

and in one-half hour thereafter he was no more. Death had come suddenly, but it did not meet him unprepared, for all his life had been a preparation, so living here as to deserve a higher and better life. A score of years is as nothing in the sum of eternity. The great question is, when called to die, "Are you ready" to meet that Creator "from out whose hand the centuries fall like grains of sand?"

Our brother was ready; as others have borne witness, he was a devoted Christian. We heard his pastor, who knew him best in life, and who can speak better than I of his Christian experience and conduct, deliver an eloquent address over the bier of our departed friend in the church of which he was an honored member in life. I take these lines from his sermon upon that occasion:

In every line of activity which made for goodness and for help he was strongly and sincerely interested and engaged. And all because he believed that life was an opportunity given him by God which he must not fail to improve to the utmost. And this leads me to the lower depths of his nature. Believing that life was an opportunity, he knew that to make it effective there must be a belief in God, and early in his career he took opportunity to confess publicly and plainly by uniting with this church his faith in and dependence upon God. His faith in God and in Jesus Christ as God manifest in human form was the basis of his life of purpose, of his life of goodness, of his constant sense of his responsibility to God. He was a Christian man first of all, and this was the secret of his successful life.

In conclusion, Mr. Speaker, I can only add my profound conviction that our brother is now safely anchored "beyond the dark sea" awaiting the coming of his loved ones. Wife and children can find abiding consolation and hope in the assurance that it can be said of him that while here "he loved his fellow-man" and served his Master, and that the blessing and promise which fell from the lips of Him whom he served, "Blessed are the pure in heart, for they shall see God," is the everlasting reward that comes to men like JOSHUA S. SALMON.

Mr. LLOYD. Mr. Speaker, a swift messenger bore the summons to quit this earthly existence to JOSHUA S. SALMON. The quick response separated him from every human tie and left the bitterest cup of grief for the family so suddenly bereft. As the sad news was carried to his friends there came this expression to the sorrowful message: "It can not be." His strong physique and apparent healthfulness was an earnest to everyone of many years of life and vigor. How strange the work of death! It respects no age nor condition. Those in the flower of youth, the power of manhood, or the decline of age yield alike to its determined sway. The unexpected call of Mr. SALMON to the Beyond in the midst of his usefulness and in the prime of his manhood is another forceful example of the uncertainty of life and the illustration of the fact that no one knows the time when the spark of existence may go out.

Mr. SALMON was a man of tranquil temper, considerate and thoughtful about everything with which he was connected. He was free from ostentation. He was plain, frank, and genial. It was my good fortune to be associated with him in committee work in this House. In this labor he showed himself to be painstaking and faithful to duty. The members of the committee will remember his superior advice, his analytical judgment, and practical suggestions. He was rather slow to assert himself—his perception was not so quick as some—but his comprehension of the subject exhibited his potential ability. He was observant of little things. After all, the sum of useful endeavor is measured by the aggregation of little things. By this standard he would measure far above the mediocre. He would stand amongst those whose lives are crowned with success and who have benefited the world by their contact with it.

The scene in Boonton, N. J., the home of Mr. SALMON, when the funeral escort appointed by Congress wended its way from the station to the comfortable and unpretentious residence where his body lay will not soon be forgotten. It was observed that the activities of business had ceased. Many stores were draped in mourning, the streets were lined with the sorrowing throng, who were concerned to pay the last tribute of respect to their honored townsman and personal friend. I remember as we waited near the doorway an old man with tears on his face and the marks of toil upon his person said to his associate standing by, "John, we have lost our best friend." In another group waiting near the church for the family to pass in I heard this expression: "Josh was the poor man's friend. He never forgot us."

When the congregation was seated in the church where the religious service was held I observed a uniformed body had prominent place. To my surprise it was the volunteer fire company of which he had been an active member; there not to contend against the flames and overcome them, but to lay the flower upon the bier and water it with the tears of their sorrow that their brother could no more respond to the alarm of fire and relieve the distress incident thereto. When the pastor made reference to the deceased, and spoke of his honor, integrity, and upright life, and commended his Christian character, it was plainly observant

that Mr. SALMON held a warm place in the affections of those who knew him best, and was respected by all. He had touched humanity at many points. The banker and the day laborer, the professional man and the merchant, were alike the recipients of his favor and the beneficiaries of his life.

Mr. SALMON's chief virtue was in his moral influence and Christian manhood. His life each day was an exhibition of the truthfulness of his profession. No one doubted him. He was a forceful exemplar of right living. His words and acts brought no reflection on Christianity. Think as we may about religion, discard the Bible if it is thought best and class it with profane history, belittle the work of the church and discourage individual devotion to the tenets of Christianity, but when the coffin shall hold the body, the funeral dirge shall be sung, and mother earth receive back its own, the greatest consolation that can come to the survivors is the hope of the resurrection and eternal union of loved ones where separations never take place and tears are never known.

