of Ilocanos and Macabebes are the implacable foes of the rebellious Tagals.

England has a great advantage over the United States in colonial government and in colonial military affairs, in that there is not always a home party in opposition, wanting to apply the constitution to the natives, telling the discontents that as soon as their party gets control all complaints and wrongs will be rectified. The home Government acts as a unit and with a consistency that challenges the admiration of the world.

It remains to be seen whether by the liberal utilization of native troops we shall save the flower of our army for service at home, and preserve it from degrading conditions that, alas, too often are brought to this country by returning troops. And it also remains to be seen whether the country shall be spared the depletion of its Treasury through extravagant expenditures caused by improvident military administration leading to enormous pension claims. The Spanish war has resulted in the filing of over 25,000 of these claims already. Who can say what the number will be when those resulting from the Philippine campaign are recorded?

The foregoing article was written in China several months before the outbreak of the Boxer rebellion. That unexpected event afforded a rare opportunity for attesting the allegiance of the Chinese battalion and fully vindicated the claims I have advanced for the employment of native troops when officered by Englishmen or Americans. Let it not be forgotten that Liu Kung Tao, Lau Chau, and the old city of Wei Hai Wei, where the Chinese battalion was recruited, are located in the Shan Tung province, which was the very hotbed of the Boxer uprising. The following is an extract from my journal of a conversation with Colonel Bower in Tientsin on the 7th of March, 1901. Colonel Bower was at that time the imperial commissioner representing Great Britain in the government in Tientsin. Replying to my question regarding the battalion he said:

"No, there were practically no desertions from the battalion, although the men were subjected to terrible temptations. You know in China, parental love, Fung Shui, and ancestral worship are held as sacred tenets. When the Boxer movement was in its incipiency the families, priests, and friends of my men resorted to every persuasion and threat to induce them to desert, but without success. Finally they organized an attack and placed the fathers of my men in their front ranks, so that should the men shoot they would become parricides—guilty of the most heinous crime known in the Orient. But in the fight that followed, they cut their way through the 2,000 attacking Boxer rabble, killed many, and routed the remainder to the hills. Encouraged by this evidence of loyalty I took two of my three companies to Taku and joined General Seymour's column in its advance on Tientsin. In the fighting that followed from June 20 to July 14 the men did excellent work, losing in action 20 killed and 68 wounded. One officer was killed and 2 severely wounded. Fearing trouble, I ordered roll call every hour after reaching Tientsin. Two men were supposed to have deserted, but later investigations showed that I had been taken prisoner and the other was killed. The most remarkable thing that happened was with the company left at Wei Hai Wei.

"These men were so chagrined and disappointed at being left behind, and so determined to participate in the fighting, that almost the entire command deserted and fought their way through nearly 50 miles of hostile country to join their companions at Tientsin, where I kept them until active hostilities ceased. On returning to Wei Hai Wei, I shall renew recruiting and expect to largely increase the number of our Chinese force."

All the troops employed by Great Britain in the China relief expedition were Indian, most of them Gurkas, Sikhs, Beluchis, and Royal Bengal Lancers. Colonel Shone, who has long been an officer of the Royal Engineers in the imperial army of India, said to me:

"It would be quite impossible to maintain order in India without the employment of natives who can endure conditions in the Tropics which would soon annihilate white troops. England has found it advisable to keep an army of 75,000 British troops with 150,000 natives for her protection there. Too many of one tribe should not be employed in one locality; at least one-third should be white troops. Had this precaution been observed there never would have been a Sepoy rebellion or an Indian mutiny."

In the report of Adjutant-General Corbin, published to-day, it is asserted that if it is decided that General Chaffee's forces shall not be reduced, 20,000 new recruits will be necessary to replace those leaving the Philippines through expiration of time of service between now and July, 1902. As enlistments in the American Army are now comparatively rare, owing to the abolition of the canteen and the hardships of tropical service, this force must practically be drawn from new blood, recruits, none of whom have been acclimated to tropical conditions. As the figures given in the Adjutant-General's report show that in the Philippines about five men die from disease for one who falls in battle, and that the casualties there have already amounted to 3,493, to say nothing of the enormous number invalidated home to swell the pension rolls, it remains to be seen how much longer the American people will submit to this unnecessary waste of our home material when native force can be equally well substituted.

NEW YORK, October 18, 1901.

Mr. SAMUEL W. SMITH. Mr. Chairman, in the brief time allowed me I desire to call attention, in connection with this the fifty-eighth section of the bill, to the urgent necessity and advisability of the passage of some legislation that will give to the people of the Philippine Islands a stable and sound currency, and I will do so by reading a portion of a letter from a teacher in the Philippine Islands, which letter was recently forwarded to me by one of my constituents, and I have no doubt that it reflects the true condition of affairs there respecting this subject. He says, under date of April 23, 1902:

Our checks are made to us in Mexican currency. The Department fixes a ratio every quarter for the following three months—for instance, at \$2.10. During that quarter the legal ratio goes to \$2.30 or \$2.40, as it is now, and we have to lose, you see, 20 or 30 cents on every \$2.10 Mexican. It is a steal. We were hired at a fixed salary in gold and are then paid in Mexican (meaning, of course, in Mexican money).

This month I am paid \$174.90 Mexican, at the ratio of \$2.10, but the legal ratio in the bank is \$2.40, at which rate I should get \$199.20 Mexican (which equals \$33.33 gold), thereby losing \$24.90 Mexican, which equals \$10.30 gold. That reduces my salary from \$33.33 to \$73 for this month. Is that justice? The Department says that the ratio may change and run back and then we should gain, but if we did we would have to keep our money until that time, and what would we live on or what would we send home?

In January the ratio was \$2.10 (Mexican to \$1 gold), and we were paid at \$2.10, losing nothing. In February the ratio was \$2.17, causing us to lose 7 cents on \$2.10 Mexican, equal to \$5.12 on our month's salary. By the time we got our March check (also at ratio of \$2.10) the legal ratio had gone to \$2.40, causing a loss, as I said, of \$24.90 Mexican, or \$10.30 gold. But this is

the end of the quarter. I hope my April check will be at a different ratio. Indeed, I have just learned that the ratio for April, May, and June will be \$2.27 Mexican for \$1 gold. That's it, draw our salary at the bank at \$2.27 and stand right in our tracks and pay it back at ratio of \$2.40 to get gold, losing 13 cents on each \$2.27 Mexican; and yet we were hired by the Government for a fixed salary gold.

What's the matter with Congress? Are they all asleep in America? It is hard enough to come over here and help make this country without having the Government take from us what justly belongs to us after we get here. God knows we don't get any too much salary when we get what was promised us; it takes it all to live here, and we don't have the kind of living you get in America, either.

How much this reminds us of the stories told us by our fathers, and doubtless well known by some members of the House, of the days of wild-cat money in this country. I see no reason why we should not give to the people of the Philippine Islands a sound currency, such a currency as we have, the best in all the world, or one equally as good.

I also avail myself of the opportunity to insert in the RECORD at this time a letter from James A. Le Roy, private secretary to Commissioner Dean C. Worcester, who has been in the islands for two years or more and is perfectly competent and qualified to speak. Mr. Le Roy has already contributed to various magazines, some of which may be found in the Independent, July 4, 1901, entitled "Civil government in the Philippines;" July 11, 1901, "The real Aguinaldo;" August 22, 1901, "Home rule in the Philippines;" October 10, 1901, "Higher administration in the Philippines;" November 14, 1901, "The Manila bishops' pastoral;" November 28, 1901, "The greatest of Filipinos;" also in The Islander for April, 1902, "The Chinese in the Philippines."

It may serve to correct some misstatements of Sixto Lopez which recently appeared in a distinguished Senator's speech.

PONTIAC, MICH., June 14, 1902.

HON. SAMUEL W. SMITH,  
House of Representatives, Washington, D. C.

DEAR SIR: On pages 6643-6647 of the CONGRESSIONAL RECORD for this session there was published a series of answers made by Señor Sixto Lopez to questions stated to have been propounded by Senator CARMACK. These answers, though made in a somewhat more careful manner than various other communications bearing Señor Lopez's signature (hence supposedly prepared by him), are nevertheless glaringly incorrect in many respects.

These inaccuracies usually consist of glittering general statements, with no attempt to bolster up the statements by concrete facts or examples. All such must stand, then, as merely the opinion of Señor Lopez; and it should be noted that he has not been in the Philippine Islands for at least seven years. He was certainly not there during the revolt against Spain; nor has he been there since American occupation began. By some Filipinos I have been told that he has been absent for ten years. Again, Señor Regidor, the Filipino in London whom Señor Lopez sometimes quotes, has not been in the Philippine Islands for thirty years. Señor Lopez himself went to Hongkong last fall, and through third parties tried to get assurances that he would be welcome in Manila. He was assured that he was free to enter if he would, on entering, take an oath not to incite to rebellion against the constituted government there, and he chose to stay out.

With this qualification, Señor Lopez's opinions about the state of affairs in his own country may be taken for what they are worth. Those exceptional cases where he assumes to state facts, or give concrete examples to support his opinions, may well be called to notice.

First, Señor Lopez says: "I have been working for twelve years in order to secure the independence of the Philippines." It would be interesting to have him quote to us, from any publication of Manila, Madrid, or elsewhere, between the years 1890 and 1897, any argument, declaration, or what not of his, over his own name, in which he advocated such independence.

Señor Lopez has, I understand, claimed some of the glory justly accorded to José Rizal, a martyr in very truth, and a genius justly admired by his people; at least, Señor Lopez has, at various times, declared that he was a coworker with Rizal, and has intimated that he as good as inherited the mantle of Rizal. Is he not aware that Rizal never advocated the independence of his people from Spain; that his great novels were written primarily to point out to his own people their defects and to teach them the salutary and necessary lesson that in order to obtain the full measure of modern political, social, and economic freedom they must first earn and deserve that freedom?

Scathing as were Rizal's exposures of the defects of Spain's civilian and friar-ridden institutions, the larger lesson to his people stands out clearly in his books. He did not believe his people yet ready to stand alone, and what he preached to them was the need for an educational and moral awakening. To his dying hour he protested, and truthfully, that he had never been connected with the propaganda of revolution against Spain. Six months before he was executed he was accorded permission, at his own request, to go to Cuba and act as volunteer surgeon in the Spanish army then operating (1896) against the insurgents in that island. He did this to prove his loyalty to Spanish sovereignty, and in sending him on to Spain from Manila Governor-General Ramon Blanco wrote a letter commending him to the Spanish minister of foreign affairs, Marcelo de Azcárraga, in which he said (Manila, August 30, 1896):

"His conduct during the four years that he has lived in deportation in Dapitan (Mindanao) has been exemplary; and he is, in my judgment, so much the more worthy of pardon and benevolence that he is shown to be in no way complicated in the plotting we are these days lamenting here. Neither is he in any conspiracy or any of the secret societies they have been getting up."

Writing to his German friend, Dr. Blumentritt, while on his way to Spain, and thence to Cuba, September, 1896, Rizal speaks of having, during his wait at Manila for a steamer to Spain, remained on board a Spanish cruiser in Manila Bay, at his own request, that he might not be charged with a share in the uprising then being planned. He adds:

"During this period of time there happened the serious disturbances in Manila—disturbances which I lament [not his italics], but which serve to show that I am not the one responsible for upsetting things."

And again, writing to Dr. Blumentritt, on December 26, 1896, the night before he was shot, Rizal says: "To-morrow at 7 I shall be shot, but I am innocent of the crime of rebellion."

It would seem, therefore, that Señor Lopez had already in 1890, according to his statement of to-day, gone far beyond the position of Rizal. Señor Lopez furnishes us with a list of 65 Filipinos, classified as "statesmen," "soldiers," "merchants," and "philosophical men," who, he says, should be summoned to testify as to the desires of his people.

The list is such as perhaps might have been expected from one out of intimate touch with affairs at home for more or less than a decade. It contains a number of obscure men, several who are absent from the islands (and not at Guam, either), with a fair number of representative men, while it omits some of the most intelligent and representative Filipinos now in the islands. Señor Lopez says all those whom he names are "opposed to the present policy," but I personally know that at least 26 of the 65 are not so in opposition. He enrolls among our "opponents," for instance, Chief Justice Cayetano S. Arellano, who has actively cooperated with the American authorities since early in 1899, who has made speeches in favor of our governmental programme all over the archipelago, and who, for one thing, induced Aguinaldo to take the oath of allegiance.

Señor Lopez's ethnological figures are open to serious questioning. Of an assumed Philippine population of 10,000,000, he thinks 9,000,000 to 9,500,000 are "homogeneous," i. e., supposedly, are Christianized and live in the settled towns of the civilized provinces. These people are usually called the "Filipinos proper." The usual estimate of their number is 6,000,000 to 7,000,000. At any rate, Señor Lopez is very far wrong in saying that a total of half a million or less would include all the Moros, Igorrotes, Negritos, and wild people generally of the Philippine Islands. There may be 500,000 Moros in the single Lake Lanao region of Mindanao, and there are in all from 750,000 to 1,500,000 Moros in the southern part of the archipelago.

There are from 200,000 to 500,000 non-Moro wild people in Mindanao, the hill tribes, Indonesians, so called. It is by no means safe to assign figures of less than half a million for the Igorrotes and kindred tribes in northern Luzon and the various wild peoples in Mindoro, Palawan, Samar, and other islands.

Where did Señor Lopez get his authority for saying "the Moros have signified their willingness to join with the Filipinos in forming a government?" In the Moro country the dato is supreme ruler, for life or death, of those called his followers; and a compact with Moros is therefore of necessity, a compact with datos?

What dato or datos ever expressed a "willingness to join" with the Filipino revolutionary government? And if one, two, or three ever should, as might be possible (if promises of "something in it" were held out to them), that would imply nothing beyond the acquiescence of their few hundreds or few thousands apiece of followers. There is almost nothing in common between Moros and Filipinos—not language, nor customs, nor religion, nor laws, nor ways of life—and only to a degree have both a common racial origin, as anyone knows who knows anything about the matter.

Authority shall be given for the statement: "Even the Moros of Mindanao and the Igorrotes, who had never been subdued by Spain, acclaimed Aguinaldo and were prepared to recognize his government." At Cottabato, Mindanao, the Moros slaughtered the men who claimed to represent Aguinaldo in the formation of a branch of the insurgent government. At Davao, Mindanao, there had been considerable trouble between Moros and Filipinos, and the safety of the town was threatened by the Moros when our troops arrived and restored order. At Zamboanga, the other point in Mindanao where Moros and representatives of the Malolos government came into contact after the withdrawal of Spanish troops, Dato Mañdi repeatedly tried, before the arrival of American soldiers, to get the authority of the American naval officer in the harbor to sack the town in our behalf and take the heads of the Filipino leaders.

So much for Moro "cooperation" in Mindanao. As to the Igorrotes, the sturdy mountaineers of north central Luzon, Spain had not done much for them, it is true, but she had sent Ilocano officeholders from the lowlands among them, and they, cowed by show of firearms, were wont to yield tribute of forced labor, with no pay, when called on, except in the remoter mountain fastnesses, where Spaniards never penetrated and where head hunting was the rule between tribes. Somebody at Malolos conceived the idea of sending Ilocano emissaries among the Igorrotes of Bontoc and Lepanto and ordering them down to Aguinaldo's headquarters, where it was represented high honors would be paid them and they could take all the cowardly American heads they wished with their spears and head axes.

They came, willy nilly, at the bidding of their Ilocano domineers—children of the hills and forests, a little band of a few score nearly naked savages, never having heard of the Americans, only knowing that they were white skins, like the hated Spaniards. In order that the news might go out to the world that poor, liberty-loving people had fought us with spears and shields, they were placed in the van of Filipino defense when the American forces first marched north from Manila. In the same way, when the insurgents tried to surprise the American garrison in Iba, Zambales Province, one night in 1899, with their rifles they drove in ahead of them a wretched band of the unclad dwarfs, the Negritos, punily brandishing their bows and arrows and terrified by the American bullets.

It is not meant to insinuate that there were not men of capability and sense connected with the Malolos undertaking, but these instances reveal the presence there of some harebrains, who thought thus to secure sympathy and help from the outside world, while at the same time other Filipinos of the same stamp were assuring their people at home that a half dozen European nations, more or less, were about to intervene for Philippine independence; and Señor Lopez's former chief, Agoncillo, was trying to make it appear to Mabini that he was worth his cost by writing from Germany that he had seen the minister of foreign affairs in Berlin and was soon to be accorded an interview with the German Emperor.

This handful of undeceived Igorrotes had speedily discovered that there were rifles in the American camp, and men who knew how to use them, and, when permitted, they made for their mountain homes as fast as their legs would carry them. To-day they know the Americans, and are good friends of ours, and a year and a half ago one of their leaders (who will sometimes admit, with hanging head, that he went down to Aguinaldo's camp) came down to Manila to ask for an American flag and an American school in his Bontoc community. His people now have both.

There was somewhat similar "cooperation" on the part of the peaceful agricultural Igorrotes of Benguet Province. It had been hoped to make the Benguet Mountains another Biacna Bato when our troops should drive the insurgents north, and a gun foundry was to be located halfway up the difficult trail leading into Benguet. Here, at Sablan, Benguet, one may see to-day half a dozen big church bells, taken from the towns on the coast, a boiler, and part of an old lathe. The Benguet Igorrotes were forced to drag these heavy things 10 miles up this trail, which tires the unencumbered traveler with horse.

Their labor was forced and without pay, for they were under the thumb of their Ilocano taskmasters. There was no talk about "consent of the governed" for these peaceful Igorrotes. Their towns were all given a paper organization under the Malolos government, and the offices were held by Ilocanos. To-day the Igorrote settlements of Benguet are under American Government, officered entirely by Igorrotes, except for the town secretaries, who are Ilocanos, as no Igorrotes can read and write. We have American teachers at work with youngsters, and I saw one school of these breech-clouted semisavages where, in two weeks' time, several of the brightest youngsters had learned to read words, and even simple sentences out of a primer. So much for the difference between 1898 and 1901.

In his efforts to sustain his assertion that the Christianized population,

the Filipinos proper, though called Tagalogs, Visayans, Bicol, Ilocanos, Cagayanans, Pangasinanans, and Pampanganans, are really more homogeneous than the people of the various 45 States of our country. Señor Lopez has been led into strange statements.

First, he remarks that there was not, under Spanish domination, a case of intertribal warfare. Strictly speaking, that is so, since the time when Spain had made good her authority in all but the mountains and the Moro regions, and the friars had converted all these lowlanders to Christianity. Prior to this time the people were, almost everywhere, but somewhat scattered bands, under petty chiefs, varying in importance and power.

I am not one of those who carelessly asserts that the Filipinos were savages when the Spaniards came, for what little valid historical evidence we have does not bear out this view, but certainly the "pueblo" life of to-day, in almost all its features, is an outgrowth of conditions created by Spanish occupation. Prior to the time when the new force of military authority and of the missionaries was felt there was intertribal and intercommunity warfare in plenty, so far as the evidence goes to show anything as to these ante-historical times in the Philippines. And the Spanish rulers did not seem to have trouble in enlisting Filipinos of one dialect or tribe to fight those of another, or keep order among them.

Señor Lopez is horrified that the American authorities should have enlisted as scouts Macabebes "and some others." There are Ilocanos, there are Tagalogs, there are Visayans enlisted under our flag, and there is no trouble whatever in getting all the recruits wanted, in spite of the "unanimous desire for independence." Furthermore, these men are not looked upon by their people as Benedict Arnolds, as Señor Lopez would have us believe. My observation has been that they were usually envied by their fellows among the young men and that the unmarried among them could almost have their pick among the girls of their set. So differently do things go from what one who reasons about them from a distance of 10,000 miles sometimes thinks they should go! Similarly, those comparatively few Filipinos yet under compulsion as prisoners of war, awaiting the final proclamation of peace, have grown in Señor Lopez's overworked mind into many thousands.

To make a case for homogeneity Señor Lopez must minimize the difference in the languages of the Filipinos. He makes the other six dialects of the civilized peoples (treating the Visayan incorrectly as one) all derivable historically from the Tagalog. Of course, the truth is that the Tagalog and all the others are variations from a common Malay stock language, which had Sanscrit and Arabic, perhaps also other, influences worked into it. They are decidedly similar, of course, and yet different enough so that the Tagalog who knows no Spanish can not hold conversation with the Visayan, the Bicol, the Pampangan, the Pangasinan, or the Ilocano.

It should be borne in mind that the average Filipino's vocabulary (excluding now the educated classes who speak Spanish to each other) contains only from 300 to 600 words. Being born, living, and dying right where their fathers did, as in the past they almost always did, with very little or no going about, these masses have developed many colloquialisms, so that even a Tagalog, when too far removed from his particular communities, might not be able to understand all another Tagalog's ideas. This last is a rather extreme case, but I have known it to happen among the least educated.

Señor Lopez has carefully selected 31 words which are very similar in Tagalog and Visayan. To be worth while for comparison, we should have the 400 or so words which make up the language of the average man of the masses in the Tagalog province of Cavite and his compeer in the Visayan province of Iloilo, and it would readily appear how far apart the two men would be from understanding each other, except for a few of the commonest words of life. And Señor Lopez has neglected to tell us that the Visayan commonly spoken in Panay has many differences from that spoken in Cebu and again from that spoken in Leyte.

Perhaps I am overbold in thus stating facts, for Señor Lopez has "challenged disproof" of his statements calculated to establish a common language for all the Filipinos. The facts I state here are, however, of the sort necessary to the most fundamental knowledge of these Malay dialects, and can be very readily verified.