A faithful wife and loving children survive Mr. SALMON. What a beautiful monument he has left them. A structure of his own hand. The heritage of a pure and upright life. The marble shaft erected over the grave by family and friends may crumble to earth and be forgotten, but the influence of his good deeds will continue like the waves of the mighty ocean, rolling on until they break upon the farther shore. His influence will tend to strengthen and encourage long after the body has turned to dust and the marks of recognition shall be effaced.

Our friend has gone, and his untimely taking reminds me of these words:

Death takes us unawares
And stays our hurrying feet,
The great design unfinished lies,
Our lives are incomplete.

[Mr. GARDNER of New Jersey addressed the House. See Appendix.]

Mr. FLANAGAN. Mr. Speaker, there are several members who have prepared eulogies on Mr. SALMON, but who are unable to be present to-day. I ask unanimous consent that they have permission to print their remarks in the RECORD.

The SPEAKER pro tempore. Unanimous consent is asked by the gentleman from New Jersey that members of the House have leave to print remarks upon the subject of these resolutions. Is there objection? [After a pause.] The Chair hears none.

The resolutions were then unanimously agreed to.

And then, in pursuance of the resolutions, the House (at 2 o'clock and 40 minutes p. m.) adjourned until to-morrow at 12 o'clock noon.

SENATE.

MONDAY, February 9, 1903.

Rev. A. H. GJEVRE, of the city of New York, offered the following prayer:

Almighty God and Heavenly Father, Thou art the giver of every good gift and of every perfect gift, for it cometh down from Thee, the Father of light, in whom there is no variableness or shadow of turning. This great and glorious country, the United States of America, is truly a gift of Thee. Thou hast made it a refuge and a home for millions of people who previously had no home, and Thou hast blessed us abundantly unto this day. But we need Thy blessing every day, O Lord, and we ask Thee to bless our country, and our people.

Bless our President and his family. Protect him from all danger and harm. Bless the Congress and all its members. Bless the members of the Senate, and let the spirit of love, of truth, and of wisdom rest on them and guide them and lead them to perform Thy glorious will, and work for the true welfare and progress of our country and our people. May they experience Thy love, Thy mercy, and Divine guidance through every day.

Hear us, O Lord, for we ask Thee in the blessed name of Jesus our Redeemer. Amen.

The Secretary proceeded to read the Journal of the proceedings of Saturday last, when, on request of Mr. McCUMBER, and by unanimous consent, the further reading was dispensed with.

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

CHAPLAINS IN THE NAVY.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Navy, transmitting, in response to a resolution of the 23d ultimo, all correspondence relating to the pay and status of Navy chaplains that passed between the Secretary of the Navy and Navy chaplains from November 1, 1901, to the present time; which, with the accompanying

papers, was referred to the Committee on Naval Affairs, and ordered to be printed.

PHILIPPINE CURRENCY.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of War, transmitting a copy of a cable dispatch from the governor of the Philippine Islands, indicating the urgent necessity for legislation regarding the Philippine currency.

Mr. FORAKER. As the cablegram is not long, may it not be read?

There being no objection, the cablegram was read, as follows:

[Cablegram.]

MANILA, February 5, 1903.

SECRETARY OF WAR, Washington, D. C.:

Official ratio of Mexican dollars to United States currency now \$2.68 to \$1; total direct net loss to insular treasury from depreciation silver since January 1, 1902, \$1,277,841.91.

All business suffering greatly from fluctuation and depreciation insular treasury—immense losses to merchants who have sold on credit. Failure to furnish relief at this session of Congress would create consternation throughout the islands; added to prevailing financial depression, loss animals by rinderpest and other contagious diseases, and resulting destitution, the political situation would become more difficult.

The adoption American money would enhance prices greatly and derange every form of business. Legislation making gold peso equal one-half American dollar as unit of value, peso and subsidiary minor coinage receivable for all public dues at the rate of 50 cents American money for 1 peso, with provision for issuance silver certificates based on deposit of new pesos, would furnish a currency as good as American money and much better adapted to needs of the islands. The Philippine Commissioners are unanimous in these views.

TAFT.

The PRESIDENT pro tempore. The communication will lie on the table and be printed, the bill being now on the Calendar.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the amendment of the Senate to the bill (H. R. 11544) to correct the military record of Thomas J. Morman.

The message also announced that the House had passed a bill (H. R. 17) requiring corporations engaged in interstate commerce to make returns, prohibiting rebates and discriminations and the use of interstate commerce in attempts to destroy competition, and for other purposes; in which it requested the concurrence of the Senate.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 16567) making appropriation for the support of the Army for the fiscal year ending June 30, 1904, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. HULL, Mr. CAPRON, and Mr. HAY managers at the conference on the part of the House.