Señor Lopez, speaking of there being representatives of the various tribes in the colleges of Manila, says, "Although there is considerable rivalry among the students, the rivalry is not between Visayans, Tagals, Bicolans, etc." Again, he is out of touch with the facts existent to-day in Manila. And but twenty-five years ago—I have it on the authority of no less a man than Chief Justice Arellano himself—Tagalogs and Visayans, Ilocanos and Bicolans, used to clash in fights in the halls of the oversleepy friar "university" of Manila.

It is very true that these tribal lines can be and have been magnified in importance. In physical appearance, in religion, in most of the ordinary customs of life, Tagalogs, Visayans, Ilocanos, etc., are quite the same. The greatest charge, perhaps, to be brought against the uneconomic civil measures of the Spanish Government, side by side with the medieval influences of the friars, was that this whole system operated to keep the Filipinos from being and from feeling themselves to be a people; it kept them provincial, and the mass of them villagers in knowledge and in sympathies, while only the few rose above these unnatural barriers and gained the vision of nationality.

It may seem ridiculous that, with the really slight fundamental differences between tribes, they should not to-day be a people, but the fact is that they are not. And the language barrier is the greatest of all, now that uneconomic restrictions to trade and communication between provinces have been swept away by the application of the American principle of freedom of intercourse. That is why every effort is being made to give them a common language—the English. That is just one great difference between Spanish and American government. We want the spirit of nationality and unity to grow, with growing trade and better means of communication. Spain wanted to, and did, squelch almost all tendencies toward unity and nationality.

Señor Lopez is, at least, not entirely ingenuous in dealing with the question as to the state of education of his people. He once gave to the American people statistics to prove that the people of Batangas province are more literate than those of Massachusetts; he has not yet given us the authority for the figures which seemed to prove his case. Now he says 30 per cent of the Filipinos speak Spanish; almost all of them speak a few Spanish words—yes, and more than 50 per cent could understand the simple commands given to servants in Spanish—but not 10 per cent of Filipinos are educated in Spanish so as to speak and read it fluently, this according to all estimates yet made by competent authorities.

But, says Señor Lopez, 75 per cent of the people can read and write in their own dialect. True; but of what avail is it to be able to read if one has nothing which he can read, and of what use to be able to write if one but rarely has a chance to communicate? This respect for the ability to read and write, however, and the craving for something to read in their dialect are among the most encouraging signs for the Filipino masses. With what can the Tagalog, for instance, now satisfy this craving if he does not read Spanish?

Search Manila over, and you will find printed in Tagalog only the catechism, a few church books entitled "Models of Conduct," etc., almanacs, and now and then "Cinderella" and other fairy tales put over into the dialect years ago; no histories available, no Bible, no stories of a modern sort, no literature at all, in fact, according to our way of thinking.

There is a little Tagalog daily newspaper in Manila, but out in the provinces the great mass of the people have access to nothing of that sort. Suppose the average man does read, then, except by hearsay, he knows nothing of the world outside his own town. Mere ability to read and write does not constitute education. Señor Lopez tells of the Filipinos being able to read and write in their modified Arabic script before the Spaniards came. True, but they had no literature, and to-day we can not go back of the Spanish conquest except by traditions and a few curious old documents.

He says, "The Filipinos have opened elementary schools in every village. They have also founded high schools and university colleges throughout the archipelago, and a university, two large normals for male and female teachers, and five large schools for women in Manila." Surely Señor Lopez does not mean to state the Filipinos individually or by cooperation, and not the Spanish authorities, founded these institutions, while the grievance of the Filipinos, as they came to see their own needs, lay in the facts that these institutions were very far from sufficient for their needs and that they were deficient and monastic in methods.

He knows, of course, that the Dominican friar who was at the head of the so-called "university" in Manila was, ex officio, a sort of superintendent of public instruction for the archipelago, and that the Spanish decree of 1872 secularizing public instruction in the islands was never really carried into effect. One of the avowed grievances of the Filipinos was the absolute friar control of their means of education; hence it seems somewhat disingenuous for Señor Lopez to give us the inference that the Filipinos of themselves created, maintained, and managed their schools and colleges.

He speaks of "an educational institution (purely Filipino) granting scholarships which enabled the winners to study in Europe." He should also, in fairness, have told us how many Filipinos have ever had the benefit of this commendable undertaking, now being laudably carried on by the International Club of Manila (mostly Filipinos), which sends one or two young men every year to be educated in the United States.

Señor Lopez can also find little good in the sending of 1,000 American teachers to the Philippines, for he says: "There are thousands of capable teachers in the islands. We have had for the last thirty or forty years two large normal schools in Manila, and we are capable of conducting our own educational affairs." In this respect he differs from the majority of these same teachers, who realize their incompetence and crowd eagerly into the American normal courses during the vacation and take advantage of the co-operation and instruction of the American teachers day by day during the school year. Señor Lopez ought to give us the curriculum of these normal schools of which he talks grandiloquently.

The education of the teachers who graduated from them was, in most respects, not equal to that of an American youth who quits at the fifth or sixth grade. The text-book they employed in teaching the young Filipinos, in the latest form before American occupation, contained religion and morals, grammar, arithmetic, six pages of geometry, geography, history, deportment, one page each of botany, chemistry, and zoology; agriculture and orthography—all in 240 badly-printed 16mo. pages. Much of this, truly a "compendium of knowledge," was never touched upon, through the lack of familiarity with it on the part of the teacher or because the friar, who was school overseer in each parish, forbade it. This prohibition lay particularly against that part of the text-book which conveyed, and poorly enough, too, a little instruction in the grammar of the Spanish language.

Señor Lopez complains of the present government of the Philippines being a costly one; that the Schurman Commission's promise of lower taxes has not been carried out, and that the land tax is calculated to be oppressive and to force Filipinos to sell their land to foreigners.

Under the Spanish fiscal system the chief burdens in supporting government fell upon the poor man, through the cedula tax, which was applied directly, and the various forms of industrial or internal-revenue taxation, which bore principally on the great commodities of the people and not on luxuries. The wealthy landowner had no special contribution to make as such.

Under American government American principles of taxation have been introduced. With a full year's notice given, the direct tax on land is this year to be applied, the proceeds to go—the seven-eighths part—to the municipal and provincial governments themselves, and one-fourth of them to go to the municipal schools. The ordinary workingman is paying a cedula tax of \$1 Mexican, as compared with \$2.50 Mexican formerly. The more oppressive forms of industrial taxation have been done away with. The customs tariff provides a uniform levy of 15 per cent, for purposes of revenue, on the ordinary commodities that must be imported. Articles like diamonds, which formerly were assessed lightly, must now pay 25 per cent, and thence upward.

There is, of course, grumbling against the land tax on the part of some wealthy owners of estates who have in the past escaped their fair share of taxation. The Lopez family, including Señor Sixto Lopez and his brothers, are, if not the family owning the largest estates in Batangas, at least among the very largest landowners of that province.

Very respectfully,

JAMES A. LE ROY.

I will also submit a further statement from Mr. Le Roy, which includes some instructions that have never before been published, and I desire to call especial attention to the first paragraph of "antecedent data:"

Early in January, 1899, when the situation was becoming critical in Manila, General Otis, in pursuance of his instructions to take every means for the avoidance of armed conflict with the Filipinos, under the nominal leadership of Aguinaldo, indicated to the latter through a third party the desirability of establishing a modus vivendi for their troops. President McKinley was then about to name a commission of civilians to proceed to the islands and associate themselves with Admiral Dewey and General Otis in ascertaining conditions, making recommendations as to the course to be pursued when the treaty of Paris should be ratified, and, by conference with representative Filipinos of all classes and factions, making a start toward permanent good relations with the natives of the islands.

The treaty not having been ratified, American authority extended only to Manila Bay and the city and its immediate environs. The actual conditions were: Our soldiers penned up in the city, responsible to foreign nations, to the citizens, natives and otherwise, and to our own honor for public order; while outside there surrounded them a cordon of Filipino soldiery, whose hostile attitude was daily becoming more evident, who were threatening and planning uprisings and burnings in the city itself, and who, by long and uninterrupted boasting, had come to believe that the American Army would be easy for them to annihilate. Regardless of all past relationships, of theoretical questions as to the rights or wrongs of the case—laying these considerations aside for the moment—these were the actual facts of the situation in January, 1899.

Naturally, the American commander, receiving almost daily cautions against provoking—nay, if possible, permitting at all—an outbreak and an appeal to arms, was desirous of arriving at some sort of modus vivendi which would permit the treaty to be acted on at Washington, the Commissioners of the President to arrive with their instructions, and something approaching a definite policy to be arrived at. Under the circumstances, he

could not have been otherwise than anxious to meet Aguinaldo in a conciliatory spirit and to patch up some terms under which, for the time at least, hostilities would be averted.

In what temper did Aguinaldo meet these advances—or, rather, Aguinaldo's coterie of advisers? For Aguinaldo himself was never trusted to handle such a situation single handed; his name might be signed to papers and negotiations, but that was all he ever did in connection with them.

In this case it was "Chief Adviser" Mabini who handled the matter. The invitation was to send commissioners to treat with an equal number of representatives of General Otis in a purely informal way and make some purely temporary terms, to be backed by the authority simply of the two generals, as commanders of their forces. Mabini at once twists this informal invitation, sent through a civilian of Manila, into a chance for the exercise of subtlety rather than frankness. He sends down to Manila Señors Florentino Torres and Manuel Arguelles, loaded with carefully prepared formal instructions and commissioned as representatives of the "revolutionary government of the islands," to treat with the "American government of occupation," signing their credentials himself as "President of the council." Their instructions, which will be given in full later on, and which are of importance for another reason, hint at the provisional recognition of Filipino independence (which he had privately made for them a sine qua non) and require the securing from General Otis of a promise for a final "treaty" between the "two governments."

This was the disingenuous way in which Mabini met this invitation to a conference to temporarily avert bloodshed. Knowing full well that the American general had no such authority, and that the American Government was not in position to make such terms if it wished until the treaty of Paris had been ratified, he only wished to trap General Otis into seeming to recognize representatives of Aguinaldo as official commissioners of the "revolutionary government," in order afterwards to say: "Here was another promise of our independence."

That this view of the case does no injustice to the shrewd Mabini is shown by the subsequent private correspondence between the president of council and the Filipino commissioners at Washington. To resume briefly:

These first instructions were given to them, and they were dispatched to Manila from Malolos on January 5, 1899. The next day they informed Mabini that they could not treat as "commissioners of the revolutionary government," and inclosed a note, furnished through the third party, signed by General Otis, saying that, "as general in command of the Army of the United States in the Philippines, he would nominate representatives to confer with an equal number named by General Aguinaldo, and also that he would be pleased to receive, at any time, representative Filipinos of character and influence." This was plainly all that General Otis had authority to do.

Mabini demurs at first, in his reply of January 7, that "if Aguinaldo sends representatives as a simple general he does not represent the people. Aguinaldo can only solve questions of present moment as chief of the government, not as chief of the army"—whatever he may have meant by this.

Aguinaldo's representatives repeat the refusal of General Otis to recognize the "revolutionary government," and add their own arguments as to why he could not go beyond this, urging that Mabini yield, in their telegraphic reply of January 7. Whereupon Mabini yielded, as he had expected all along to do, and on January 9 signed authority for three representatives of Aguinaldo as general—Señors Florentino Torres, Ambrosio Flores, and Manuel Arguelles—to meet three representatives of General Otis." As he put it in his handwriting, though signed this time by Aguinaldo, they were appointed "in order that, in accordance with the instructions already given them, they should negotiate with the commissioners named by Maj. Gen. E. S. Otis, commander in chief of the American forces, the bases of a provisional agreement to assure peace and amity between the said forces and the Filipino people until the establishment of a final agreement between the governments of both nations."

The American officers who represented General Otis in the conferences that ensued were Brig. Gen. R. P. Hughes, Brig. Gen. James F. Smith, and Col. E. H. Crowder. Only in part have the details of their conferences, lasting up to January 31, 1899, been made public, and it is not to the purpose to enter into them at this point. Suffice it to say that, at every turn, no matter how evident was the desire of the three Filipino commissioners to meet the American propositions fairly and to answer the questions which the latter propounded to them as to how they could possibly maintain an independent national existence, they were handicapped in their efforts at frankness by the hidebound instructions of Mabini that they must worm from these Americans some sort of recognition, if only halfway, of the revolutionary government.

When their meetings were for the second time on the point of breaking up, because the American commissioners had to state frankly that this matter of permanent status was not one on which they had any power whatever to treat—a fact expressly understood in the beginning—then Mabini, to whom the three Filipinos had, in despair, resorted for further instructions, while he still iterates and reiterates that they must stipulate for an agreement with the "revolutionary government," nevertheless adds a note (January 11, 1899) to his roundabout phrases, saying: "I expect that you gentlemen will be successful in this difficult undertaking, understanding well that in case no further session is announced we should be much prejudiced by that fact." In other words, "It is not yet time to break squarely with them. We must strengthen our public case, and can not afford to seem to have rejected a fair chance at negotiation and peaceful settlement."

Interesting sidelights on the twistings and turnings of the subtle Mabini may be obtained from the perplexing and shifting instructions he sent down to the Filipino commissioners at Manila during the latter part of January, 1899. The above statements only contain the gist of the matter, obtained from private documents still, for the most part, in the hands of private citizens of the Philippines. It is, however, well worth while to present in full the first set of instructions, those made out by Mabini at Malolos on January 5, 1899. The translation here presented is obtained from private sources, but a copy in Spanish of the original document, which is in Mabini's handwriting, is, I believe, on file in the War Department. The translation reads as follows:

[Presidency of the revolutionary government of the Philippines. Instructions to be observed by the commissioners, Señors Florentino Torres and Manuel Arguelles, under which they are to treat, in the name of the revolutionary government of the islands, with the American Government of occupation in Manila as to the bases for arriving at a provisional treaty to maintain the good relations which ought to exist between the two governments until the definite treaty be formulated and approved.]

#### ANTECEDENT DATA.

First. The chief of the Philippine people has not made any agreement with the Government of the United States, but, inspired by the same ideal of destroying the sovereignty of Spain in these islands, they have mutually assisted each other.

Second. In spite of the sacrifices made by the revolutionary army, the American general committed, when taking Manila, the injustice of not allowing a share in the triumph to those who were, though only "de facto,"

his allies, while it is public and notorious that the prompt surrender of the city was particularly due to the valor, bravery, and constancy of the beleaguering revolutionary army. That, after this, conflicts occurred between the allied forces, which, though settled in a friendly manner, gave rise to the subsequent manifestations of distrust.

Third. The cities of Iloilo and Cebu having been surrendered by the Spanish generals to the revolutionary chiefs, and, while the greatest order reigns in them, the Americans desire to occupy them in a friendly manner, if possible; and if not, by main force, as is set forth in an official telegram published in one of the newspapers of Manila, going to the extreme of intimating to the revolutionary chiefs by means of an ultimatum the surrender of the cities, especially that of Iloilo, for as regards that of Cebu there is so far no trustworthy news. This the revolutionary chiefs refused.

In consequence of this and in view of the mobilization of American troops to reinforce the independent brigade destined to occupy the Visayan Islands, the President, in accord with the council of secretaries, has considered it convenient to appoint a commission composed of said Señores Torres and Arguelles, with such confidential interpreters as they may select for the object above indicated, subjecting themselves, for that end, to the following instructions:

First. That they manifest to the government of occupation that the Philippine people desire to live in complete peace and harmony with the great American people, as they understand the necessity of its protection and will never forget that it was the first champion of the peoples oppressed by the bad Spanish Government, to which end the revolutionary government will take the necessary steps.

Second. In its consequence, that they will supplicate from said government of occupation the maintenance of the "statu quo" until the conclusion of a formal agreement between both Governments, as the Filipinos of the island of Luzon could not look with indifference upon the dismemberment of their territory in the Visayan Islands, and, wounded in their patriotism, will perhaps not be able to suffer the foreign invasion of their territory. So much more so as the invaders of to-day have been the allies of late, who, by manifestoes and proclamations, have assured the people that they had not come to make war against the Filipinos but to liberate them from the Spanish dominion.

Third. That with a view to the indicated aim of maintaining the "statu quo" as regards the armed action of the government of occupation, as well as in order to initiate the provisional treaty that is to improve the relations of both Governments, the basis be agreed upon, founded on the strictest justice, equity, and reciprocity, which basis, once ratified by both parties, will be developed by means of commissioners within a short term.

Malolos, January 4, 1899.

The president of the council.

#### MABINI.

The first clause of the above is of course the particularly pertinent one, containing thus a categorical denial, on the part of Mabini for Aguinaldo as late as January, 1899, of there ever having been any alliance of formal agreement with the American authorities. This becomes more important when the private, purely private, character of these instructions is considered. In the second paragraph, as if to emphasize it, he speaks of the Americans as allies, but only "de facto" allies. This at once shows that Aguinaldo, Mabini, et al. were not in the least deceived by a belief that an American consul at Singapore or at Hongkong, or even an American admiral, could bind the people of the United States and their Government to any course by their own action alone.

[If the translation be called into question, here is the Spanish of this paragraph relative to "The chief of the Philippine people," etc.:

#### "ANTECEDENTES.

"El Jefe del pueblo Filipino no tiene celebrado contrato alguno con el Gobierno de los Estados Unidos; sino que movidos por un mismo ideal de abatir la Soberanía de España en estas Islas, se ayudaron mutuamente."

As to the three commissioners who came in for Aguinaldo. Señor Torres severed his connection with the Malolos government and came into Manila when they declared for war on us. He was attorney-general after the reorganization of the courts under the American military government, and is now a judge of the Philippine supreme court under the American civil government. Señor Ambrosio Flores retained his commission as general in the insurgent army and fought fairly and well until the war had degenerated into mere guerrillaism and assassination, when he gave it up, afterwards taking the oath of allegiance to the United States. Unlike some other such leaders who had the great chances to prey on his people which his command gave him, he did not emerge from the war a rich man, but was, in Manila in 1900, quite dependent upon the mercy of his friends. He was active in the organization of the Federal party; was appointed governor of Rizal Province, which adjoins the city of Manila, by the Commission, and in February last was reelected to that office.

Señor Manuel Arguelles, who was converted to the American side by the arguments which he heard at Manila on this occasion, was foolish enough to frankly state his views as to the interests of the Filipinos lying in the line of cooperation with the Americans after he got back to the insurgent headquarters. For this General Luna promptly clapped him into jail, where he was kept, without charge or trial, for some months, being furnished with a revolver at one time and cautioned that he would best commit suicide. He did not; was finally released at the approach of the Americans, and has since been an active "Americanista" in Manila. He was prominent in the formation of the Federal party.

When Isabelo de los Reyes, the same half-caste who has returned to Manila, taken the oath not to incite to rebellion against present government, and is at the present time engaged in promoting strikes of all the laborers in Manila for the purpose of embarrassing the government and sowing discontent—when this Ilocano half-caste, de los Reyes, was in Madrid, running a junta paper, called *Philippines Before Europe*, with revolutionary funds, he was loud in his denunciation of everything done by the Americans in Manila and the islands. There was one notable exception, however. In 1900 the decision of a Filipino judge in the Tondo district of Manila deprived him of the right of disposal of a house which he claimed as his property in that district.

Touched in his pocket, de los Reyes promptly discovered that the great need of the Philippines was for American judges and a reform of the old laws and old system of procedure. He gave up a large part of the issue of his revolutionary paper of September 25, 1900, to an "exposé" of this abuse committed against his pocketbook and proceeded to lecture the American authorities as to their duties in the matter of reforming the judiciary, sending marked copies to each member of the Taft Commission. He remarked, quite truthfully, "The Yankees are responsible for the acts of the judges put in office by them." And this man, who had been preaching in Europe the preparedness of the Filipinos for full self-government, had this to say also: "We should not find any objection to accepting the Americans' legal and educational systems, if they consider them indispensable for our moral uplifting."

Much has been said as to the adoption by the Filipinos at Malolos of a constitution, based in great part on ours; and as to their proposing to follow our examples and our principles of government, "Why," say some orators,

"among their first provisions was one for freedom of conscience and freedom of religion." Far from it. The matter of separation of church and state was a much debated one in the congress of Malolos and with the leading Filipinos of the time. There was finally a committee report to the congress on the matter thus referred, and that committee report declared for the proclamation of a state church in the Philippines—that church to be, of course, the Roman Catholic. There was at that time an excommunicated native priest in Aguinaldo's headquarters, calling himself "War Bishop," and giving out orders to native priests all over the island, in the name of Aguinaldo, while Filipino representatives had been commissioned to secure if possible a recognition from the Papacy of this new government and the power for it to make appointments to curacies in the Philippines.

There was an element at Malolos opposed to this programme and desirous of a declaration for separation of church and state. They made opposition to the above committee report and a debate of several days ensued, in the course of which much feeling was aroused. It finally came to a vote in the session at Malolos November 29, 1898, and the result was at first a tie—25 to 25. The president refused to resolve the tie, fearing to arouse the factional feeling of the losing side and eventually be ousted from his post. One man who had abstained from voting finally cast his vote for separation of church and state. The American principle of freedom of worship and no support of church by state therefore prevailed at Malolos by one vote.

In the closing hours of Congress Admiral Dewey has been called to testify before the Senate Committee on the Philippines, and his testimony is of so much importance that it is to be regretted that it can not be procured and printed in full in the RECORD. One can, however, get a fairly good idea of the same by the extracts which follow.

[The Evening Star, June 26, 1902.]

Admiral Dewey made a statement before the Senate Committee on the Philippines to-day concerning the early operations at Manila, when he was in command of the American naval forces in Philippine waters. The Admiral's statement contributed an important addition to the history of the surrender of the city of Manila. This consisted of a positive statement by the Admiral to the effect that the city had been surrendered to him at the time that the Spanish fleet was sunk, and that when the city did surrender it was in pursuance of a definite understanding between himself and the Spanish governor-general.

The Admiral was questioned by Senator LODGE. He said he had first heard from Aguinaldo and his friends about April 1, 1898, a month before the battle in Manila Bay, when it became certain that there was to be war. "I then heard that there were a number of Filipinos who desired to accompany the fleet to Manila," he continued. "All of them were young and earnest. I did not attach much importance to them or to what they said. The day before we left Hongkong I received a telegram from Consul-General Pratt, located at Singapore, saying that Aguinaldo was at Singapore and would join me at Hongkong. I replied, 'All right; tell him to come aboard,' but I attached so little importance to the message that I sailed without Aguinaldo and before he arrived. There were then many promises as to what the Filipinos would do, but I did not depend upon them. Consul Williams assured me that upon our arrival and the firing of the first gun 30,000 Filipinos would rise. None did arise, and I frequently joked him on this point."

#### MANILA REALLY SURRENDERED.

It was at this point that the Admiral stated that the city of Manila had surrendered on the day of the destruction of the Spanish fleet.

He said that during the naval engagement several guns had been fired at him from the shore batteries and that as soon as the Spanish squadron was destroyed he steamed toward the city, sending word to the governor that if another shot was fired from the shore he would fire upon the city. "The governor replied," the Admiral went on, "that if I did not fire upon the city the shore batteries would remain silent. The Spanish flag was not taken down, but white flags were raised. It was a surrender, and if I had had with me 5,000 troops with which to occupy the city I could have taken it and held it. I anchored my ships under his guns 2,000 yards, and lay there twenty-four hours. During that time the governor-general sent word to me several times that he wanted to surrender to me—to the Navy. I could not entertain his proposition of a formal surrender because of the lack of troops to take possession of the city."

#### APPEARANCE OF AGUINALDO.

Admiral Dewey then told of the arrival at Manila of Aguinaldo, saying he had come from Hongkong on the revenue cutter *McCulloch*, and that upon his reporting to him on his flagship he had told him to go ashore and organize his army. Accordingly Aguinaldo had landed, but he came back a few hours afterward, apparently discouraged, and asked leave of absence in order to go to Japan. The Admiral said that he dissuaded him from pursuing this course and urged him not to give up. He advised him further to continue his efforts outside the American lines and gave him 75 Mauser rifles and some ammunition. "We had a common enemy," said the Admiral, "and I wanted his help."

Continuing, the Admiral said that after Aguinaldo got his forces organized he occupied Cavite, but when he (Dewey) learned that American troops were expected to arrive soon he asked the Filipinos to retire. They at first demurred, but ultimately consented.

It was after this time, on July 15, that Aguinaldo sent to him from Bacoor his first proclamation of the independence of the Philippines.

#### AGUINALDO'S PROCLAMATION.

"That proclamation," said the Admiral, "was the first intimation I had ever received of the aspiration of the Philippine people for an independent government. Aguinaldo had never told me that the independence of his people was his aim. But when the proclamation came I thought nothing of it. Indeed, I attached so little importance to it that I did not cable it to Washington, but left its transmittal to the mails."

He then told of Aguinaldo's military operations toward Manila, saying that he did wonderfully, whipping the Spanish many times. Aguinaldo had wanted to attack the city itself, but he (Dewey) had advised against this course. The Admiral said that at that time his intercourse with the Filipino chieftain was most friendly.

"Indeed," he said, "Aguinaldo and I were always on the most friendly terms. He considered me, I think, the liberator of himself and his people. I really think he entertained the highest admiration for us because we had whipped the Spaniards, who had so completely dominated the Filipinos for three hundred years."

#### DID NOT RECOGNIZE FILIPINOS.

"Did you ever recognize his government?" Senator LODGE asked. "Never. Nor did I ever salute his flag, as was reported. He hoisted a flag on a small vessel that he had come into possession of. The admiral of the German fleet notified me of this fact and asked me if I meant to recognize the flag. I replied in the negative, adding that the flag was only a little piece

of bunting, and that anyone could run up a piece of bunting on a private yacht. No. I never saluted the flag, and, indeed, I did not attach any official significance to it or to Aguinaldo. I never called him General, but addressed him as 'Don Emilio.'

"Did you recognize the Philippine republic?"  
"I did not. I never gave it the slightest recognition. I had no authority to do so, and besides did not consider it an organized government. There was a reign of terror, and the Philippine forces were riding roughshod over the community, committing many acts of cruelty. I sent word to Aguinaldo that he must treat his prisoners kindly, and he replied that he would."  
"What would have been the effect of permitting the Philippine forces to enter Manila when our troops entered?"

#### SURRENDER PREARRANGED.

The Spaniards were very fearful of the result of such a course, and, therefore, they surrendered to me in advance. That was all arranged, and there was no need for the loss of a man in the capture of the city. It was to be done at a signal and no gun need have been fired by us but for the desire of the governor-general, who said his honor demanded that a few shots should be fired. So that I had to fire and kill a few people, but the Spaniards did not fire, because of my warning that it would be disastrous to the city for them to do so. They had in the city 13,000 troops and 47 rifled guns.

Admiral Dewey added that he was pleased to supply the committee with this history. It had, he said, never been printed, and he had been reserving it with the view of writing the story himself.

He said, in reply to other questions, that he did not believe the Filipinos could have taken the city unaided, but he admitted that the Spanish forces were greatly demoralized.

The cross-examination was conducted by Senators PATTERSON and CARMACK.

#### FOOLISH LETTERS FROM PRATT.

In response to an inquiry from the former, Admiral Dewey said he had never received from Consul-General Pratt a letter notifying him that he was to cooperate with Aguinaldo. "I don't remember," he added, "when I did first hear from Pratt. He wrote me a number of foolish letters about that time." The Admiral also referred to a published statement to the effect that he was to have acted with Aguinaldo in his operations, saying that this was written by an unreliable person.

He added that before turning over his papers to the Navy Department, previous to surrendering the command of the squadron, he had made copies of some of the communications received.

"But," he added, "I did not copy any of the communications from Pratt. He didn't impress me. He seemed to be a sort of busybody, devoting much time to interfering with the business of other people."

#### CONSIDERED FILIPINOS UNGRATEFUL.

The admiral said that when Aguinaldo was at the height of his power the British admiral (Seymour) had advised the Filipino chief to tie to the Americans, as they were his best friends. He said that when he let the Filipinos have guns and ammunition he thought it was a military necessity. Looking backward he could see that they were not needed. He considered them very ungrateful in turning against the United States. The admiral said he and not the Filipinos had captured Subig Bay, and he had taken possession because a German man-of-war was preventing Aguinaldo from passing.

Admiral Dewey had not concluded when the committee adjourned.

[The Evening Star, June 27, 1902.]

Admiral Dewey continued his testimony before the Senate Committee on the Philippines to-day. Replying to questions put by Senator PATTERSON, he said that he had begun negotiations with the governor-general of the Philippines, General Jaudenes, for the surrender of the city, and the negotiations were conducted through the Belgian consul, who, after the death of the British consul, had been very courteous in acting as a go-between. It was a diplomatic negotiation, no letters being written. The Admiral said he had informed General Merritt of the proffer of General Jaudenes, but that he did not believe that Merritt had taken "much stock" in it.

#### MERRITT INCLINED TO BE INCREDULOUS.

"I assured him that such was the case," said the Admiral, "but told him of the arrangement that before the surrender should take place I was to engage an outlying fort and make the signal according to the international code. 'Do you surrender?' after which the Spaniards were to hoist the white flag on the southern bastion. I may say that I was the first to discover the flag, notwithstanding I had stationed 50 men to look out for it. It was a thick day, and I chanced to be the first to discover it." He also said he had read the testimony of General MacArthur, saying that he knew of no agreement of the kind mentioned, but that it had not been his (Dewey's) business to communicate with anyone except the commanding officer.

Asked by Mr. PATTERSON to explain his statement that General Merritt had not accepted the report that the Spaniards had agreed to capitulate, Admiral Dewey said that was only his belief. "I do not believe," he said, "that the General entirely trusted the Spanish authorities. Still he did not say so in so many words. I may add that I have since learned that some of the Spanish officers were tempted to fire at us, though they did not do so. Even my own flag lieutenant did not accept their proffer as in the best of faith. I knew, however, that they would surrender, for I understood the straits they were in."

Replying to a question as to whether the agreement to surrender had been made public at the time of the attack upon Manila, Admiral Dewey said he thought not.

"There are," he said "lots of things which are not communicated to the public."

#### AGUINALDO'S ATTITUDE.

Mr. PATTERSON sought to secure from Admiral Dewey an admission that Aguinaldo had issued a proclamation of independence to the Filipinos about the time of the sinking of the Spanish squadron, but the Admiral said he did not remember it, although it was possible that he might have done so.

Mr. PATTERSON then read the paper forwarded by Consul-General Pratt May 23, 1898, in which the Filipino leader said that Providence had opened the way for independence to the Filipinos and spoke of the Americans as their liberators. The Admiral said, however, that he did not remember to have seen the paper. He had, he said, given Aguinaldo a printing press, and probably he used this press for getting out his proclamations.

In reply to a question, the Admiral said that Consul Williams, who had been stationed at Manila, was an honest man, although perhaps quite enthusiastic. The Admiral did not, however, remember to have promised to Aguinaldo his "cordial cooperation," as the consul had reported.

For the purpose of making inquiry concerning some of the representations of Consul-General Wildman, located at Hongkong, Mr. PATTERSON asked concerning that gentleman's character. The Admiral apparently hesitated to reply, but then said: "He's dead—I had rather not say. He was the United States consul-general." He added that he would prefer not to reply to further questions, but when Mr. PATTERSON persisted, he added: "He was a very able man—an able consul."

Mr. PATTERSON then read Mr. Wildman's letter of July 18, 1898, saying that Aguinaldo had conducted himself in a dignified manner, etc., and the Admiral assented to the truth of this statement.

Speaking of Aguinaldo's loyalty, the witness said that he had become suspicious of that leader before the receipt of his proclamation of July 15. He said, "I began to suspect that he was not loyal to us when he demurred to moving out of Cavite when our troops arrived."

"You mean that they were thinking more of their own independence than of us?"

"Yes."

#### MONEY PAID BY SPAIN.

Admiral Dewey also testified concerning the arms sent to Manila by Aguinaldo, and Senator DIETRICH asked the Admiral if "he did not believe that the arms were purchased with money previously paid by Spain to secure peace, and that it was his intention to use the money to foment another insurrection for the purpose of gain."

The Admiral's reply was: "Exactly so."

Mr. PATTERSON next called attention to a number of proclamations forwarded by him to Washington in May, but Admiral Dewey said he did not remember having read them, and in explanation of his failure in this respect he said: "The days and nights were not long enough for me to get through with my work at that time. Evidently I didn't consider the proclamations as of importance if I did read them, for I made no comment on them."

The reading of these dispatches was followed by a number of questions.

#### VIEW OF AGUINALDO'S PURPOSE.

"Knowing of Aguinaldo's expectation and purpose to secure independence," said Mr. PATTERSON, in beginning a question, but before he had concluded he was interrupted by the witness, who said: "No; I did not know that."

"Then you believed such to be his purpose?"

"I didn't believe it, and since you have asked my opinion I will say that I believe he was there for gain—for loot—for money, and I further believe that independence never entered his head."

Replying to another question by Senator PATTERSON, the Admiral said that while Aguinaldo was located at Cavite and was under his observation he was always humane, but that he did not see him much after the Army came.

Senator CARMACK then put a number of questions to the witness. Replying to these, the Admiral said it was true he had assisted Aguinaldo in organizing his army by supplying him with arms, etc.; that at that time there were no American soldiers in the Philippines, and that Aguinaldo had complete control of his own forces, and that he was under no restraint. Mr. CARMACK then asked the witness why he had done so much to aid a man whom he regarded as "a common robber and plunderer."

The Admiral did not reply immediately. His face reddened and he laughed. He then said the Senator had not quoted him accurately, but he admitted that he had said Aguinaldo had gone to Manila for pillage and plunder. He added, "You know the old saying that 'All is fair in war.'"

"Do you consider it fair in war to assist a known plunderer and robber in an enemy's territory to pillage without restraint?"

"I believe it is, as I read history."

"Then you admit that you assisted this robber and plunderer to organize, etc.?"

"I didn't then call him a robber and plunderer; I called him the 'insurgent leader.' I have said here that he was there for money and loot. I think those were my words, and I think that is what he was there for. Do you," he said, turning interlocutor himself, "think he was there for anything else?"

"I do," responded the Senator.

"Well, I don't," said the Admiral, and as if to express his opinion still more emphatically, he repeated, "I don't," and added, "I swear I don't."

"Do you think you knew Aguinaldo better than General Otis?"

"In some things I think I do," the Admiral replied. "I think my judgment is better in some matters than the General's. I don't believe he ever saw Aguinaldo, and I saw him fifty times. Moreover, I know his history."

"Do you think you know him better than General Bell?"

"I think I know him better than any of our officers."

"Did Aguinaldo tell you that he was there for money and loot?"

"I saw in his actions that he was. He hadn't been there forty-eight hours before he was taking everything in sight—provisions, munitions, etc."

"From the Spaniards?"

"From everybody."

"For himself?"

"I expect he got the lion's share."

"If General Otis and General Bell should say they regard Aguinaldo as personally honest in money matters, would their statement influence your opinion in regard to him?"

"Not in the slightest degree."

#### DECLINED TO ANSWER.

"You don't know of a single dishonest act on the part of the man and yet you regard him as a thief?"

Just before this question was asked Senator LODGE, as chairman of the committee, had announced that 1 o'clock, the hour for adjournment, had arrived. The Admiral took advantage of this announcement to cut short a line of inquiry that was plainly annoying to him. He rose as the last question was being propounded, and when it was concluded said: "I think I shan't answer that question."

He then took his hat and left the room with a polite word of adieu, but without being formally dismissed.

The examination of the Admiral will be continued to-morrow.

#### GAVE AGUINALDO THE SLIP.

In the course of his testimony yesterday Admiral Dewey said, regarding his departure from Hongkong before the battle of Manila Bay, that he had left for Manila as early as he did largely because he wanted to get rid of Aguinaldo and the other "little brown" men, many of whom were constantly coming aboard his flagship. "I was very busy," he said, "getting ready for battle, and they were after me constantly, taking up much of my time. None of them went with me to Mirz Bay, for various reasons. One of them failed to do so because he didn't have his toothbrush with him."

The Hongkong Filipinos had not, he added, told him of any insurrection in the Philippines, and he said he had consented to see them on the same principle that one gives money to a man often to get rid of him. Indeed, he had himself given Aguinaldo the first information the latter had received that the Filipinos were assembling near Manila.

#### FILIPINOS AND CUBANS.

Asked if he had written to the Navy Department saying that the Filipinos were more capable of independent government than the Cubans, Admiral Dewey replied in the affirmative.

"I sent that communication," he said, "because I saw that Congress contemplated giving independence to Cuba, and because I knew the American people knew very little about the Filipinos."

"We then had employed at the navy-yard at Cavite several hundred Filipino workmen. They were docile, amiable, and kindly disposed toward us. I therefore wrote the statement that the Filipinos were better capable of governing themselves than the Spaniards were."

"You repeated the same statement later, did you not?"

"I did. And I still think so."

Senator CARMACK called Admiral Dewey's attention to the fact that he had given arms to Aguinaldo, notwithstanding the governor-general had told him he would surrender the city at any time, and asked why he had done so in the face of that understanding.

The reply was to the effect that he considered it a proper military act.

"The Filipinos were our friends," he said, "and they were doing our work. I believed that they were so delighted to get rid of the Spaniards that they would accept us with open arms."

"Even," he added, "when Aguinaldo was at the height of his power at Malolos Admiral Seymour, of the British navy, had told Aguinaldo that he should tie to the Americans, as they were their best friends. The Filipinos then were our friends and were helping us. We had no troops to land, and I knew that the more closely the city was invested the easier it would be to take it when our own troops should arrive. Still, I think we could have gotten on as well without them. It was their own idea. We all know that hind sight is better than foresight. Looking back, I wouldn't have had the Filipinos join me."

#### REGARDS FILIPINOS AS UNGRATEFUL.

"But I thought they would be friendly, and I think it very ungrateful in them to have turned against us. When I permitted Aguinaldo to go ashore, I did not know that any United States troops would be sent to the Philippines. I was a long way from home; there were no cables, and I was meeting emergencies as they arose. Whatever I did I did according to my best judgment at the time. Later I said to Aguinaldo, 'There is the enemy; you pursue your course and we will pursue ours.'"

I think that is the wisest thing I ever said. They were assisting us and at the same time fighting their own battle. I had in mind in dealing with the Filipinos the assistance that the negroes had given the Federal forces during the civil war. We availed ourselves of that assistance and I thought we could accept the aid of the Filipinos in the same way. Their one idea was to get rid of the Spaniards, and I believe that if on May 1, before the insurrection was organized, we had had there a few American troops the Filipinos would have accepted us and that they would have remained loyal.

In reply to other questions Admiral Dewey said that he and not the Filipinos had captured Subig Bay, and he said he had done so because a German man-of-war was preventing Aguinaldo from passing. He had turned the prisoners taken over to Aguinaldo.

Asked why he had taken possession on Aguinaldo's complaint Admiral Dewey said: "I did not want any other power to interfere."

[The Evening Times, June 27, 1902.]

Admiral Dewey, before the Senate Committee on the Philippines, this morning gave it as his opinion that Aguinaldo went to Manila "for the sole purpose of gain—for loot and money."

He declared later that within forty-eight hours after his arrival there Aguinaldo began robbing right and left, taking rice, stores, and provisions from anybody that had them, the Americans included.

These statements stirred up the Democrats considerably, and led to a lively passage between the Admiral and Senator CARMACK.

#### TERMS OF SURRENDER.

In resuming his testimony Admiral Dewey, in response to questions by Senator PATTERSON, gave further details regarding the arrangement he had with the governor-general of Manila to surrender the city just as soon as American troops arrived to take possession.

"The agreement was that I was to fire upon one of the outlying forts, that of Malate. I was to engage this fort and fire for awhile, when I was to cease and signal by the international code, 'Do you surrender?'"

"On the receipt of this message the Spaniards were to hoist a white flag on the south bastion. Everything went according to programme. And I may say that I was the one that discovered the white flag, although I had 50 men on the lookout for it."

The Admiral said that he had read General MacArthur's testimony before the committee in which he had said that he knew nothing about any arrangement for the surrender of the city.

"It was not my business to communicate it to any but the commanding general," Admiral Dewey remarked. "I had communicated it to General Merritt. The arrangement was simply for the purpose of taking the city without needless loss of life. General Jaudenes was the intermediary between us and the Spanish governor-general. It was fully understood among my squadron that there was to be no resistance by the city, and I supposed until later that it was known in the army."

#### DID NOT TRUST SPANIARDS.

"I continued all my preparations for battle, however, up to the last moment, for we did not altogether trust the Spaniards. General Merritt did not trust the arrangement, and my flag lieutenant, Brumby, had the same feeling. I learned afterwards that they came very near firing upon my ships from the city. One Spanish officer in charge of one of the 10-inch guns wanted to fire. They had some conversation about it. One of the Spaniards said: 'They won't dare to bombard this city with so small a fleet.' But one of the monitors—the *Monterey*—was lying with her guns trained on the city. Another of the Spaniards spoke up and said: 'Anyone who is such a fool as to cross the ocean in a thing like that would do anything.' So I think it is probable that the presence of the *Monterey* saved us from the necessity of bombarding the city."

#### KNEW OF NO PROCLAMATION.

Mr. PATTERSON attempted to secure an admission from Admiral Dewey that Aguinaldo had issued a proclamation declaring for independence before the American fleet left Hongkong and that he had been aiming for independence from the first. The Admiral said he knew of no such proclamation. It would have been impossible for him to have circulated it in the Philippines until after the destruction of the Spanish fleet.

"We captured a hand printing press at Cavite, and I gave it to Aguinaldo. He may have used that press for the printing of circulars, but the only proclamation of which I have any knowledge was that of July 15, of which he sent me a copy."

Mr. PATTERSON read from certain communications from United States Consul Wildman at Hongkong, which purported to give Aguinaldo's plans and declared that the Filipinos were fighting for independence.

#### PARRIES WITH PATTERSON.

"What kind of a man is Wildman?" asked Mr. PATTERSON.

"He is dead," replied the Admiral.

"Well, we are not prohibited from saying good of the dead," suggested Mr. PATTERSON, and pressed for a reply. The Admiral said he did not want to answer, and asked what bearing the question had on the case. He finally said: "He was a very able man, and a good consul."

Admiral Dewey said that he began to suspect that Aguinaldo was not loyal to the Americans when our troops began to arrive, and he demurred against moving from Cavite. He was then, he believed, thinking more of independence than of aiding the Americans.

#### SHIPMENT OF ARMS.

Mr. PATTERSON referred to the shipment of arms to the Filipinos from Hongkong, arguing that the purchase of these guns must have been made before the departure of Aguinaldo for Manila, and that this was evidence of his intention to fight for independence.

The Admiral declined to express an opinion.

[The Evening Times, June 28, 1902.]

Admiral Dewey, in resuming his testimony this morning before the Senate Committee on the Philippines, explained that the repeated offers of the governor-general of Manila to surrender the city, which came to him through the Belgian consul, were made in July and not within twenty-four hours after the destruction of the Spanish fleet, as he had been reported as saying.