The message also communicated to the Senate resolutions passed by the House commemorative of the life and services of Hon. William Joyce Sewell, late a Senator from the State of New Jersey.

The message further communicated to the Senate resolutions passed by the House commemorative of the life and services of Hon. Joshua S. Salmon, late a Representative from the State of New Jersey.

PETITIONS AND MEMORIALS.

Mr. HOAR. I present a petition of sundry presidents and professors of various colleges of the United States, in aid of others presented heretofore, praying that a committee be appointed to inquire into the conditions of the Philippines, so that the American people may know the exact state of affairs in those islands. The petition is signed by the presidents of 9 colleges, by 37 college professors, and by 24 other citizens. I move that it be referred to the Committee on the Philippines.

The motion was agreed to.

Mr. PERKINS presented a petition of Local Union No. 9, United Cloth Hat and Cap Makers, American Federation of Labor, of San Francisco, Cal., praying for the passage of the so-called eight-hour bill; which was ordered to lie on the table.

He also presented a petition of the City Front Federation, of San Francisco, Cal., and a petition of Local Union No. 9162, Shipwrights and Caulkers, of San Francisco, Cal., praying for the repeal of the desert-land law and the commutation clause of the homestead act; which were referred to the Committee on Public Lands.

Mr. KITTREDGE presented a petition of Cigar Makers' Local Union No. 153, American Federation of Labor, of Sioux Falls, S. Dak., praying for the passage of the so-called eight-hour bill; which was ordered to lie on the table.

Mr. CLAY presented a petition of Local Union No. 439, United Brotherhood of Carpenters and Joiners, of Atlanta, Ga., praying for the repeal of the desert-land law and the commutation clause

of the homestead act; which was referred to the Committee on Public Lands.

Mr. PLATT of New York presented a petition of the local board of Morrisania, borough of Bronx, of New York City, N. Y., praying for the improvement of that portion of the Hudson River and Long Island Sound known as Bronx Kills; which was referred to the Committee on Commerce.

He also presented petitions of Cigar Makers' Local Union No. 125, of Norwich; of Leopold Miller & Sons, of New York; of Cigar Makers' Local Union No. 210, of Rome; of Cigar Makers' Local Union No. 119, of Dansville; and of Cigar Makers' Local Union No. 106, of Ogdensburg, all of the American Federation of Labor, in the State of New York, praying for the enactment of legislation to prohibit the giving of presents, coupons, or promises of gifts with cigars and tobaccos; which were referred to the Committee on Finance.

He also presented a memorial of the Retail Cigar and Tobacco Dealers' Association of New York City, N. Y., remonstrating against a reduction of the tariff duties on cigars imported from Cuba; which was referred to the Committee on Finance.

He also presented a petition of the Board of Trade and Transportation of New York City, N. Y., praying for the enactment of legislation to secure a strength in both the ships and personnel of the Navy commensurate with the requirements of the United States Government; which was referred to the Committee on Naval Affairs.

He also presented a petition of Long Island Council, No. 114, Junior Order of American Mechanics, of Brooklyn, N. Y., praying for the enactment of legislation to restrict immigration; which was ordered to lie on the table.

He also presented petitions of Typographical Union No. 52, of Troy; of Typographical Union No. 19, of Elmira; of the Trades Assembly of Utica; of the Central Trades Council of Olean, and of Local Union No. 1, of New York City, all of the American Federation of Labor, in the State of New York, praying for the repeal of the so-called desert-land law and the commutation clause of the homestead act; which were referred to the Committee on Public Lands.

Mr. FOSTER of Washington presented a petition of the Woman's Study Club, of Tacoma, Wash., praying for the passage of the so-called eight-hour bill; which was ordered to lie on the table.

He also presented petitions of sundry citizens of Oysterville; of the Woman's Christian Temperance Union of Green Lake, and of Andrews Brothers, of Oysterville, all in the State of Washington, remonstrating against the repeal of the present anticontainment law; which were referred to the Committee on Military Affairs.

Mr. KEAN presented petitions of sundry citizens of Newark and Jersey City, in the State of New Jersey; of sundry citizens of Sharon, Bradford, Kane, Lockhaven, Erie, and Williamsport, in the State of Pennsylvania; of sundry citizens of Youngstown and Cleveland, in the State of Ohio; of sundry citizens of Boston, Worcester, Pittsfield, and Springfield, in the State of Massachusetts; of sundry citizens of Dunkirk, Rochester, and Syracuse, in the State of New York; of sundry citizens of Manchester, N. H., and of sundry citizens of Providence, R. I., praying for the appointment of a commission to investigate the condition of affairs in the Southern States growing out of the changed relations of the races since the war of the rebellion; which were referred to the Committee on Education and Labor.