#### CARMACK CROSS-QUESTIONS.

Mr. CARMACK began the cross-examination by saying that as he understood the Admiral's testimony yesterday the trouble in the Philippines was the result of Aguinaldo's evil influence.

"I will not say that. I do not think I have said that," replied the Admiral, "but I will repeat what I did say, that if we had had 5,000 troops at the time of the destruction of the Spanish fleet to take possession of the city, I do not believe we would have had any trouble, because the Filipinos were then friendly to us."

#### AGUINALDO A FIGUREHEAD.

"You said yesterday that Aguinaldo's sole purpose in going to Manila was for gain—for loot and money. Do you believe that he fomented the trouble we have had?"

"I think we are making too much of Aguinaldo," replied the Admiral. "He was a very small part in this affair, in my opinion. He was a figurehead. He had bright men around him. He killed one of the best of his men, Luna, or at least it was generally understood that he had him assassinated."

#### BETRAYED HIS PEOPLE.

"Reference has been made heretofore to the acceptance of money from the Spaniards by Aguinaldo at the close of a former revolution. Do you mean to indorse the accusation that Aguinaldo betrayed his people for money?" asked Mr. CARMACK.

"That was the general report out there," was the reply. "You said yesterday that Aguinaldo began looting and robbing within forty-eight hours after his arrival, and that he took the lion's share. I would like to know why you say that?"

#### TOOK THE LION'S SHARE.

"He came there without anything, and very soon after he was living at Malolos like a prince, like a king, in a state that could only have come from his taking the lion's share. As I said, he began taking things and looting almost immediately after his arrival, within forty-eight hours. I am speaking of things of which I have absolute knowledge. I know that he secured money which was taken at the threat of death. I may seem a little ungrateful, but I am testifying on honor, and I think since you have asked me these questions that I should tell you about them. He sent me a herd of cattle for my ships which he had obtained from his own people shortly after his arrival. He had just simply taken them. We did not do things that way. I took coal and things belonging to English and others, but we paid for everything."

Mr. CARMACK read statements made by Generals Otis, Greene, and Bell, Consul Wildman, and others, to the effect that Aguinaldo was honest, and he asked the Admiral whether he had better opportunities of judging him than these officers.

"I believe I had," replied the Admiral. "I don't think Otis ever saw Aguinaldo, while I had frequent close intercourse with him. These officers are entitled to their opinions, but their statements do not change mine. I am testifying as to my own opinion, based on what I know."

#### CARMACK INTERRUPTS.

"Is it a fact that the man you took to the Philippines as the leader in an insurgent movement was a man who had betrayed his people?"

"It was a reign of terror in his time," the Admiral started to reply.

"Well, you wanted a man to raise the Filipinos against the Spaniards and to assist you?" interrupted Mr. CARMACK.

Chairman BEVERIDGE suggested that that was Mr. CARMACK'S OWN STATEMENT and not the Admiral's.

"I did not want Aguinaldo at all," said Admiral Dewey. "He and his people were forced on me by Consuls Pratt and Wildman."

"Could they bring force to bear on you?"

#### YIELDED TO PRESSURE.

"Yes," was the reply; "I yielded, as a man will, to constant pressure and solicitation. I did not want Aguinaldo or his people. I did not expect anything of them. I was led to believe that 30,000 Filipinos would arise at my first gun, as Consul Wildman put it, and I thought these half-dozen refugees at Hongkong would play a very small part. We would have got on better without them, as it has since turned out."

#### DID NOT KNOW AGUINALDO.

"Well, you have admitted that you encouraged Aguinaldo to organize an army. By so doing you placed the whole country at the mercy of a man who had no higher object than to plunder the people, while knowing the character of the man," said Mr. CARMACK.

"No; I did not know his character at that time. I knew practically nothing about him then. The talk about Aguinaldo in the East did not arise until after he had become prominent," was the Admiral's reply.

"When did you first find out that his only object in coming to Manila was loot?"

"Well, as I have said, he began looting at once, by looting the city of Cavite and other places, and I began to form my opinion then."

Mr. PATTERSON, taking up the examination, asked: "Did Aguinaldo ever talk with you about selling out? Did he ever ask you for money?"

"Well, he came to me and wanted to exchange Mexican dollars for gold. I was pretty sure in my own mind where he got those dollars, as he had nothing when he came there. So I concluded that he was getting ready to leave, especially as he could not have used gold to pay his troops. It was only a suspicion, but this was one thing which led me to believe that he was feathering his own nest."

#### HAD NO TREASURY.

"Did he ever ask any compensation for raising troops and besieging the Spaniards?"

"Not to my knowledge."

"As his men came in it was necessary for him to get commissary stores."

"Yes."

"He had no treasury back of him?"

"Not when he arrived."

"Where were his headquarters?"  
 "First at Cavite and then at Malolos."  
 "It was at the latter place," interjected Mr. BEVERIDGE, "that the Admiral says Aguinaldo was living in a state of magnificence."  
 "Yes," said the Admiral, laughing; "he had a chariot and four, a band of 100 pieces, and put on great style."  
 "Was not that well calculated," resumed Mr. PATTERSON, "to inspire the Filipinos with a belief in the stability of government?"  
 "It also doubtless inspired those from whom he had taken the money," retorted the Admiral.

## TILT BETWEEN SENATORS.

Mr. PATTERSON asked whether the Admiral thought "such innuendoes" were proper, and there was a wordy quarrel between Acting Chairman BEVERIDGE and Mr. PATTERSON as to the latter's language.  
 "Do you know that Aguinaldo has a dollar to-day?" resumed Mr. PATTERSON.

"No; how should I? I have been absent from there for three years."  
 "Do you not know, from your experience, that there was never a day when Aguinaldo might not, from the Government of the United States, have made himself rich if he had chosen to stop fighting for the independence of his people?"

Before he could be stopped Admiral Dewey answered: "No; I have no such knowledge."

Mr. BEVERIDGE then said that Mr. PATTERSON'S question having gone into the record, he could only express his objection.

"It is my opinion," he said, "that the reflection contained in that question, that the Government of the United States would have at any time bribed Aguinaldo or purchased him, is not a proper one to put before this committee."

Turning to the Admiral again Mr. PATTERSON said: "Well, you know that Aguinaldo's officers have been given good, fat offices?"

"I do not know anything about it," replied the Admiral.

[The Washington Post, June 29, 1902.]

Admiral Dewey yesterday concluded his testimony before the Senate Committee on the Philippines. He made many interesting statements. He insisted, for instance, when asked some questions about Aguinaldo by Senator CARMACK, that entirely too much was made of Aguinaldo. "He was a mere figurehead," said Admiral Dewey, "and was surrounded by stronger men than himself. Mabini was one of these, and General Luna, whom he had killed, was another."

Replying to another question, the Admiral said it was the general report throughout the East that in 1897 Aguinaldo had betrayed his people to the Spaniards for money. Nor did he remember that this report had been denied by American officers in the Philippines. Among other officers quoted in this connection was General Greene, and the Admiral called attention to the fact that General Greene had not given his authority. "If," he said, "Agoncillo told him, I don't think the authority was good."

## AGUINALDO LIVED LIKE A PRINCE.

"Why do you say that Aguinaldo took the lion's share of the property gathered by the insurgents?"

"Because he was living at Malolos like a prince. He had nothing when he landed at Manila, and he could have procured the means for this ostentation in no other way. He began immediately after arrival to take every dollar in sight. It may be ungrateful in me to state the fact, but it is true, that he sent cattle to me—herds of them—for the ships. The stock was taken from the Philippine people."

"Was any statement made of this circumstance at the time?"

"No; that is war, as you know."

Continuing his reply to this question, the Admiral said the Philippine army was then only a mob and without organization and had to be fed and clothed. "He did as many others have done; he made the country support him."

"Do you regard that proceeding as pillage and loot?"

"Well, we didn't do that way. For instance, I took all the coal in sight, but I paid for it."

Senator PATTERSON. Do you refer to Aguinaldo taking property for the support of the army as loot and pillage?

Admiral DEWEY. That is one part of it.

Senator CARMACK. You didn't object at that time?

Admiral DEWEY. No; but he soon got beyond me.

## CARMACK'S CLOSE QUESTIONING.

A number of questions were asked in regard to statements made by Generals Greene, Bell, and others, but the witness asked to be excused from criticizing officers of the Army, and the Chair (Senator BEVERIDGE) said that he was not required to answer any questions, the replies to which would involve such criticism. Thereupon the Admiral said he was "very glad," and Senator CARMACK said he knew of no such rule, but he supposed he would have to submit. The Admiral added that no opinions by others would change his own opinions of Aguinaldo.

"Then it is a fact," remarked Senator CARMACK, "that you took a man to Manila to be a leader of the native people who had but recently betrayed those people for a bribe?"

"I think that would have made no difference," was the Admiral's reply. "The country was under a reign of terror."

"Then you wanted a man who could organize the natives?"

"No; I didn't want anyone. Aguinaldo and his people were forced upon me by Consul Pratt and others."

"Did the consul and others have any power to force these people upon you?"

"Yes; by constant pressure. I did not want the Filipino refugees, because I did not believe that a half dozen of them would do any good, in view of the report that thousands would rise up in insurrection upon our arrival at Manila. I thought they would play a very small part."

## DEWEY DECLINED TO ANSWER.

"Then you placed the country at the mercy of a man who would plunder and rob, notwithstanding you had no need of his services?"

This question the Admiral declined to answer, and Senator PATTERSON took the witness, asking if Aguinaldo had ever talked to him on the basis of selling out to the Americans. The Admiral replied in the negative, and Mr. PATTERSON then asked if the Philippine leader had ever asked him for money. The reply was that Aguinaldo had asked him to exchange gold for Mexican dollars.

"It was pretty sure as to where he had gotten the dollars, as he had not brought them with him," said the Admiral, "and I thought that the fact that he wanted gold was a pretty good indication that he was getting ready to leave. That was one thing which made me think that the man was feathering his own nest, but it was only a suspicion."

Here the Admiral again referred to Aguinaldo's style at Malolos, and Senator PATTERSON asked if that style had not served the purpose of inspiring the admiration of his followers and holding their allegiance. To this inquiry the witness replied that the style was "probably more inspiring to them than to those from whom the property had been taken."

## BEVERIDGE DEFENDS DEWEY.

"Do you think that is proper testimony?" asked Mr. PATTERSON, and Chairman BEVERIDGE interfered with a strong protest against innuendoes against Admiral Dewey. He considered the question as discourteous.

Mr. PATTERSON, however, disclaimed any intention to be otherwise than respectful, and he continued his questions.

"Do you know," he asked, "whether Aguinaldo has a dollar to-day?"

"I don't know," was the reply. "I haven't been in the Philippines for three years. How should I know?"

"Do you not know from your experience that there was never a day while he was in arms that he could not have made himself rich at the expense of the American Government if he had given up?"

## DEWEY AGAIN DECLINES ANSWERING.

The witness hesitated and said he could not answer the question. He then was told by the chair that he need not do so.

"You do know," Mr. PATTERSON went on, "that there were several with him who got good fat offices?" The reply was in the negative. The witness also said he knew nothing of the payment of money to the Cuban general, Gomez, and he added the suggestion to Senator PATTERSON that he should not put such questions to him.

Senator PATTERSON also asked a number of questions concerning Admiral Dewey's association with General Anderson after his arrival and his visit to Aguinaldo in company with the general. He said he had suggested to General Anderson on the occasion of that visit that he need not wear his uniform or put on his sword, but that his blouse would be sufficient, and that the suggestion had been adopted. Referring to a report of that interview made by General Anderson and to copies of letters written by the general, in which Aguinaldo was assured of a desire for amicable relations, Admiral Dewey said that he did not remember that any such assurance had been given. Speaking of General Anderson's letters to the Philippine chieftain, the witness said, "When I heard that he was writing letters to Aguinaldo I advised him against doing so."

## DID NOT LIKE THE QUESTIONS.

When Senator PATTERSON pressed other questions calling for reference to statements made by Army officers and others, the Admiral declined to answer, saying: "I am here to testify to what I know, and I will give all the information I can in that way, but I am not responsible for what others have said. I do not like your questions, and I do not think I ought to be required to reply to them."

The Chair assured the witness that he need not answer. The Admiral said, however, in reply to further pressing, that his views did not coincide with those expressed by General Anderson in a magazine article. "They do not coincide," he said. "We differed very much from the beginning."

## DUE TO "A HIGHER POWER."

Senators BEVERIDGE and DIETRICH then asked a few questions. The former reminded the Admiral of a visit that he [Senator BEVERIDGE] had paid the Admiral on the flagship *Olympia* when she lay in the harbor at Manila, and asked him if he remembered a conversation that had occurred between them when, while they were looking out from the deck, the Admiral had said, referring to the success of the American arms, that "he couldn't help thinking that it was all due to a higher power than ours."

"I do," responded the Admiral. "I remember that I said that, and it is my opinion now."

Senator BEVERIDGE read extracts from the report of the first Philippine Commission, of which Admiral Dewey was a member, in which the statement was made that the Filipinos were incapable of standing alone, and that if the American support was withdrawn they would lapse into anarchy, and asked him if that had been his opinion. He replied in the affirmative, adding that he still entertained that view.

Senator CARMACK. Was that always your opinion?  
 Admiral DEWEY. Yes. True, I made a comparison once with the Cubans, saying the Filipinos were more capable of self-government than the Cubans. I think that neither the Filipinos nor the Cubans are capable of self-government."

## ACCEPTS A BELATED SUGGESTION.

Senator DIETRICH'S questions were intended to show the state of Admiral Dewey's mind concerning the Filipinos at the time of the engagement with the Spanish squadron. He asked the Admiral if it was not true that if he had recognized the Filipinos as allies, trusted them as such, and considered them capable of taking charge of Manila, he would have accepted the proffer for the surrender of Manila before the arrival of the American troops.

"Yes," replied the witness; "that is true and it is a good idea. I had not thought of it, and I am glad you suggested it. It makes my testimony stronger. It is true, and the fact that I did not accept the surrender and put them in charge shows that I did not trust them; it never entered my head to do that."

With this Admiral Dewey was discharged as a witness, and he expressed himself as much gratified to secure his release.

And as bearing upon the testimony of Admiral Dewey, I desire to add an editorial from the *Inter-Ocean* of June 28 and one from the *Philadelphia Inquirer* of same date.

[The *Inter-Ocean*, June 28, 1902.]

## DEWEY'S ANSWER.

Admiral Dewey was called before the Senate Committee on the Philippines at the instigation of the Democrats. He was called to embarrass the Administration and to discredit Republican policies. He was called in the belief that he would bolster up the theory that in May and June, 1898, the aspirations of Aguinaldo received encouragement from the United States Government; that his pretensions had been recognized by Dewey, and that the Americans could not have captured Manila without the aid of Aguinaldo and his followers.

There were three points on which the Democratic leaders have declared that Admiral Dewey could give damaging testimony if permitted to speak freely. In making up their case for the consideration of the American people they have assumed that Aguinaldo was treacherously dealt with by the Americans, and that Dewey could a tale unfold that would show just what promises had been made to Aguinaldo, and afterwards broken and repudiated, to the lasting shame of the United States.

Admiral Dewey has spoken several times in emphatic denial of this assumption, but for three years the antiexpansionists have persisted in their assertions that there was an understanding between Dewey and Aguinaldo and an agreement by which the nation's honor was engaged, and that all this would be made plain when Dewey could speak free from the restraints of official etiquette. In fact, what Dewey might say has been given the character of a mystery and has been used as a treasured party asset by the Democratic managers.

Called before the committee, Admiral Dewey spoke explicitly on every one of the points and demolished the Democratic case. He declared that

Aguinaldo had never spoken to him of independence, and that he knew nothing of Aguinaldo's aspirations in that direction until he read Aguinaldo's proclamation to the Filipinos, and then did not regard the matter as of any importance. Admiral Dewey declared further that he never had saluted Aguinaldo's flag nor recognized his so-called government, and that Manila really surrendered the day the Spanish fleet was destroyed, or some weeks before Aguinaldo had organized the insurgents.

This is conclusive on the points at issue. Admiral Dewey may have his own views as to a Philippine policy, but he was called to testify as to facts in regard to which he only could speak with authority. He has spoken, and in adding much of interest to the story of the American occupation of the Philippines has closed the case forever against Aguinaldo and his Democratic allies in this country.

[Philadelphia Inquirer, June 28, 1902].

#### DEWEY'S VIEWS ON MANILA.

There have been many rumors in the last few years that the surrender of Manila was a sort of military farce gotten up to save the honor of the Spanish commander, but no one supposed that it was quite true in all its details as reported. And now comes Admiral Dewey, who tells the story with more detail and gives it an official character. That the cause of the Spanish in Manila was hopeless after the destruction of the fleet in Manila Bay was as well known on May 1, 1898, as it is now, but there never was quite such a way of getting out of a bad situation since history has been faithfully recorded.

Admiral Dewey seems to think that he had a sort of copyright on the story, and wanted to write it independently, but as a witness he was obliged to tell it. What shocks the American sense most is the fact that the Spaniard demanded that a few of his men be killed in order to "save his face," as they say in China. It seems that the Admiral could not refuse this blood-thirsty request, but he did provide that no Americans' blood should be shed, a stipulation which was almost if not quite carried out when the American troops rushed over the wall in August, after the protocol had been signed, though not known in Manila.

The interesting fact in connection with this story is that it disposes of the claim of Spain, urged with great earnestness at Paris, that Manila should be restored because of the protocol. If the Spanish envoys knew of the arrangement for the surrender, they must have felt that their labors were farcical; if they did not know it, their situation was the more pitiable, in that they fought for the Philippines on a technicality that seemed to be valid, though in the light of the truth it was more than absurd.

It is interesting to note that Admiral Dewey made public the facts in this case on the very day the House passed the bill for the government of the Philippines. Those islands are ours irrevocably. The Admiral leaves Aguinaldo without a leg to stand on, while Spain is put in a most humiliating position. Dewey could have taken the city any day for the asking; but evidently he feared the lawless Filipinos, and waited for troops, a position more than justified by the march of events.

There is nothing left for recalcitrant American statesmen but to yell loudly for Filipino independence. If the Filipinos had been as earnest in behalf of real liberty as their unwelcome friends have been for impossibilities they might now be enjoying much better things than are compatible with existing conditions. The plain truth is that they must be governed for a while with a modicum of their own aid. Some day they will be fitted for better things and then a revolution could not drive them from the protection of this Government. They will know and appreciate the blessings showered upon them at our expense and for their sole benefit.

This debate in the House and Senate has now lasted for several weeks. It would seem as though every phase of it had been ably and eloquently discussed. For one I have been greatly entertained by the speeches which have been delivered upon both sides of this Chamber. Time alone can tell with what wisdom we have each played our part in this new and great drama.

In addition to all that has been so well said, I desire to commend to all the able article of Hon. William H. Taft, civil governor of the Philippines, found in the Outlook May 31, 1902. He spoke as one having authority, and knows whereof he speaks. Perhaps upon no question are the two great parties more sharply divided than upon the question, Shall we promise independence to the Filipinos? Through the kindness and permission of the editors of the Outlook I am permitted to quote from this article. Governor Taft says:

#### SHALL WE PROMISE INDEPENDENCE?

The question is frequently asked why it would not be well to promise the Filipino people that when they are fitted for complete self-government they shall be granted independence. In the first place, the Federal party, which furnishes the only organized expression of public opinion in the islands, does not ask independence, but seeks, rather, annexation to the United States and prospective statehood. In the second place, there is not the slightest probability that the Christian Filipinos will be ready for self-government in any period short of two generations.

Not 10 per cent of the people speak Spanish, and the remaining 90 per cent or more are densely ignorant, superstitious, and subject to imposition of all sorts. It is absolutely necessary, in order that the people be taught self-government, that a firm, stable government under American guidance and control, in which the Filipino people shall have a voice, should be established. Nothing but such a government can educate the people into a knowledge of what self-government is. Not only by precept but by practice must the self-restraints essential to self-government and the discretion and public spirit of a free people be taught them.

A promise to give the people independence when they are fitted for it would inevitably be accepted by the agitators and generally by the people as a promise to give them independence within the present generation, and would therefore be misleading, and the source of bitter criticism of the American Government within a few years after the promise was given and not performed as it was understood by the people. A promise of independence thus interpreted would destroy the possibility of the formation of a stable government in which the people should be learning what self-government is, because the conservative element, with the assumed early prospect of complete independence, would fear that when the islands were abandoned the violent agitators would come to the front, and those assisting the present government would be subjected to the hostility of the demagogues on the ground of their previous American sympathies.

The only policy, it seems to me, which will insure the establishment of a firm, stable government and the support of that government by the educated, wealthy, and conservative Filipinos, is the declaration of a policy in favor of the indefinite retention of the islands under a government in which the share taken by the Filipino people shall be made gradually to increase and the electorate of the Filipino people shall be gradually enlarged. After

this government shall be successfully established the question whether the islands shall be annexed or shall be granted independence or shall have such a relation to this country as Australia or Canada has to England may be very well postponed until the practical education of the people in self-government shall have been sufficient to justify the adoption of either of these three courses.

The policy of establishing a firm and stable government in which the Filipino people shall take part will doubtless reveal much as to the wisdom of the one or the other of the courses suggested; but it seems to me to be very unwise to bind ourselves and the next generation by an authoritative declaration now as to what we shall do fifty or a hundred years hence. We can not now know what subsequent generations of our own people will then deem wise, or what succeeding generations of Filipinos, benefited by experience in self-government and advised of the advantage of association with the United States, will desire.

We are soon to have an election which will determine the political complexion of this House for the coming two years. It seems to me from every standpoint, looking to the best interests and prosperity of all our people, that the next House should be Republican, and as bearing upon this branch of the question Governor Taft has also spoken in no uncertain manner.

#### THE POLITICAL ASPECT OF THE PHILIPPINE QUESTION.

A difficulty which may possibly confront the Philippine government is the success of the Democratic party in the next Congressional elections. This will be taken in the Philippines as an indication that at the end of the present Administration the policy of the United States will be changed and the islands will be abandoned by the United States and turned over to a government to be established by the people of the islands through the calling of a constitutional convention.

The prospect of such a change will have a tendency to paralyze the energy of the conservative element of the Filipino people who are now assisting us in the maintenance of a civil government in the islands, and all will be suspense and agitation. This difficulty, however, is inherent in the government of dependent possessions by a Republic like our own whenever the chief political issue between the parties is the policy to be pursued with respect to such dependencies. I venture to think, however, that should the Republican party be successful in the Congressional elections next following and in the next national election, sufficient progress will be made in the solution of the problem of the Philippine government to insure the removal of the main issue from practical politics thereafter.

I can not conclude without calling attention to the tribute paid to Governor Taft by President Roosevelt at the commencement exercises at Harvard University June 25. It is given to but few men to make such sacrifices as Governor Taft has made for the cause of human right and for the betterment and higher civilization of millions of people who have been downtrodden and oppressed for three hundred years.

[The Evening Star, June 26, 1902.]

#### TRIBUTE TO JUDGE TAFT.

And Taft—Judge Taft, Governor Taft—who has been the head of the Philippine Commission, and who has gone back there—Taft, the most brilliant graduate of his year at Yale, the youngest Yale man upon whom that institution ever conferred a degree of LL. D.; a man who, having won high positions at the bar and then served as Solicitor-General, with all his tastes impelling him to a judicial career, and was appointed to the United States bench, was asked to give up the position in order to go to the other side of the world to take up an infinitely difficult and infinitely dangerous problem and to do his best to solve it.

He has done his best. He came back here the other day. The man has always had the honorable ambition to get upon the Supreme Court, and he knew that I had always hoped he would be put upon the Supreme Court, and when there was a question of a vacancy arising I said to him: "Governor, I think I ought to tell you that if a vacancy comes in the Supreme Court, while it would give you an opportunity to be put in the position you would like to have, I think I ought to tell you that if such a vacancy should occur I do not see how I could possibly give it to you, for I need you where you are."

He said to me: "Mr. President, it has always been my dream to be in the Supreme Court, but if you should offer me a judgeship now, and at the same time Congress should take entirely off my salary as governor, I should go straight back to the Philippines, nevertheless, for those people need me and expect me back, and I won't desert them." [Applause.]

He has gone back, gone as a strong friend among weaker friends, to help them upward along the stony and difficult path of self-government [applause], to do his part, and a great part, in making the American name a symbol of honor and of good faith in the Philippine Islands; to govern with justice and with that firmness, that absence of weakness which is only another side of justice. [Applause.] He has gone back to do all of that because it is his duty as he sees it. We are to be congratulated, we Americans, that we have a fellow-American like Taft. [Applause.]

[Mr. FOWLER addressed the committee. See Appendix.]

[Mr. LESSLER addressed the committee. See Appendix.]

Mr. COOPER of Wisconsin. Mr. Chairman, I move that all debate upon the section and pending amendment be now closed.

Mr. JONES of Virginia. I hope the gentleman will not make that motion as to the section. I have another amendment which I want to offer to the section.

The CHAIRMAN. It does not cut off amendments.

Mr. JONES of Virginia. I would like to have two minutes.

Mr. TAWNEY. This motion of the gentleman from Wisconsin does not preclude amendments.

Mr. JONES of Virginia. It says the section and pending amendment.

The CHAIRMAN. The gentleman from Wisconsin moves that all debate on this section and pending amendment be now closed.

The question was taken, and the motion was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado.

The question was taken; and the Chairman announced that the yeas appeared to have it.

Mr. SHAFROTH. Division!

The committee divided; and there were—ayes 47, noes 94.

So the amendment was rejected.

The Clerk read as follows:

SEC. 60. That the silver peso and its subdivisions shall contain devices to be prescribed by the government of the Philippine Islands, which shall express or symbolize the sovereignty of the United States; the fact that the coins are issued for use in said islands, the denominations of the coins, and the date of their coinage.

Mr. JONES of Virginia. Now, Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The gentleman from Virginia, a member of the committee, is recognized.

Mr. JONES of Virginia. I move to strike out of page 100, lines 20 and 21, the words "or symbolize the sovereignty of the United States."

The Clerk read as follows:

Page 100, lines 20 and 21, strike out the words "or symbolize the sovereignty of the United States."

Mr. JONES of Virginia. Mr. Chairman, these words add absolutely nothing to the sense of this section, and to strike them out will not affect its sense in any way. The chairman of the Committee on Insular Affairs a few days ago declared that it was the purpose of the Republican party to establish in the Philippine Islands "an invincible young republic," and I think that he will admit that the part of this section in which it is provided that there shall be inscribed upon the coin of the islands a device symbolizing the sovereignty of the United States does not very well comport or agree with that declaration.

It seems to me, Mr. Chairman, that if my friend from Wisconsin has correctly defined the purpose of the Republican party, no such device as this bill provides for should be placed upon these coins. To place any such device upon them is to offer to the people of the Philippines an unnecessary and most gratuitous insult. I ask that the words I have indicated may be stricken out. [Cries of "Vote!"]

The CHAIRMAN. The question is on the amendment of the gentleman from Virginia.

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. JONES of Virginia. Division!

The committee divided; and there were—ayes 68, noes 96.

So the amendment was rejected.

Mr. HILL. Mr. Chairman, I desire to offer the following amendment.

The Clerk read as follows:

Strike out section 60 and insert:

"SEC. — That the Mexican silver pesos now in use in the Philippines shall be receivable for public dues at a rate to be fixed by the quarterly proclamation of the civil governor of the Philippines until such date, not later than the 31st day of December, in the year 1903, as may be fixed by public proclamation of the civil governor, when such coin shall cease to be receivable: *Provided, however,* That such proclamation shall be issued and printed in the city of Manila at least sixty days before the date on which such coins cease to be receivable: *And provided further,* That the public offices of the government of the Philippines may at any time refuse to receive such coins as appear to be counterfeit or defective.

"SEC. — That the silver pesos and the subsidiary silver coins issued under the authority of the Spanish Government for use in the Philippines shall be receivable for public dues at a rate to be fixed by public proclamation of the civil governor until such coins shall cease to be receivable, subject to the same provisions as those prescribed in this act for Mexican pesos.

"SEC. — That for the purpose of retiring this silver and minor coins issued under authority of the Spanish Government for use in the Philippines and now in circulation there the Secretary of the Treasury is hereby authorized to redeem on presentation in the Philippines all of such coins, at a rate to be fixed by him and made known by the quarterly proclamation of the civil governor of the Philippines.

"The coins so purchased or redeemed and so many of the Mexican silver pesos which may have been received by the government of the Philippines for public dues as the Secretary of the Treasury shall in his discretion purchase may be sold by him or be treated as bullion and be recoined into such coins of the United States now authorized by law as the Secretary of the Treasury may prescribe, and in addition thereto, in his discretion, a half-cent coin of such form and with such devices as he may designate; and such half-cent coin shall be legal tender up to the same amount as the 1-cent coin now authorized by law.

"From and after three months after the date when this act shall take effect, no coin shall be legal tender in payment of debts thereafter contracted for any amount in the Philippines except those of the United States, unless otherwise expressly provided in the contract, and thereafter all the money of the United States shall be a legal tender in the Philippines to the same extent and with the same limitations that are now provided by law in the United States, and whatever sum may be required to carry out the provisions hereof and to pay all expenses that may be incurred in connection therewith is hereby appropriated, and the Secretary of the Treasury is hereby authorized to prescribe such regulations and employ such agencies as he may deem necessary to accomplish the purpose hereof: *Provided,* That all debts owing in the Philippines on the date when this act shall take effect shall be payable in the legal-tender coin now in circulation in the Philippines unless otherwise expressly provided in the contract, or in the coins of the United States at the rate of exchange as herein provided."

Mr. HILL (during the reading). Mr. Chairman, I ask unanimous consent that the further reading of the amendment may be dispensed with, and that it may be inserted in the RECORD. This amendment provides for American money as a legal tender there precisely the same as we have it here.

Mr. COOPER of Wisconsin. Mr. Chairman, I move that all debate on this section and pending amendment be closed in five minutes.

The motion was agreed to.

Mr. HILL. Mr. Chairman, a few moments ago I said I had changed my purpose and did not intend to offer the amendment for the introduction of American money. I should not have done so if the chairman of the committee had not made the remark which I understood him to make. I understood him to say that he would advocate the free coinage of silver in the Philippine Islands as the Senate proposed before he would consent to the introduction of American money. I will ask the gentleman if I am right?

Mr. COOPER of Wisconsin. The gentleman from Connecticut, in his intensity, did not understand correctly. I do not see how he can keep a sober face and ask such a question of me. I never said anything of the kind, I never thought anything of the kind, I never dreamed of anything of the kind.

Mr. HILL. Did not the gentleman make a statement similar to that on the floor?

Mr. COOPER of Wisconsin. No; I did not. I read from Mr. Jenks, the secretary of the Commission, that he would favor it before he would consent to the introduction of American money.

Mr. HILL. Mr. Chairman, I desire to state—and I will read from the Taft report—that under the proposed provision of the committee bill "foreign trade would be conducted on a gold basis and domestic transactions upon the same basis, but with the token silver currency as an available method of conducting smaller transactions within the islands."

I have before me a statement of Mr. Conant himself, that his purpose in introducing this proposition is to stabilize the currency at a present silver basis, and that I am opposed to. He says:

[Extract from testimony of C. A. Conant, page 21. Hearings before Committee on Insular Affairs, January 28, 1902.]

Now, coming down to the vital point of the system which I propose, and the suggestion that the peso would be put off on the natives for an American dollar, I see no reason to believe that any such thing would occur, or that it could possibly occur. The peso, according to the plan outlined in my report, and the bill of Mr. COOPER, is a substitute for the Mexican silver dollar.

Now, so far as the native is concerned, it benefits him materially instead of injuring him. The native suffered from the abandonment of the gold standard in the Philippines about 1884, because he did not realize that the extent of the fall in silver was decreasing the purchasing power of his wages; he continued to receive the same silver wages, but was not aware of the fact that they were declining at an appallingly rapid ratio in gold-purchasing power. What I have proposed in this bill is to arrest this downward course in the purchasing power of wages, to fix the value of the peso absolutely at 50 cents, in gold, instead of 44 cents, to which the Mexican often falls, or even less, although in the summer of 1900 the Mexicans were worth 52 cents, gold.

I also insert as a comment upon the foregoing extracts from the testimony of Mr. McLeod, of Maine, taken by Mr. Conant in that city on September 23, 1901:

Q. You do not believe it would be wise to introduce American currency?  
A. Certainly not; because there would come up the question of labor. The native here looks upon a dollar as a dollar, and while in Manila, Iloilo, and Cebu the natives who are more experienced in handling money may consider the American dollar as worth two Mexicans, the native of the country, who forms the great mass of the population, thinks they are the same, and merely considers a dollar a dollar. The wages of the Filipinos here in agricultural districts must certainly be one of the greatest things there is to consider in the country. The country or provincial native earns his money by receiving so much a week and so much rice. If you pay the native a dollar a week, or 87½ cents, as they used to pay them, and offer him 47 cents, he will think that is not enough and that he is getting the worst of it. You would raise the cost of the country's products as a result.

And again:

Since the export of gold the natives have never noticed the difference between the silver dollar at its lower value and its former value when on a parity with gold. They paid out gold dollars in exchange for silver at the former value. The natives have lost through the depreciation of silver one-half of their money. But the native who was getting 87½ cents a week in the provinces for agricultural work was quite as happy to have it at 2 shillings instead of the 4 shillings it was worth twenty years before. He had not noticed the difference.

Now, I ask a vote upon the amendment. I want to state that I conversed with the leading business men in Manila, and they advised me that the danger was not in introducing American coin, but in the delay in introducing it; and when I make that statement I make it as a deliberately, carefully considered opinion of the best judges and the most extensive business houses in the city of Manila. I ask for a vote.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was considered and rejected.

Mr. WANGER. Mr. Chairman, I move to amend in line 23, page 100, by striking out the word "date" and inserting the word "year."

Mr. COOPER of Wisconsin. I will accept that amendment, Mr. Chairman.

The CHAIRMAN. The question is on the motion of the gentleman from Pennsylvania to strike out, in line 23, page 100, the word "date" and insert the word "year."

The amendment was agreed to.

The Clerk proceeding with the reading of the bill read as follows:

SEC. 70. That the government of the Philippine Islands is authorized and directed to maintain at all times the parity of the silver coins issued under this act with the gold money of the United States, and for this purpose may, in its discretion—

First. Pay gold coin for silver coin.

Second. Pay silver coin for gold coin.

Third. Sell drafts on its deposits in the United States at a reasonable rate, not exceeding the usual cost of exchange.

Fourth. Transfer any form of money from the current funds of said government to the currency reserve fund.

Fifth. Issue temporary certificates of indebtedness, bearing interest at a reasonable rate, payable at periods of three months or more, but not later than one year, from the date of issue, which shall be in the denominations of \$50 or 100 pesos, or some multiple of such sum, and shall be redeemable in gold coin of the United States or in lawful money of said islands, according to the terms of issue prescribed by the government of said islands; but the amount of such certificates outstanding at any one time shall not exceed \$5,000,000.

Sixth. Buy gold coin or bullion at a cost not exceeding reasonable charges for its importation into said islands.

Mr. JONES of Virginia. Mr. Chairman, I move to strike out the whole of section 70.

The CHAIRMAN. The gentleman from Virginia moves to strike out section 70.

Mr. JONES of Virginia. Mr. Chairman, I presume our Republican friends are aware of the fact that the silver which these pesos are to contain is only worth, measured in gold, 80 cents.

Mr. HILL. Thirty-seven cents to-day.

Mr. JONES of Virginia. That would be 74 cents. I am not talking about the half dollars; I am talking about pesos. The gentleman from Connecticut says that instead of the pesos being worth 80 cents in gold they are only worth 74 cents. Now, if that be true, then these pesos to the extent of 26 cents are token money, since the silver in them is worth only 74 cents.

They are not 50-cent dollars; they are 74-cent dollars. I do not know how my friend from Connecticut [Mr. HILL] is going to support a measure which provides for palming off upon the Filipino people a dollar which he admits is only worth 74 cents.

Mr. HILL. The gentleman is mistaken; the peso is only 50 cents, and is to be redeemed at 50 cents; but it is worth only 37 cents to-day.

Mr. JONES of Virginia. Mr. Chairman, the gentleman from Connecticut is correct in that. The pesos are to be equivalent to 50 cents. What I should have said is that 2 pesos are made to equal \$1, and these pesos are only worth, measured in gold, 37 cents apiece, so that two of them, which it is provided in the bill shall be received for all dues at a dollar, are only in reality worth 74 cents in gold. It therefore being admitted that two of these pesos, which are made equal to and must be received for \$1, contain silver worth only 74 cents in gold, the bill, in this section, provides various means by which their parity with a gold dollar may be maintained.

Now, it seems to me that no consistent advocate of the gold standard can possibly support such a measure as this. If a 50-cent dollar is dishonest in the United States, then we think two 50-cent pesos, worth only 74 cents, and required to be accepted for a dollar, must be dishonest in the Philippine Islands. A 74-cent dollar must be a dishonest dollar in the Philippine Islands if a 50-cent dollar is a dishonest dollar in the United States.

It is merely a question of the degree of the dishonesty. Gentlemen who prate about dishonest 50-cent dollars in the United States should be ashamed to vote for a bill which expressly provides for palming off dishonest 74-cent dollars on the poor Filipinos, in whom they profess such great interest. Moreover, this currency is a device by which it is hoped to fool the poor Filipino laborer. The ignorant Filipino regards a peso as the equivalent of a dollar, and it is expected that he will receive these 50-cent pieces, to be called pesos, in exchange for the same amount of work or labor for which he now receives a Mexican dollar, or peso. I hope my amendment will be adopted.

Mr. COOPER of Wisconsin. I move to close debate on the pending section and all amendments in two minutes.

The motion was agreed to.

Mr. KAHN. Mr. Chairman, my attention has been called to the remarks, printed in the RECORD of June 23, of the gentleman from Ohio [Mr. NORTON], wherein he states that in a theater in this city some four months ago I made a speech inconsistent with the speech I delivered on the floor of this House on the 20th of this month. The gentleman is absolutely and entirely mistaken. I have never, at any time or at any place, made a speech respecting the government of the Philippines wherein I uttered views contrary to those expressed by me in this House last Friday.

Mr. WILLIAMS of Illinois. Will the gentleman allow me a question? [Cries of "Question!" "Question!" and "Vote!" "Vote!"] Will the gentleman from California tell this committee whether he is in favor of taking the Filipinos into the United States as citizens at any time in the future? [Cries of "Regular order!"]

Mr. KAHN. I have not time to answer that question. [Laughter.]

The question being taken on the amendment of Mr. JONES of Virginia, there were—ayes 46, noes 86.

So the amendment was rejected.

The Clerk read as follows:

SEC. 76. That the government of the Philippine Islands is authorized, subject to the limitations of this act, to provide by general legislation the terms upon which individuals, copartnerships, and corporations shall engage in the business of banking; and no corporation unless organized under such general law shall issue notes for circulation, and then only to an amount not exceeding its full paid capital and upon deposit with the government of said islands; as security for such notes, of bonds authorized by this act at their par value equal in amount to the notes authorized; and the shareholders of every such corporation authorized to issue notes for circulation shall be held individually responsible, equally and ratably, and not one for another, for all contracts, debts, and engagements of such associations to the amount of their stock therein at the par value thereof in addition to the amount invested in such shares; and no individual or copartnership shall issue notes for circulation.

Mr. HILL. I offer as a substitute what I send to the desk.

The Clerk proceeded to read the following amendment:

Amend substitute for S. 2205 by striking out all of said substitute bill from and including line 5, page 107, to and including line 22, page 107, and inserting the following:

"THE REGULATION OF BANKING.

"SEC. —. That no person, firm, association, or corporation other than national banking associations shall be permitted to conduct a banking business or to establish or maintain a branch bank in the Philippines after the 30th day of September, in the year 1902, without a license in writing granted by the government of the Philippines. Such license shall be granted, in the discretion of the government of the Philippines, upon application in writing, setting forth the names and domicile of the applicants proposing to do a banking business, the nature of the business, the amount of capital proposed to be employed, and such other particulars as may be required by said government, and said license may be revoked at any time, but such license shall not give authority to issue circulating notes.

"SEC. —. That the provisions of section 5243 of the Revised Statutes of the United States, prohibiting the use of the word 'National' in the title of any bank not incorporated under the national bank act of the United States, are hereby made applicable to the Philippines.

"SEC. —. That all persons, firms, associations, or corporations other than national banking associations engaged in the business of banking in the Philippines shall comply with all regulations which may be prescribed by the government of the Philippines, and full power is hereby conferred upon said government of the Philippines to frame regulations regarding the business of any bank, and to appoint a receiver for winding up its affairs when in the judgment of said government such course is justified, and to impose and enforce proper penalties for failure to comply with such regulations and with the authorized acts of said government.

"SEC. —. That the government of the Philippines may appoint a suitable person or persons, who may be the same as the person designated by the Comptroller of the Currency, for the examination of national banks in the Philippines, which person shall have power to make thorough examination, from time to time, into all the affairs of persons, firms, associations, or corporations other than national banking associations engaged in the business of banking in the Philippines, and in so doing to examine any of the officers and agents of such banks under oath, and who shall make a full and detailed report of their condition to the government of the Philippines.

"SEC. —. By and with the approval of the Comptroller of the Currency any national banking association now or hereafter established in the United States, with a fully paid-up capital of not less than \$1,000,000, is hereby authorized to establish and maintain branches in any part of the Philippines. The Comptroller of the Currency is hereby authorized to grant charters to national banking associations in the Philippines only.

"SEC. —. All laws relative to national banking associations shall, so far as they are applicable, have the same force and effect in the Philippines as in the United States, subject to the provisions and limitations of this act; and the provisions of section 5146 of the Revised Statutes are hereby amended so that any resident of the Philippines, otherwise qualified, may act as director of a national bank established or having branches in the Philippines, and no other qualifications shall be required as to residence, except that a majority of the board of directors of any such national bank shall be citizens of the United States or natives of the Philippines, or persons who have under and by virtue of the treaty of Paris acquired the political rights of natives of the Philippines."

Mr. HILL (interrupting the reading of the amendment). Mr. Chairman, as this amendment is somewhat long I ask unanimous consent that the further reading be dispensed with and that the entire amendment be printed in the RECORD. I will explain its purport.

Mr. COOPER of Wisconsin. I move that all debate on this section and pending amendments be closed in three minutes.

Mr. HILL. I have the floor.

The CHAIRMAN. The gentleman from Connecticut has been recognized.

Mr. HILL. Mr. Chairman, I have not the slightest objection to the usual five-minute debate being had on this amendment. But this is an important matter, and I think that the House will see this when I say that the coinage provisions which have been inserted in this bill were, as we have heard over and over again, placed there on the recommendation of the Commission and of Mr. Conant and of the War Department, and when I explain that statement by saying that the banking provisions of the bill are in violation of the recommendations of the Commission, in violation of the recommendations of the War Department, and diametrically opposed to the recommendations of Mr. Conant. If the recommendations of these parties were good in the case of the coinage, they certainly ought to have some weight in regard to the banking proposition.

Now, what is the banking proposition I have introduced here?

It is simply the transfer of the laws of the United States with reference to the national banks to the Philippine Islands, just as we have transferred those national banking laws to Hawaii and Porto Rico. I would ask the chairman of this committee why it is that they have turned down the unanimous recommendation of the Insular Commission, or Judge Taft himself, of the War Department, and of Mr. Conant, and inserted a proposition here under which it will be impossible to issue a bank note in the Philippine Islands. I mean that while it will be physically possible it will be financially impossible.

In addition to that this banking provision of the bill absolutely ignores and by specific legislation violates the vested rights which the Banco de Espanol now has in the Philippine Islands to issue bank notes. It may be a trifling thing in the face of this unanimous recommendation of every party who has had anything whatever to do with this question, both in the Philippine Islands and here, to absolutely wipe out of existence vested interests there because some man has an idea that the proposed recommendations were not what he desires, and I ask the House of Representatives now to adopt this amendment and extend the national-bank laws to the Philippine Islands with this further addition—and aside from that there is not a variation, and I want the House distinctly to understand it—that it provides for taking American capital there by allowing American banks with a capital of \$1,000,000 to establish branches in the Philippine Islands, which I think our people on the Pacific coast very much desire.

Now, aside from that, there is not a thing in the whole amendment but what simply provides for extending our laws to the Philippine Islands, so that the Comptroller of the Currency can issue charters for national banks.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Connecticut.

The question was taken; and on a division (demanded by Mr. HILL) there were—ayes 30, noes 69.

So the amendment was rejected.

The Clerk read as follows:

SEC. 77. That any bank now doing business in the Philippine Islands which has its notes in circulation shall retire the same on or before the 1st day of January, in the year 1904, or make provision therefor when same are not presented for redemption, under regulations to be made by the government of said islands.

Mr. GAINES of Tennessee. Mr. Chairman, I move to strike out that section. I should like to ask the gentleman who reports this bill, if I can get his attention, why it is that he wants banks that have been strong enough, if not good enough, to accommodate the United States Government during our troubles in the Philippine Islands, who are conducting and have conducted for years a good banking business over there—why he demands of them to call in the notes of circulation and put nothing in their place, it seems? Now, I ask the gentleman for the information of the House. I think that is a sort of dangerous process of contracting the currency when there is little enough money over there at best.

Mr. COOPER of Wisconsin. The Banco d'Espanola, referred to by the gentleman from Connecticut, and to which the gentleman from Tennessee refers, claims to have an exclusive monopoly, by virtue of its charter derived from the Spanish Crown, to issue bank notes. The United States Government doubts whether under the treaty of Paris that monopoly can be sustained, or whether the United States is bound to recognize that monopoly.

Mr. GAINES of Tennessee. Wherein is it a monopoly?

Mr. COOPER of Wisconsin. The right to exclusively issue notes in the islands is a monopoly.

Mr. GAINES of Tennessee. Have we not continued "existing laws," and does not that necessarily continue this monopoly, if it is one?

Mr. COOPER of Wisconsin. Not under this bill. We are not doing that.

Mr. GAINES of Tennessee. What bank is it that issues this paper money?

Mr. COOPER of Wisconsin. The Banco d'Espanola, the bank in which the friars are largely interested as stockholders. It has a capital of something like one or two million dollars.

Mr. GAINES of Tennessee. You assume that it may be a monopoly—

Mr. COOPER of Wisconsin. It is not assumption. It is an absolute monopoly under the terms of its charter.

Mr. GAINES of Tennessee. Now, then, until you create something else there to take the place of this or permit that bank to go on, or we put something in circulation to take the place of these notes, you are actually drawing in money from circulation, when there is hardly any money over there except the American money, and this money which you say is worth about 84 or 87 cents on the dollar.

Mr. COOPER of Wisconsin. The bill provides that no corporation unless organized under such general laws shall issue notes

for circulation, and then only to an amount not exceeding its full face capital and upon deposit of bonds as security. It provides for a bond-secured currency, rather than the straight-asset currency, as we ordinarily understand it.

Mr. GAINES of Tennessee. Then simply because this may be a monopoly they are going to strike the circulation down without putting anything in its place. That is what this section means. We should strike down the exclusive privilege, make it general, and let the notes alone, at least until we put something in their place. Calling in those notes does not kill the monopoly without killing probably the little prosperity the people have there.

The CHAIRMAN. The question is on the motion of the gentleman from Tennessee, to strike out section 77.

The question was taken; and the motion was lost.

The Clerk read as follows:

SEC. 82. That all laws passed by the government of the Philippine Islands shall be reported to Congress, which hereby reserves the power and authority to annul the same.

Mr. PATTERSON of Tennessee. Mr. Chairman, I offer as a new section the amendment which I send to the Clerk's desk.

The Clerk read as follows:

Add the following as a new section:

"That from and after the passage of this act there shall be neither slavery nor involuntary servitude in the Philippine Archipelago, or in any province or dependency now held by the United States Government, or which may hereafter be acquired.

"That the so-called treaty or agreement made and entered into between John C. Bates, brigadier-general of United States Volunteers, acting for the Government, and the Sultan of the Sulu Archipelago and the datus whose names appear as parties to said agreement or treaty dated August 20, 1899, be, and the same is hereby, disapproved and disaffirmed, and declared void and of no effect.

"That the purchase, sale, or gifts of slaves in the whole of said archipelago is hereby forbidden and declared illegal, likewise the importation of any person bought or in any manner acquired in a foreign country and transported for the purpose of involuntary servitude to the Philippine Archipelago."

Mr. PATTERSON of Tennessee. Mr. Chairman, I will not occupy the time of the committee more than a moment.

The United States of America is the only civilized power to-day that is protecting the institution of human slavery. The contract, agreement, or treaty, whatever it may be called, that was entered into between Brig. Gen. John C. Bates and the Sultan of Jolo and the datus, by which they were paid \$10,000 in Mexican money, and under the terms of which our Government agreed to protect them in their religious customs and manners, including the institutions of human slavery and polygamy, is still in force. According to the testimony before the Insular Affairs Committee of the House by Governor Taft these sums of money have been paid to the Sultan and the datus from the time this agreement was made up to the present time.

Now, I am aware of the fact that the thirteenth amendment to the Constitution of the United States provides that slavery shall not exist anywhere in any territory subject to the jurisdiction of the United States. And I am aware of the provision which has been inserted in this bill to prohibit slavery there; but the prohibition of slavery is one thing. The existence of slavery under the protection of the United States Government is quite a different thing. So that under this new section which I have offered I want to give the Republican party one opportunity to declare its abhorrence of slavery in the Philippine Islands, and to say that it shall not exist there under the protection of the American flag, under this treaty or agreement.

So far as we upon this side of the Chamber are concerned, if we are permanently to retain the possession of the Philippine Islands, we are opposed to the institution of human slavery.

I am aware that when President McKinley forwarded this treaty, negotiated by General Bates with the Sultan of Jolo, to the Senate of the United States he left the whole matter to Congress. It has been left in that situation ever since, the Congress of the United States having neither affirmed nor disaffirmed this treaty, so that so far as I know this is the first time the question has ever been presented to Congress for the affirmation or disaffirmation of this treaty.

Now, as I have said, I do not care to take up the time of the committee in any general discussion of this subject. The facts are that there are 300,000 or more human slaves in the Philippine Islands, held by these Mohammedan Moros, and the condition of their servitude is a condition of infinite horror. Young children are sold from their mothers, families are separated, and the female slaves are subject always to the desires of their masters. Anyone who has studied this question will understand that this Government is to-day protecting this institution of human slavery in the Philippine Islands.

Now, I want to say that England in 1834 set free every slave within the British Empire, and the United States Government is to-day the only first-class civilized power on earth within whose territory slavery exists.

I simply want to say that the Republicans have an opportunity,

which I present to them, to say or not to say whether slavery shall longer exist in those islands. [Applause on the Democratic side, and cries of "Vote!" "Vote!"]

Mr. COOPER of Wisconsin. Mr. Chairman, I have but a word to say in answer to the gentleman from Tennessee. He said that President McKinley indicated or intimated that he did not approve of the treaty made by General Bates. My impression—

Mr. GROSVENOR. But he says he remitted it to Congress.

Mr. COOPER of Wisconsin. I did not hear.

Mr. GROSVENOR. The gentleman went further than that. He said he remitted the whole thing to Congress.

Mr. COOPER of Wisconsin. Yes. Now, I understand that that is not a statement of the fact. President McKinley did not merely intimate his disapproval, but he expressed his absolute, unqualified disapproval of the treaty so far as it related to the subject of slavery.

Mr. PATTERSON of Tennessee. May I interrupt the distinguished gentleman? Is it not a fact that this Government has been paying the Sultan of Jolo and the datus sums of money that we were to give to them by virtue of the terms of that treaty?

Mr. COOPER of Wisconsin. But that is not the question.

Mr. PATTERSON of Tennessee. One moment. Is not that the fact, I ask?

Mr. COOPER of Wisconsin. That does not meet the proposition. The question that the gentleman is asking does not meet the proposition that he advanced. We can well pay these datus and yet not recognize the existence of slavery. We can pay them these funds to keep the peace. We pay them money to prevent piracy. We pay them money to preserve order within their domains. We can do all that and still not recognize human slavery or put it under our protection.

Mr. PATTERSON of Tennessee. Will my colleague on the committee—

Mr. SULZER. Will the gentleman—

Mr. COOPER of Wisconsin. One moment. One at a time. Now, the gentleman from Tennessee would give the House to understand, and I presume that the purpose of making the motion is to have the impression go to the country through the RECORD, that slavery is practiced generally throughout the archipelago.

Mr. PATTERSON of Tennessee. I have not said so.

Mr. COOPER of Wisconsin. But you do not say it was not true.

Mr. WILLIAMS of Mississippi. He said the Mohammedan portion.

Mr. COOPER of Wisconsin. The Mohammedan islands, in the extreme southern portion of the archipelago, and the island of Mindanao and the Jolo group, which is within the southern portion of the archipelago, have slaves. As I understand, 250,000.

Mr. HAMILTON. Which is the outside.

Mr. COOPER of Wisconsin. Which is the outside limit, as shown by the testimony of Governor Taft. It is more like feudalism than our old-fashioned system of slavery. It has not the barbarities which we usually associate with the system of human slavery. It is a sort of peonage or family affair—they live with the family, and the slaves are often indistinguishable from the members of the master's family.

Mr. GROSVENOR. Not sold.

Mr. COOPER of Wisconsin. They are not sold.

Mr. PATTERSON of Tennessee. Will the gentleman yield to me?

Mr. COOPER of Wisconsin. Not only that, but one of the datus has voluntarily relinquished all slaves and emancipated them. Judge Taft, in his testimony, said that he thought that with the influences which would be exercised upon Mindanao and the whole of the country by the presence of American institutions, methods, ideas, and principles, slavery would gradually be abolished.

Mr. PATTERSON. Will the gentleman allow me to ask him a question?

Mr. COOPER of Wisconsin. It is absolutely impossible, of course, to abolish it at once by a mere statute. It is a practical question, and it takes time. The United States Government is doing all that it can. President McKinley expressly said that he would not recognize slavery, and never has. Congress has not. Therefore the United States has never officially recognized it in those islands, and we prohibit it absolutely by this bill. In addition to that, the Constitution of the United States, in the thirteenth amendment, expressly prohibits it.

Mr. WILLIAMS of Mississippi. Does the thirteenth amendment apply there? [Cries of "Vote!"]

Mr. COOPER of Wisconsin. I move to close debate on this amendment.

The CHAIRMAN. Debate is exhausted.

Mr. SULZER. Mr. Chairman, I take it that the Republican party admits that it stands for slavery. [Cries of "Regular order!"]

Mr. PATTERSON of Tennessee. I simply want to read what President McKinley said.

Mr. TAWNEY. I make the point of order that debate is exhausted.

Mr. PATTERSON of Tennessee. I have not bothered the committee very much, and I shall ask unanimous consent.

Mr. TAWNEY. I object.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to address the committee for two minutes.

Several members objected.

Mr. PATTERSON of Tennessee. Who objects? I simply want to read what President McKinley said.

Mr. WILLIAMS of Mississippi. Mr. Chairman, I make the point of order that no gentleman arose in his seat and objected, and hence the gentleman from Tennessee has his two minutes.

The CHAIRMAN. The House has not disposed of the request. The gentleman asks that his time be extended for two minutes. Is there objection?

Mr. PEARRE. I object.

The CHAIRMAN. Objection is made.

Mr. SULZER. I move to strike out the last word.

The CHAIRMAN. That is not admissible; an amendment is pending.

Mr. GAINES of Tennessee. I move to strike out the section.

The CHAIRMAN. The rule only allows one amendment and debate and five minutes on each side, which has been had, and no other motion is admissible until this amendment is disposed of. The question is on the motion of the gentleman from Tennessee.

The question was taken, and the Chairman announced that the yeas appeared to have it.

Mr. PATTERSON of Tennessee. Division.

The committee divided; and there were—ayes 69, yeas 104.

So the amendment was rejected.

Mr. McCALL. Mr. Chairman, I move to amend by adding a new section.

The Clerk read as follows:

Insert the following as section 83:

"In this first organic act, creating a civil government for the Philippine Islands, it is hereby solemnly declared to be the settled purpose of the Congress to extend to the inhabitants of those islands every aid in enabling them to develop the capacity for self-government, and when such capacity shall have been developed we pledge the faith of the Republic to confer upon them the right of self-government after the fashion of the really free nations."

Mr. McCALL. Mr. Chairman, I will occupy the time of the committee only a moment upon this amendment. Different Presidents have spoken upon what should be the ultimate policy of the people of the United States with reference to the future government of the Philippine Islands. I will read now what President Roosevelt said in his first message to Congress last December:

Our aim is high. We do not desire to do for the islanders merely what has elsewhere been done for tropic peoples by even the best foreign governments. We hope to do for them what has never before been done for any people of the Tropics—to make them fit for self-government after the fashion of the really free nations.

The treaty of Paris does not confer on the President the power to fix the status of the people of the Philippine Islands, but imposes that duty upon Congress. I agree most heartily with the utterance I have referred to by President Roosevelt. It seems to me the time has at last arrived when we who are charged by treaty with responsibility in the matter, that now, to-day, four years nearly after we have entered those islands, when we are passing a bill, a comprehensive act, an organic act for the government of the people of the islands, an act which looks far into the future, it is time for Congress to perform its duty under the treaty of Paris and declare in at least general terms what the policy of this people is to be. [Applause.]

This bill contains provisions which should never be enacted unless we couple with them a declaration of the line our policy is to follow. If we are silent as to our ultimate policy, those provisions will operate to determine what it is to be. One part of this bill will foreclose this question unless we write in this law notice of our purpose to the people who may act under it. This bill opens up every stick of timber, every acre of land, every nugget of ore to the people of these islands, to the citizens of the United States. I might say to the world.

Now, our people will go there, capitalists will swarm there like locusts—and I do not mean this in any opprobrious sense, because the movement will grow out of our commercial spirit and enterprise—they will make investments there, and after they have invested, if the proposition is ever made to take the islands from under the jurisdiction and sovereignty of the United States they will come to this Congress and they will say that they have invested their money on the faith of this act; they will appeal to us to protect them.

Gentlemen know as a practical proposition that no matter what

may be the desires of the American people Congress will be practically powerless, and that we shall probably never get out of the islands under those circumstances. The relations between capital and imperialism are very intimate. The Boer war grew out of the investment of capital by the subjects of Great Britain in the two South African Republics. If we invite the capitalists of this country and the world to invest there under the shield of the United States, it is morally certain that everything that has been said by our President, by our ex-commissioners, and our other public men will amount to nothing, and that we shall remain there, if not forever, at least into the far future.

Now, I desire to have it written in this act, so that anybody who goes there will go under notice imbedded in the act, that we are not liable to stay there forever.

Ultimate self-government is the policy, as I construe it, so well enunciated by the President of the United States. It is that about which the people of the United States are thinking more than about anything else connected with the Philippine Islands, and it seems to me here and now are the time and place for us to make some declaration with regard to it. We have followed the policy of drift long enough. We have voted tariffs for those people. We have created an army to subdue them, and we are now constructing a frame of government for them. Somewhere between the covers of this minute bill, in all its 83 sections, we should find room enough to convey a hint of our purpose.

If we can not here find a place to avow our purpose, when, I ask, may we properly state it? Whatever our and their interests may seem hereafter to demand, whatever an awakened sense of fealty to the very principle of our national life may point out, if we are silent now, we shall, I fear, bind these islands to us with cords of steel. This bill contains some liberal features. I think the gentleman from Wisconsin and those upon his committee have considered this question in a broad spirit; but it seems to me it would be vastly improved if the amendment I propose were inserted in it. [Applause.]

Mr. GROSVENOR. Mr. Chairman, I move to substitute for the proposition of the gentleman from Massachusetts the proposition which I send to the Clerk's desk.

The Clerk read as follows:

In this first organic act creating a civil government for the Philippine Islands it is hereby solemnly declared to be the settled purpose of the Congress to extend to the inhabitants of those islands every aid in enabling them to develop the capacity for self-government.

Mr. WILLIAMS of Mississippi. Mr. Chairman, is debate in order?

The CHAIRMAN. It is.

Mr. WILLIAMS of Mississippi. Mr. Chairman, much has been said here in the last two or three days about "running away," much about "cowardice" and "weaklings," and much about our "facing the responsibilities" and "obligations" thrust upon us by the Spanish treaty. Now, I invite every member of this House not to "run away" from the pending proposition—

Mr. LANDIS. I shall not run away.

Mr. WILLIAMS of Mississippi. Not to show any cowardice, but faithfully perform the very first duty laid upon you by the treaty with Spain and to meet bravely the great obligation that is thrust upon you by that treaty.

As a Congress, the first obligation thrust upon you is to "fix the political status of the people of those islands." Now, why will you constantly "run away" even from your own breath? Why are you constantly afraid even to declare your own policy so much as to let your words go out upon the circumambient air so that somebody somewhere may possibly know what you intend to do?

Why not now give notice of your policy to the world, as the gentleman from Massachusetts has said, even in the negative way in which he proposes? Have you any policy that you dare utter? Do you want simply to drift, without the courage to meet the real responsibilities and the real questions; continue to drift without a declaration of policy or intent until you have drifted so far that you can not retrace your steps—until there has drifted into the islands capital and invested interests of many different sorts that will hold you there whether the people behind you want you held there or not? An unsought policy may drift onto you.

Gentlemen, let us not talk always about "courage;" let us show some; let us not always talk about "facing responsibilities;" let us face one now. Suppose before we leave here this evening the American Congress shall declare "the political status of the people of the Philippine Islands," as the treaty of Paris requires, one way or the other—either declare it our way by giving them their independence or declare that they are subjects, colonial subjects, by saying that you are going to hold them perpetually or indefinitely as you are now holding them; or declare that they are to be citizens. We will vote with you if you do the first; meet you in confidence before the people if you do either of the other two things. But declare something.

Do not you think that the American people have a right to ex-

pect something of this kind from a great party that has absorbed the initials "G. O. P."—"Grand Old Party?" But I think those letters might better be "S. O. P."—"Smart Old Party," "Dexterous Old Party," "Cunning Old Party." Why not once in your lifetime let it be a "Brave Old Party." Don't you think the people have a right to expect from you simply that you shall utter your thoughts out loud in the public ear—not "run away" every time anybody proposes anything definite?

What do you declare in this bill? You are afraid to declare for the people of the islands their political status. You declare them to be "inhabitants" and "citizens of the Philippines." What is that, in God's name? Everybody knew that they were "inhabitants of the Philippines." And "citizens of the Philippines." What does that mean? What are the Philippines? An independent government? Not yet. How can anybody be a "citizen" of something that is not an independent country?

You decline to say that they are citizens of the United States. You decline to say that they are subjects of the United States. The nearest you have ever got anywhere to a declaration on this subject was in a judicial construction made by one of the judges of the Supreme Court—the others did not unite with him—that they were "citizens appurtenant." Now, just let us have it out here now. We have told the American people what we propose—announced our policy. Say what you mean. If you mean anything at all, have the courage to tell the American people what it is, and do not "run away;" face something. [Loud applause on the Democratic side.]

Mr. GROSVENOR. Mr. Chairman, I think it well that the House should understand what it is proposing to vote for. The proposition of the gentleman from Massachusetts [Mr. McCALL] is a direct proposition, first, pledging ourselves to teach the Filipinos the arts of civilization, and, second, to create States according to the fashion of free nations.

Mr. McCALL. Mr. Chairman, if my friend will permit me—  
Mr. GROSVENOR. That is the plain English of it. Let me have it, please.

Mr. McCALL. Does the gentleman understand that President Roosevelt is proposing they may be admitted as States into the Union and that he used the identical language that I do?

Mr. GROSVENOR. I do not care anything about that. I am unwilling to, even under the seductive invitation of the gentleman from Mississippi [Mr. WILLIAMS], force the Republicans of this country into a declaration that goes beyond and mortgages the future as to what shall be done in the matter of the final and ultimate disposition of the Philippine Islands. It is entirely enough to say this:

In this first organic act creating a civil government for the Philippine Islands, it is hereby solemnly declared to be the settled purpose of the Congress to extend to the inhabitants of those islands every aid in enabling them to develop the capacity for self-government.

That is fixing the status, if the gentleman from Mississippi will hear me. Now, what we will do after that is a question to be left to the future. I say not to mortgage the future by any act of the present—not pledge ourselves—for if we do, for all time we will have this language put into our faces when we fail to make Territories and States out of them.

Mr. CRUMPACKER. Mr. Chairman, I would ask the gentleman if his proposed substitute does not carry with it an implied promise?

Mr. GROSVENOR. Not in the slightest.

Mr. CRUMPACKER. Of independence?

Mr. GROSVENOR. Not in the slightest.

Mr. CRUMPACKER. It strikes me that we better keep off that field altogether.

Mr. GROSVENOR. I am perfectly willing to keep off that field, but if I am going on the field I do not propose that all the future of our country shall be thus pledged under the sneers of a Democratic minority, cooperating in this sort of way with members on this side of the House.

Mr. McDERMOTT. Mr. Chairman, will the gentleman permit a question?

The CHAIRMAN. Does the gentleman yield to the gentleman from New Jersey?

Mr. GROSVENOR. Certainly, if I have any time.

Mr. McDERMOTT. Will the gentleman accept an amendment to the last few words of his proposed substitute, so that it will read a pledge not to develop the "capacity for self-government," but to develop self-government?

Mr. GROSVENOR. No; "capacity" is quite as far as I want to go right now. [Laughter and applause.]

Mr. DE ARMOND. Mr. Chairman, I believe that we are now at a very important stage of this legislation. The venerable gentleman from Ohio [Mr. GROSVENOR] is apprehensive of a deep-laid design on the part of my friend from Mississippi [Mr. WILLIAMS]—to do what? To force the Republican party to say what it desires to do and what it will do! Now, that is a spectacle for gods and men! The gentleman from Mississippi, in this late hour

in the last days of the session, is seriously trying to force that valiant, that warlike, that brave party to say what it desires to do and to do openly what it desires to do!

I do not wonder at the apprehension of my friend from Ohio—to be thus suddenly attacked in this way, an effort to be made suddenly to force that great party to be honest with the country and honest with itself, to speak out and throw away subterfuges, to declare what its purposes are, and to give the American people the great surprise once, in connection with this Philippine transaction, of finding the party honest and candid! Will my friend from Mississippi refrain from this course of conduct? [Laughter on the Democratic side.]

Why pursue the gentleman from Ohio in this heartless way? Has my friend from Mississippi no bowels of compassion? Does mercy have no influence with him? [Applause and laughter on the Democratic side.] Where will he stop? Does he appreciate the character of his performance? About to force the Republican party to an act, single and alone, of course, in recent years, of honesty and candor! Forbear, forbear, my friend from Mississippi! This is asking too much! It is attempting too much.

I know you can bring enough of force to move those who desire to be honest and those who have any inclination to be candid. I know that. I know that everything involved in the question, I know that every incident and every surrounding fact, unite in protest and join in urging and persuading to one single, lone act of candor and honesty in connection with this Philippine play; but it is too much to hope for, it is too much, when you are in the minority, to strive for. It can not be done.

The gentleman from Ohio is right about it. The party will not be honest. You can not make it honest. It will not be candid. [Laughter and applause on the Democratic side.] Why, it would cease to be the Republican party of to-day if it were to be candid. [Laughter.] It would be a disorganization; it would be abandoning the organization that lives for spoil and plunder, that lives by pretense and hypocrisy. Do not ask it, do not expect it. The astute gentleman from Ohio is right about it. The party can not afford to be honest. The party is damned if it is honest. [Applause and laughter on the Democratic side.]

Honesty is the bane of the party. The party shrinks from it as it shrinks from death. Do not ask so much; do not go into a cruel performance here and endeavor to force it. We can not do it; we have not the numbers. Moral forces, high sentiments, lofty appeals, stern duty, persuasive eloquence, all these will fail. The gentleman from Ohio is going to stand by his guns, and he is going to turn his guns the wrong way. Already they are spiked. The conduct of the party, the pretense, the shambling and shuffling of the leaders, have been effective in spiking their guns. Let the gentlemen alone, alone in the political cowardice and hypocrisy in which they revel. Let them proceed, and by and by, my friends, we will learn what the American people say about it. [Prolonged applause on the Democratic side.]

The CHAIRMAN. The question is on the adoption of the substitute offered by the gentleman from Ohio.

The substitute was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. MCCALL].

The question being taken, on a division (demanded by Mr. MCCALL) there were—ayes 89, noes 128.

Accordingly the amendment was rejected.

Mr. GAINES of Tennessee. Mr. Chairman, I have an amendment to offer as a new section.

The Clerk read as follows:

SEC. 83. That it shall be and is unlawful for any person or persons, company or companies, firm or firms, corporation or corporations, associations or other concerns created or operating in the Philippine Islands, to create or be a party to any contract, combination, or other arrangement, the effect of which is or may be to curtail, restrain, or prevent full and free competition in all business, or control the price, production, or exchange, sale, or delivery of any goods, merchandise, or other business within the Philippine Islands. That the supreme court, and courts of first instance in the Philippine Islands, shall possess and exercise jurisdiction as herein, or as may hereafter be provided, in all cases arising under this provision.

Mr. TAWNEY. I make the point of order that the amendment is not germane to the section.

The CHAIRMAN. It is offered as a new section.

Mr. GAINES of Tennessee. I desire to state what the proposed amendment is, and then if it is subject to the point of order the point of order can be sustained.

The CHAIRMAN. The Chair understands that it is offered as a new section, and it is, of course, in order.

Mr. GAINES of Tennessee. This, gentlemen, is an antitrust provision. You have provided everything in the world in the Philippine Islands except the independence of the inhabitants and some law to prevent the people who have not been shot to death from being consumed by the trusts. We have an antitrust law in Alaska which we passed during the last Congress. Everybody voted for that. You have an antitrust law on your statute books,

put there by Democrats and Republicans alike. There was not a single dissenting vote when it passed this House.

Mr. TAWNEY. How many votes were there against consideration?

Mr. GAINES of Tennessee. Every Democrat in this House, sir, voted for it, and so did every Republican, on its passage.

Mr. TAWNEY. But every Democrat voted against the consideration of the Sherman antitrust law.

Mr. GAINES of Tennessee. Why, the Democrats helped to frame it.

Mr. TAWNEY. They voted against consideration of it.

Mr. GAINES of Tennessee. This amendment is offered for the benefit of these people in the Philippine Islands. It is in keeping with our antitrust law. It is a remarkable fact that these distinguished lawyers, and distinguished patriots, I may add by way of nick-name, should have proposed a bill here which in some parts of it is a good bill, and should have left the people defenseless in the Philippine Islands, with their rights to be strangled and suppressed, which this amendment would protect. There is no antitrust law there. It is every man for himself and the devil for them all. I want to put upon the statute book some provision, at least, for the protection of these people against the trusts.

Mr. LITTLEFIELD. Will the gentleman excuse me just a moment?

Mr. GAINES of Tennessee. Yes.

Mr. LITTLEFIELD. How many of our Democratic friends in the last Congress voted for the constitutional amendment which was proposed, giving Congress jurisdiction over this matter of trusts?

Mr. GAINES of Tennessee. I voted against it; and you came and took a lot of my anti-trust bill and put it into yours. That was the only good thing in your bill.

Mr. LITTLEFIELD. Your bill was not in the constitutional amendment at all.

Mr. GAINES of Tennessee. No; but you came and got my bill and asked my advice about it and took it. [Laughter.]

Mr. LITTLEFIELD. I want to say to my friend from Tennessee, in the first place I did not ask his advice, although his advice is good. [Laughter.]

Mr. GAINES of Tennessee. Does the gentleman mean to say that he did not come to me and ask me for my bill? [Great and long-continued laughter, and cries of "Vote!"]

Mr. HEBBURN. Mr. Chairman, I think the gentleman from Maine ought to have an opportunity to apologize. [Great laughter.]

Mr. GAINES of Tennessee. I think that he ought to apologize for not getting his bill through the Senate.

Mr. LITTLEFIELD. Now, Mr. Chairman, I can say for the gentleman from Maine that he did not ask the gentleman's advice, neither was there any occasion therefor. Now, I want to ask my friend the question which I rose to ask in the first place. How many of our Democratic friends during the last Congress voted for the constitutional amendment conferring upon the Congress power to control trusts?

Mr. SULZER. What has that got to do with it?

Mr. GAINES of Tennessee. I do not know how many, but the Supreme Court said that we had the power to prohibit trusts and crush them out of existence, and you have not enforced the anti-trust law, and the bill that you asked us to pass is lying dead in the Senate of the United States to-day. [Applause on the Democratic side.] And in addition to that you put the provision I had in my bill in your bill. [Great laughter.]

Mr. LITTLEFIELD. Well, now, I will answer the question myself for my friend. Just two Democrats, Mr. NAPHEN of Massachusetts and Mr. NEWLANDS of Nevada, voted for that amendment. That is all.

Mr. COOPER of Wisconsin. Mr. Chairman, I desire the attention of the House a moment in order to reply to the statements of the gentleman from Mississippi and the gentleman from Missouri. The most complete answer to their queries and sarcasm with which I am acquainted is to be found in the testimony of Governor Taft, one of the great—really great—men of the nation. [Applause.] I looked for this testimony while the gentlemen were speaking, but could not find it. I have a copy of it on my desk at my hotel.

If I had had it here I should have met their statements at once; but I have succeeded in finding it in a copy of the CONGRESSIONAL RECORD, and I wish to call the attention of this committee and the country to it. The two gentlemen wished to know what reasons are actuating the Republican party in not now making an express promise of independence to the people of the Philippines.

Mr. Chairman, there are Republicans who are opposed to a permanent colonial system by Republican sanction. There are Republicans who believe that the United States will not continue a colonial system permanently. But, be that as it may, there are

Republicans who exercise judgment enough to know that it is not well to make promises under circumstances like those which surround us in the archipelago.

In this connection, I call attention to the testimony of Governor Taft. It is a complete answer to the suggestions of the gentleman from Missouri and the gentleman from Mississippi. When Governor Taft was asked if we should not make the promise of independence, he said:

No, sir; and I will say why. Nothing that can to-day be said to the Filipino people in the nature of a promise as to the form of government which may take place after an established stable government shall be formed could be otherwise than misleading to them and confusing in establishing that government.

It would at once begin the agitation among those who desire that separation to have that separation, because, in their opinion, they are fitted for it at once. It would drive away from the support of the stable government that conservative element who are strongly in favor of American guidance and control, because they would anticipate an early change.

They would think they would early be left without the support which the presence of the American Government necessarily gives, and the promise of something in the future, instead of helping to establish, would render unstable any government which was attempted to be established.

Again he said:

The personal hostility between leading Filipinos at times has been so great as to lead to bloody measures. How far they would be carried here I have no idea. That is conjectural.

In addition to that, he said:

In addition to that, by reason of the constant agitation as to the granting of this independence in a year or two years or three years or a decade, it would at once discourage the sincere efforts of the educated Filipinos who are with us to-day in building up a stable government. For these reasons I think such a promise as that would be a great mistake.

[Loud applause on the Republican side.]

Governor Taft came from the bench, where he had a life position, to see President McKinley. He has more than once said that when he entered the White House he had no more of thought of going to the Philippines on his present mission than he had to go to some far-off part of the world to be a hermit; but, said he, "President McKinley talked with me for hours, and when I came away I had another conception of what a man's duty is to his generation, and I decided to go."

Governor Taft said to me what he has been quoted as saying to others—members of the House have seen it in print: "I would go back to the Philippine Islands if there were no salary attached to the office rather than forsake that people. I know what the possibilities of that situation are; I know what my duty is. I have a deep interest in those people, and the Republic of the United States will be glad finally that we stayed to help them along." [Loud applause on the Republican side.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee.

The question was taken, and the amendment was rejected.

The Clerk proceeded with and completed the reading of the bill.

Mr. JONES of Virginia. Mr. Chairman, if the reading of the bill is completed and there are no further amendments to be offered, I desire, on the part of the minority members of the Committee on Insular Affairs, to offer as a substitute for the House bill as amended the bill which I send to the Clerk's desk, and I ask that it be considered as pending in the House under the rule. I ask that the reading be dispensed with.

Mr. PAYNE. I supposed under the order it was to be reported to the House anyway.

Mr. JONES of Virginia. I do not want to lose the opportunity given me under the rule, and therefore I offer it now and ask that it be considered as pending in the House.

The CHAIRMAN. The gentleman from Virginia offers an amendment in the nature of a substitute for the House bill, and the gentleman asks unanimous consent that the reading of the bill be dispensed with. Is there objection? [After a pause.] The Chair hears none.

Mr. COOPER of Wisconsin. Mr. Chairman, I move the adoption of the amendment proposed by the Committee on Insular Affairs in the nature of a substitute for the Senate bill.

The CHAIRMAN. The gentleman offers the amendment proposed as a substitute as amended by the committee.

The question was taken; and the amendment in the nature of a substitute for the Senate bill was agreed to.

Mr. COOPER of Wisconsin. Mr. Chairman, I move that the committee do now rise and report the bill as amended to the House with the recommendation that it do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. GILLET of Massachusetts, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration Senate bill 2295 and had directed him to report the same back with an amendment with the recommendation that as amended the bill do pass, also with another amendment in the nature of a substitute.

The SPEAKER. The gentleman from Massachusetts, Chairman of the Committee of the Whole House on the state of the

Union, reports that that committee has had under consideration Senate bill 2295 and reports the same back with an amendment, recommending the adoption of the amendment and that the bill do pass; that the committee has also instructed him to report a pending amendment in the nature of a substitute for the consideration of the House. The first question will be on the adoption of the substitute amendment recommended by the minority.

Mr. JONES of Virginia. Mr. Speaker, on that question I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 97, nays 137, answered "present" 7, not voting 110; as follows:

## YEAS—97.

Adamson,	Fleming,	Little,	Sims,
Allen, Ky.	Flood,	Lloyd,	Slayden,
Ball, Tex.	Fox,	McClellan,	Small,
Bankhead,	Gaines, Tenn.	McDermott,	Smith, Ky.
Bartlett,	Goldfogle,	McRae,	Snodgrass,
Bowie,	Gordon,	Maddox,	Snook,
Brantley,	Green, Pa.	Mickey,	Sparkman,
Breazeale,	Griffith,	Miers, Ind.	Stark,
Brundidge,	Griggs,	Moon,	Stephens, Tex.
Burgess,	Hay,	Naphen,	Sulzer,
Burleson,	Hooker,	Padgett,	Swanson,
Burnett,	Howard,	Patterson, Tenn.	Tate,
Caldwell,	Johnson,	Pierce,	Thayer,
Candler,	Jones, Va.	Pou,	Thomas, N. C.
Cassingham,	Kehoe,	Randell, Tex.	Thompson,
Clark,	Kern,	Ransdell, La.	Underwood,
Clayton,	Kitchin, Claude	Rhea, Va.	Vandiver,
Cooper, Tex.	Kitchin, Wm. W.	Richardson, Ala.	Wiley,
Cozherd,	Kleberg,	Richardson, Tenn.	Williams, Ill.
Davis, Fla.	Kluttz,	Rixey,	Williams, Miss.
De Armond,	Lamb,	Robb,	Wooten,
Dougherty,	Lanham,	Robinson, Ind.	Zenor.
Feely,	Lester,	Rucker,	
Finley,	Lewis, Ga.	Ryan,	
Fitzgerald,	Lindsay,	Shafroth,	

## NAYS—137.

Adams,	Douglas,	Knox,	Powers, Mass.
Alexander,	Draper,	Kyle,	Prince,
Allen, Me.	Eddy,	Lacey,	Ray, N. Y.
Aplin,	Esch,	Landis,	Reeder,
Barney,	Foerderer,	Latimer,	Roberts,
Bates,	Foss,	Lessler,	Rumple,
Beidler,	Foster, Vt.	Littlefield,	Schirm,
Bingham,	Fowler,	Long,	Scott,
Bishop,	Gardner, Mich.	Loud,	Showalter,
Boutell,	Gardner, N. J.	Lovering,	Sibley,
Bowersock,	Gibson,	McCall,	Smith, Ill.
Brick,	Gillett, Mass.	McCleary,	Smith, Iowa
Bristow,	Graff,	McLachlan,	Smith, S. W.
Bromwell,	Graham,	Mann,	Southard,
Brown,	Greene, Mass.	Marshall,	Southwick,
Brownlow,	Grosvenor,	Martin,	Steele,
Burk, Pa.	Hamilton,	Mercer,	Stevens, Minn.
Burleigh,	Hanbury,	Metcalf,	Stewart, N. J.
Burton,	Haskins,	Mondell,	Stewart, N. Y.
Butler, Pa.	Hedge,	Moody, N. C.	Storm,
Calderhead,	Hemenway,	Moody, Oreg.	Suloway,
Capron,	Henry, Conn.	Morgan,	Tawney,
Cassel,	Hepburn,	Morrell,	Taylor, Ohio
Conner,	Hildebrandt,	Moss,	Thomas, Iowa
Coombs,	Hill,	Needham,	Tirrell,
Cooper, Wis.	Holiday,	Nevin,	Tongue,
Cousins,	Hopkins,	Olmsted,	Van Voorhis,
Cramer,	Howell,	Otjen,	Vreeland,
Crumacker,	Irwin,	Overstreet,	Wanger,
Currier,	Jack,	Palmer,	Warner,
Cushman,	Jenkins,	Patterson, Pa.	Warnock,
Dalzell,	Jones, Wash.	Payne,	Watson.
Darragh,	Kahn,	Pearre,	
Davidson,	Ketcham,	Perkins,	
Dick,	Knapp,	Powers, Me.	

## ANSWERED "PRESENT"—7.

Bell,	Evans,	Shackleford,	Wright.
Burkett,	Meyer, La.	Skiles,	

## NOT VOTING—110.

Acheson,	Dinsmore,	Lassiter,	Russell,
Babcock,	Dovener,	Lawrence,	Scarborough,
Ball, Del.	Driscoll,	Lever,	Selby,
Bartholdt,	Edwards,	Lewis, Pa.	Shallenberger,
Bellamy,	Elliott,	Littauer,	Shattuc,
Belmont,	Emerson,	Livingston,	Shelden,
Benton,	Fletcher,	Loudenslager,	Sheppard,
Blackburn,	Fordney,	McAndrews,	Sherman,
Blakeney,	Foster, Ill.	McCulloch,	Smith, H. C.
Boreing,	Gaines, W. Va.	McLain,	Smith, Wm. Alden
Broussard,	Gilbert,	Mahon,	Sperry,
Bull,	Gill,	Mahoney,	Spight,
Burke, S. Dak.	Gillet, N. Y.	Maynard,	Sutherland,
Butler, Mo.	Glenn,	Miller,	Talbert,
Cannon,	Gooch,	Minor,	Taylor, Ala.
Cochran,	Grow,	Morris,	Tompkins, N. Y.
Connell,	Hall,	Mudd,	Tompkins, Ohio
Conry,	Haugen,	Mutcher,	Trimble,
Cooney,	Heatwole,	Neville,	Wachter,
Corliss,	Henry, Miss.	Newlands,	Wadsworth,
Creamer,	Henry, Tex.	Norton,	Weeks,
Crowley,	Hitt,	Parker,	Wheeler,
Curtis,	Hughes,	Pugsley,	White,
Dable,	Hull,	Reeves,	Wilson,
Davey, La.	Jackson, Kans.	Reid,	Woods,
Dayton,	Jackson, Md.	Robertson, La.	Young.
Deemer,	Jett,	Robinson, Nebr.	
De Graffenreid,	Joy,	Ruppert,	

So the proposed substitute was rejected.

The following additional pairs were announced:

For the session:

Mr. SHERMAN with Mr. RUPPERT.

Mr. DAYTON with Mr. MEYER of Louisiana.

Until further notice:

Mr. LOUDENSLAGER with Mr. DE GRAFFENREID.

Mr. HENRY C. SMITH with Mr. TAYLOR of Alabama.

Until June 28:

Mr. JOY with Mr. COCHRAN.

Mr. EVANS with Mr. HENRY of Mississippi.

For this day:

Mr. MAHON with Mr. DAVEY of Louisiana.

Mr. SPERRY with Mr. McLAIN.

Mr. HEATWOLE with Mr. PUGSLEY.

Mr. WM. ALDEN SMITH with Mr. JETT.

Mr. WOODS with Mr. MUTCHLER.

Mr. FLETCHER with Mr. BELL.

Mr. BALL of Delaware with Mr. NEWLANDS.

Mr. WADSWORTH with Mr. BELMONT.

Mr. FORDNEY with Mr. WHEELER.

Mr. SUTHERLAND with Mr. GLENN.

Mr. CANNON with Mr. LIVINGSTON.

Mr. REEVES with Mr. CONRY.

Mr. MUDD with Mr. NEVILLE.

Mr. DOVENER with Mr. WILSON.

Mr. MINOR with Mr. GOOCH.

Mr. LEWIS of Pennsylvania with Mr. FOSTER of Illinois.

Mr. HITT with Mr. DINSMORE.

Mr. DEEMER with Mr. COONEY.

Mr. CURTIS with Mr. CREAMER.

Mr. BABCOCK with Mr. NORTON.

The result of the vote was announced, as above stated.

The SPEAKER. The question is now on agreeing to the amendment recommended by the Committee of the Whole House. The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, and it was accordingly read the third time.

The SPEAKER. The question is now on the passage of the bill.

Mr. COOPER of Wisconsin. On that question I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 140, nays 97, answered "present" 4, not voting 110; as follows:

YEAS—140.

Adams,	Davidson,	Ketcham,	Pearre,
Alexander,	Dick,	Knapp,	Perkins,
Allen, Me.	Douglas,	Knox,	Powers, Me.
Aplin,	Draper,	Kyle,	Powers, Mass.
Barney,	Eddy,	Lacey,	Prince,
Bates,	Esch,	Landis,	Ray, N. Y.
Beidler,	Foerderer,	Lawrence,	Reeder,
Bingham,	Foss,	Lesser,	Roberts,
Bishop,	Foster, Vt.	Littlefield,	Rumple,
Boutell,	Fowler,	Long,	Schirm,
Bowersock,	Gardner, Mich.	Loud,	Scott,
Brick,	Gardner, N. J.	Lovering,	Showalter,
Bristow,	Gibson,	McCleary,	Sibley,
Cromwell,	Gillet, Mass.	McLachlan,	Smith, Ill.
Brown,	Graff,	Mahon,	Smith, Iowa
Brownlow,	Graham,	Mann,	Smith, S. W.
Burk, Pa.	Greene, Mass.	Marshall,	Southard,
Burke, S. Dak.	Grosvenor,	Martin,	Southwick,
Burleigh,	Hamilton,	Mercer,	Steele,
Burton,	Hanbury,	Metcalf,	Stevens, Minn.
Butler, Pa.	Haskins,	Miller,	Stewart, N. J.
Calderhead,	Hedge,	Mondell,	Stewart, N. Y.
Cannon,	Hemenway,	Moody, N. C.	Storm,
Capron,	Henry, Conn.	Moody, Oreg.	Suloway,
Cassel,	Hepburn,	Morgan,	Tawney,
Conner,	Hildebrandt,	Morrell,	Taylor, Ohio
Coombs,	Hill,	Moss,	Thermon, Iowa
Cooper, Wis.	Holliday,	Needham,	Tirrell,
Cousins,	Hopkins,	Nevin,	Tongue,
Cromer,	Howell,	Olmsted,	Van Voorhis,
Crumpacker,	Irwin,	Otjen,	Vreeland,
Carrier,	Jack,	Overstreet,	Wanger,
Cushman,	Jenkins,	Palmer,	Warner,
Dalzell,	Jones, Wash.	Patterson, Pa.	Warnock,
Darragh,	Kahn,	Payne,	Watson.

NAYS—97.

Adamson,	Cowherd,	Hooker,	McCall,
Allen, Ky.	Davis, Fla.	Howard,	McClellan,
Ball, Tex.	De Armond,	Johnson,	McDermott,
Bankhead,	Dougherty,	Jones, Va.	McRae,
Bartlett,	Feely,	Kehoe,	Maddox,
Bowie,	Finley,	Kern,	Mickey,
Brantley,	Fitzgerald,	Kitchin, Claude	Miers, Ind.
Breezeale,	Fleming,	Kitchin, Wm. W.	Moon,
Brundidge,	Flood,	Kleberg,	Napthen,
Burleson,	Foster, Ill.	Kluttz,	Padgett,
Burnett,	Fox,	Lamb,	Patterson, Tenn.
Caldwell,	Gaines, Tenn.	Lanham,	Pierce,
Candler,	Goldfogle,	Lester,	Pou,
Cassingham,	Gordon,	Lewis, Ga.	Randell, Tex.
Clark,	Green, Pa.	Lindsay,	Ransdell, La.
Clayton,	Griffith,	Little,	Rhea, Va.
Cooper, Tex.	Hay,	Lloyd,	Richardson, Ala.

Richardson, Tenn.	Slayden,	Sulzer,	Wiley,
Rixey,	Small,	Swanson,	Williams, Ill.
Robb,	Smith, Ky.	Tate,	Williams, Miss.
Robinson, Ind.	Snodgrass,	Thayer,	Wooten,
Rucker,	Snook,	Thomas, N. C.	Zenor.
Ryan,	Sparkman,	Thompson,	
Shafroth,	Stark,	Underwood,	
Sims,	Stephens, Tex.	Vandiver,	

ANSWERED "PRESENT"—4.

Burkett,	Evans,	Shackleford,	Skiles.
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NOT VOTING—110.

Acheson,	Dinsmore,	Lassiter,	Scarborough,
Babcock,	Dovener,	Latimer,	Selby,
Ball, Del.	Driscoll,	Lever,	Shallenberger,
Bartholdt,	Edwards,	Lewis, Pa.	Shattuc,
Bell,	Elliott,	Littauer,	Shelden,
Bellamy,	Emerson,	Livingston,	Sheppard,
Belmont,	Fletcher,	Loudenslager,	Sherman,
Benton,	Fordney,	McAndrews,	Smith, H. C.
Blackburn,	Gaines, W. Va.	McCulloch,	Smith, Wm. Alden
Blakeney,	Gilbert,	McLain,	Sperry,
Boreing,	Gill,	Mahoney,	Spight,
Broussard,	Gillet, N. Y.	Maynard,	Sutherland,
Bull,	Glenn,	Meyer, La.	Talbert,
Burgess,	Gooch,	Minor,	Taylor, Ala.
Butler, Mo.	Griggs,	Morris,	Tompkins, N. Y.
Cochran,	Grow,	Mudd,	Tompkins, Ohio
Connell,	Hall,	Mutchler,	Trimble,
Conry,	Haugen,	Neville,	Wachter,
Cooney,	Heatwole,	Newlan ds,	Wadsworth,
Corliss,	Henry, Miss.	Norton,	Weeks,
Creamer,	Henry, Tex.	Parker,	Wheeler,
Crowley,	Hitt,	Pugsley,	White,
Curtis,	Hughes,	Reeves,	Wilson,
Dahle,	Hull,	Reid,	Woods,
Davey, La.	Jackson, Kans.	Robertson, La.	Wright,
Dayton,	Jackson, Md.	Robinson, Nebr.	Young.
De Graffenreid,	Jett,	Ruppert,	
Deemer,	Joy,	Russell,	

So the bill was passed.

The following pair was announced:

For this vote:

Mr. WACHTER with Mr. GRIGGS.

The result of the vote was announced as above recorded.

On motion of Mr. COOPER of Wisconsin, a motion to reconsider the last vote was laid on the table.

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. 1456. An act granting a pension to William G. Miller;
  - H. R. 14206. An act granting a pension to Mary J. Moore;
  - H. R. 14042. An act granting an increase of pension to George W. Edgington;
  - H. R. 621. An act for the relief of Daniel Cherry;
  - H. R. 8108. An act for the relief of John Hornick;
  - H. R. 10279. An act to pay the claim of Stephen B. Halsey;
  - H. R. 8769. An act for the relief of S. J. Bayard Schindell;
  - H. R. 6031. An act authorizing the payment of part of the pension of Ira Steward to Adell Augusta Steward;
  - H. R. 12205. An act to provide for circuit and district courts of the United States at Valdosta, Ga.;
  - H. R. 14208. An act granting an increase of pension to Alexander Murdock;
  - H. R. 14802. An act for the purchase of real estate, for revenue and customs purposes, at Wilmington, N. C.;
  - H. R. 6009. An act granting a pension to Absolom Maynard;
  - H. R. 14656. An act granting an increase of pension to Charles A. Scott; and
  - H. R. 4170. An act granting an increase of pension to Henry P. Macloon.
- The SPEAKER announced his signature to enrolled bills of the following titles:
- S. 6270. An act to amend an act entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved June 13, 1902;
  - S. 4284. An act to amend an act entitled "An act for the relief and civilization of the Chippewa Indians in the State of Minnesota," approved January 14, 1889;
  - S. 2848. An act for the establishment of a subport of entry at Naco, Ariz.;
  - S. 3651. An act appropriating the sum of \$3,000 a year for the support and maintenance of the permanent international commission of the congresses of navigation, and for other purposes; and
  - S. 5269. An act to provide a commission to secure plans and designs for a monument or memorial to the memory of Abraham Lincoln, late President of the United States.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills and joint resolutions of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

- S. 2865. An act for the protection of fish and game in the Indian Territory—to the Committee on Indian Affairs.

S. 2644. An act to promote the circulation of reading matter among the blind—to the Committee on the Post-Office and Post-Roads.

S. 1668. An act for the relief of Custis Parke Upsher—to the Committee on Claims.

S. 2342. An act for the relief of the legal representatives of George W. Curtis, deceased—to the Committee on Claims.

S. 4722. An act for the erection of a building for the use and accommodation of the Department of Agriculture—to the Committee on Public Buildings and Grounds.

S. 4083. An act for the relief of Surg. John F. Bransford, United States Navy—to the Committee on Naval Affairs.

S. 215. An act regulating the duties and fixing the compensation of the customs inspectors at the port of New York—to the Committee on Ways and Means.

S. 1156. An act for the relief of John C. Ray, assignee of John Gafford, for Arkansas—to the Committee on Claims.

S. 1468. An act for the relief of Henry Bash—to the Committee on Claims.

S. 3248. An act to establish a fish hatchery and fish station in the State of Maryland—to the Committee on the Merchant Marine and Fisheries.

S. 4986. An act to amend an act entitled "An act to receive arrearages of taxes due the District of Columbia to July 1, 1900, at 6 per cent per annum in lieu of penalties and costs," approved February 15, 1902—to the Committee on the District of Columbia.

S. 5531. An act for the relief of James F. McIndoe—to the Committee on Claims.

S. 6023. An act for the relief of John Scott—to the Committee on Claims.

S. 6123. An act granting an increase of pension to Thomas L. Collins—to the Committee on Invalid Pensions.

S. 6232. An act for the relief of I. I. Barber—to the Committee on Private Land Claims.

S. 6250. An act to regulate the use by the public of reservoir sites located upon the public lands of the United States—to the Committee on the Public Lands.

S. R. 97. Joint resolution to authorize certain officers of the Treasury Department to audit and certify claims of certain counties of Arizona—to the Committee on Claims.

S. R. 120. Joint resolution providing for the removal of shoal in North River of New York Harbor—to the Committee on Rivers and Harbors.

And then, on motion of Mr. PAYNE (at 7 o'clock and 56 minutes p. m.), the House adjourned until to-morrow at 12 o'clock noon.

#### 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. LITTLEFIELD, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. 14275) to provide for the appointment of a district judge for the western judicial district of South Carolina, and for other purposes, reported the same with amendments, accompanied by a report (No. 2685); which said bill and report were referred to the House Calendar.

Mr. DICK, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 15257) to cede jurisdiction over place on which the National Home for Disabled Volunteer Soldiers is located to the State of Ohio, reported the same with amendment, accompanied by a report (No. 2693); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. POWERS of Massachusetts, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. 15066) to incorporate the Association of Military Surgeons of the United States, reported the same without amendment, accompanied by a report (No. 2695); which said bill and report were referred to the House Calendar.

Mr. BABCOCK, from the Committee on the District of Columbia, to which was referred the joint resolution of the House (H. J. Res. 198) giving authority to the Commissioners of the District of Columbia to make special regulations for the occasion of the Thirty-sixth National Encampment of the Grand Army of the Republic, to be held in the District of Columbia in the month of October, 1902, and for other purposes incident to said encampment, reported the same with amendments, accompanied by a report (No. 2696); which said joint resolution and report were referred to the Committee of the Whole House on the state of the Union.

Mr. ALEXANDER, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. 14764) to establish United States courts at Wilkesboro, N. C., reported the same

without amendment, accompanied by a report (No. 2699); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SOUTHARD, from the Committee on Coinage, Weights, and Measures, to which was referred the bill of the House (H. R. 6361) to establish a branch mint of the United States at Omaha, in the State of Nebraska, reported the same without amendment, accompanied by a report (No. 2703); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. CLARK, from the Committee on Patents, to which was referred the bill of the House (H. R. 12451) amending the statutes relating to patents, relieving medical and dental practitioners from unjust burdens imposed by patentees holding patents covering methods and devices for treating human diseases, ailments, and disabilities, reported the same with amendments, accompanied by a report (No. 2702); which said bill and report were referred to the House Calendar.

Mr. JENKINS, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. 10300) conferring jurisdiction upon the circuit and district courts for the district of South Dakota in certain cases, and for other purposes, reported the same without amendment, accompanied by a report (No. 2704); which said bill and report were referred to the House Calendar.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. TRIMBLE, from the Committee on Claims, to which was referred the bill of the House (H. R. 15217) for the relief of George Lea Febiger, reported the same without amendment, accompanied by a report (No. 2684); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 5239) granting an increase of pension to Joseph A. Kerbey, reported the same without amendment, accompanied by a report (No. 2686); which said bill and report were referred to the Private Calendar.

Mr. DICK, from the Committee on Military Affairs, to which was referred the bill of the Senate (S. 5381) to correct errors in dates of original appointments of Capt. James J. Hornbrook and others, reported the same without amendment, accompanied by a report (No. 2692); which said bill and report were referred to the Private Calendar.

Mr. PARKER, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 13605) for the relief of George A. Detchemendy, reported the same with amendment, accompanied by a report (No. 2694); which said bill and report were referred to the Private Calendar.

Mr. SLAYDEN, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 6326) for the relief of Hiram C. Walker, reported the same without amendment, accompanied by a report (No. 2697); which said bill and report were referred to the Private Calendar.

Mr. SNODGRASS, from the Committee on Military Affairs, to which was referred the bill of the Senate (S. 4641) for the relief of Benjamin Franklin Handforth, reported the same with amendment, accompanied by a report (No. 2698); which said bill and report were referred to the Private Calendar.

Mr. DICK, from the Committee on Military Affairs, to which was referred the bill of the Senate (S. 560) to correct the military record of John Shelton, reported the same without amendment, accompanied by a report (No. 2700); which said bill and report were referred to the Private Calendar.

Mr. BUTLER of Pennsylvania, from the Committee on Claims, to which was referred the bill of the Senate (S. 1208) for the relief of Frank J. Burrows, reported the same without amendment, accompanied by a report (No. 2701); which said bill and report were referred to the Private Calendar.

#### ADVERSE REPORTS.

Under clause 2, Rule XIII, Mr. SNODGRASS, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 1737) for the relief of Herbert Cushman, reported the same adversely, accompanied by a report (No. 2691); which said bill and report were ordered to lie on the table.

#### CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 10260) granting an increase of pension to Will Apitz, and the same was referred to the Committee on Pensions.

## 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. KLEBERG: A bill (H. R. 15270) to amend an act entitled "An act authorizing the Aransas Harbor Terminal Railway Company to construct a bridge across the Corpus Christi Channel, known as the Morris and Cummings ship channel, in Aransas County, Tex."—to the Committee on Interstate and Foreign Commerce.

By Mr. FLETCHER (by request): A bill (H. R. 15271) relating to the payment of money from the United States Treasury to aid in the support of State Soldiers' Homes—to the Committee on Military Affairs.

By Mr. RICHARDSON of Alabama: A bill (H. R. 15272) to amend section 532 of the Revised Statutes of the United States, and for other purposes—to the Committee on the Judiciary.

By Mr. MOON: A resolution (H. Res. 318) for the consideration of H. R. 12268—to the Committee on Rules.

By Mr. APLIN: A resolution (H. Res. 319) providing for the printing of the last issue of the House Calendar of the first session of the Fifty-seventh Congress as a House document—to the Committee on Printing.

## 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. MONDELL: A bill (H. R. 15269) to pay John Iredale for services as folder in April, 1901—to the Committee on Appropriations.

By Mr. CLARK: A bill (H. R. 15273) granting an increase of pension to Garland Spencer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 15274) granting a pension to Josephine B. Harris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 15275) granting a pension to Peter Berg—to the Committee on Invalid Pensions.

By Mr. GAINES of Tennessee: A bill (H. R. 15276) for the relief of William N. Bilbo, jr., administrator—to the Committee on War Claims.

By Mr. KETCHAM: A bill (H. R. 15277) granting a pension to Mary Schoonmaker—to the Committee on Invalid Pensions.

By Mr. MOSS: A bill (H. R. 15278) granting a pension to Francis Tate—to the Committee on Invalid Pensions.

By Mr. NAPHEN: A bill (H. R. 15279) to amend the military record of Timothy W. Riley, alias John Henny—to the Committee on Military Affairs.

By Mr. PATTERSON of Tennessee: A bill (H. R. 15280) for the relief of the estate of R. B. Owen, deceased—to the Committee on War Claims.

By Mr. PUGSLEY: A bill (H. R. 15281) granting a pension to Kate H. Morris—to the Committee on Pensions.

By Mr. SIMS: A bill (H. R. 15282) granting a pension to Martha A. Sanders—to the Committee on Invalid Pensions.

By Mr. SOUTHARD: A bill (H. R. 15283) for the relief of George L. Adams—to the Committee on Military Affairs.

By Mr. BURNETT: A bill (H. R. 15284) to remove the charge of desertion from the record of Robert A. Godsey—to the Committee on Military Affairs.

By Mr. HOPKINS: A bill (H. R. 15285) to remove the charge of desertion from the military record of William Morrison—to the Committee on Military Affairs.

## PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ALEXANDER: Resolutions of Buffalo Business Men's Credit Council, of Buffalo, N. Y., favoring a bill to authorize the Mather Power Company to construct experimental span in Niagara River at Buffalo, N. Y.—to the Committee on Interstate and Foreign Commerce.

By Mr. BARTLETT: Resolution of the fourth annual convention of the Georgia Federation of Labor, favoring the passage of the Grosvenor anti-injunction bill—to the Committee on the Judiciary.

By Mr. BEIDLER: Petition of the American Committee on Human Rights and Justice, in relation to the administration of affairs in the Philippines, especially against the disregard of the Catholic faith and institutions of the people—to the Committee on Insular Affairs.

Also, petition of The American Association of Nurserymen, of Rochester, N. Y., asking for the passage of House bill 10999—to the Committee on Agriculture.

By Mr. BOUTELL: Petition of citizens of Chicago, for the erection of a monument to Baron Steuben—to the Committee on the Library.

By Mr. BUTLER of Pennsylvania (by request): Petition of W. C. Kelly and others, of Chester, Pa., in favor of House bill 178, for the reduction of the tax on alcohol—to the Committee on Ways and Means.

By Mr. CASSINGHAM: Paper to accompany House bill relating to the claim of Isaac Dewitt—to the Committee on Claims.

By Mr. DRAPER: Petition of American Association of Nurserymen, advocating the passage of House bill 10999, in favor of national quarantine of diseased and infected trees and plants—to the Committee on Agriculture.

Also, protest of American Committee on Human Rights and Justice, of Philadelphia, Pa., against alleged injustice to Catholics in the Philippines—to the Committee on Insular Affairs.

Also, protest of the Wine, Liquor, and Beer Dealers' Association of the State of New York, against the passage of House bill 14019, increasing the liquor license in the District of Columbia—to the Committee on the District of Columbia.

By Mr. GOLDFOGLE: Petition of citizens of the Ninth Congressional district of New York, in favor of the passage of House bill 12203—to the Committee on Invalid Pensions.

By Mr. GORDON: Petition of Valley City Federal Union, No. 8649, Sidney, Ohio, for more rigid restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. HOWELL: Petition of Carpenters and Joiners' Union of Bridgeton, N. J., for increase of pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. JONES of Washington: Petition of the Chamber of Commerce of Tacoma, Wash., favoring the passage of House bill 242, concerning the regulation of gasoline and other launches—to the Committee on the Merchant Marine and Fisheries.

By Mr. LACEY: Petition of Green and Bentley Drug Company, of Oskaloosa, Iowa, in favor of House bill 178, for the reduction of the tax on alcohol—to the Committee on Ways and Means.

By Mr. MANN: Petitions of South Park Drug Company, J. E. Grubb, and other retail druggists of Chicago, Ill., urging the reduction of the tax on alcohol—to the Committee on Ways and Means.

Also, petition of the American Association of Nurserymen, of Rochester, N. Y., asking for the passage of House bill 10999—to the Committee on Agriculture.

Also, resolutions of the Illinois National Guard and Naval Militia Association, in favor of the passage of House bill 11654, to promote the efficiency of the militia—to the Committee on the Militia.

By Mr. PUGSLEY: Protest of the Pure Oil Company of Pittsburg, Pa., against the passage of the ship-subsidy bill—to the Committee on the Merchant Marine and Fisheries.

Also, resolutions of West Side Lodge, No. 320, International Association of Machinists, of New York, favoring the construction of war vessels at the Government navy-yards—to the Committee on Naval Affairs.

Also, petition of American Association of Nurserymen, advocating the passage of House bill 10999—to the Committee on Agriculture.

Also, resolutions of Electrical Workers' Union No. 3, of New York, in favor of the proposed increase of pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. RAY of New York: Petition of Belden Post, No. 342, of Richford, Grand Army of the Republic, Department of New York, favoring a bill to modify the pension laws—to the Committee on Invalid Pensions.

By Mr. SULZER: Petition of Wine, Liquor, and Beer Dealers' Association of the State of New York, in opposition to the passage of House bill 14019, increasing the liquor license in the District of Columbia—to the Committee on the District of Columbia.

By Mr. YOUNG: Petition of Smith, Kline & French Company, of Philadelphia, Pa., suggesting an investigation of the facts connected with the occupation of the Philippines—to the Committee on Insular Affairs.

Also, protest of American Committee on Human Rights and Justice, of Philadelphia, Pa., against alleged injustice to Catholics in the Philippines—to the Committee on Insular Affairs.

## SENATE.

FRIDAY, June 27, 1902.

Prayer by Rev. F. J. PRETTYMAN, of the city of Washington. The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. PRITCHARD, and by unanimous consent, the further reading was dispensed with.

## AMENDMENT OF DISTRICT CODE.

Mr. PRITCHARD submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House of Representatives to the bill (S. 498) to amend an act entitled "An act to establish a code of law for the District of