Mr. DEPEW presented petitions of Local Union No. 151, of Binghamton; of Federal Labor Union No. 10076, of Ilion; of Cigar Makers' Local Union No. 81, of Peekskill; of Local Union No. 121, of Troy; of the International Brotherhood of Paper Makers of Ticonderoga; of Glass Bottle Blowers' Association No. 44, of Olean; of Cigar Makers' Local Union No. 132, of Brooklyn; of Laborers' Protective Union No. 8856, of Middletown; of Carpenters and Joiners' Local Union No. 340, of New York; of Local Union No. 46, of Buffalo; of the Central Associated Trades Council of Corning; of Local Union No. 313, of Brooklyn; of Carpenters and Joiners' Local Union No. 491, of Corinth; of Iron Molders' Local Union No. 130, of Sandy Hill; of the Trade and Labor Council of Poughkeepsie; of Local Union No. 9750, of Troy; of Cigar Makers' Local Union No. 370, of Jamestown; of the Fiber Pressmen's Local Union of Lockport; of Carpenters and Joiners' Local Union No. 369, of North Tonawanda; of Local Union No. 308, of Rochester; of Woodworkers' Local Union No. 90, of Jamestown; of Iron Molders' Local Union No. 109, of Geneva; of Federal Labor Union No. 9355, of Glens Falls; of Local Union No. 18, of Schenectady; of Journeymen Barbers' Local Union No. 150, of Troy; of Local Union No. 9781, of Wellsville; of Local Union No. 134, of Geneva; of Painters, Paperhangers, and Decorators' Local Union No. 857, of Dunkirk, and of Carpenters and Joiners' Local Union No. 1107, of Roversville, all of the American Federation of Labor; of Local Division No. 103, Brotherhood of Locomotive Engineers, of New York City; of Newburgh Lodge,

Brotherhood of Railroad Trainmen, of Newburgh, and of F. J. Brady, of White Plains, all in the State of New York, and of the Central Labor Union, American Federation of Labor, of Washington, D. C., praying for the passage of the so-called eight-hour bill; which were ordered to lie on the table.

He also presented a petition of the American Chamber of Commerce of Paris, France, praying for the adoption in the United States of the metric system of weights and measures; which was referred to the Select Committee on Standards, Weights, and Measures.

REPORTS OF COMMITTEES.

Mr. PETTUS, from the Committee on the Judiciary, to whom was referred the bill (H. R. 16334) fixing terms of United States courts in Colorado, and for other purposes, reported it without amendment.

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

A bill (H. R. 6593) granting an increase of pension to Harry L. Graham;

A bill (H. R. 15733) granting an increase of pension to Martin G. Cole;

A bill (H. R. 15721) granting an increase of pension to Walter A. Porter; and

A bill (H. R. 16391) granting a pension to Ella F. Shandrew.

Mr. GALLINGER (for Mr. WELLINGTON), from the Committee on the District of Columbia, to whom was referred the bill (S. 6525) to amend an act entitled "An act to incorporate the Masonic Mutual Relief Association of the District of Columbia," reported it with an amendment, and submitted a report thereon.

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

A bill (H. R. 8023) granting an increase of pension to John Downing;

A bill (H. R. 6498) granting an increase of pension to John A. Whitman; and

A bill (H. R. 15558) granting an increase of pension to David A. Baldwin.

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

A bill (H. R. 15617) granting an increase of pension to William Keith;

A bill (H. R. 9237) granting a pension to John Wallace;

A bill (H. R. 10869) granting an increase of pension to Michael K. Strayer;

A bill (H. R. 7895) granting an increase of pension to Sarah Bowen;

A bill (H. R. 14361) granting an increase of pension to Joseph M. Alexander;

A bill (H. R. 9570) granting an increase of pension to Isaac Gabriel;

A bill (H. R. 16445) granting an increase of pension to Luke Madden, alias John E. McDonald;

A bill (H. R. 12021) granting an increase of pension to Anson Lewis;

A bill (H. R. 16313) granting an increase of pension to James L. Davenport, alias Dexter Davis; and

A bill (H. R. 15618) granting an increase of pension to William O. Boughton.

Mr. TURNER, from the Committee on Pensions, to whom was referred the bill (H. R. 9072) granting an increase of pension to George W. Steffey, reported it with an amendment, and submitted a report thereon.

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

A bill (H. R. 16381) granting an increase of pension to Lymus Wallace;

A bill (H. R. 4925) granting a pension to Joel Thomason;

A bill (H. R. 16697) granting a pension to Ellen Johnson;

A bill (H. R. 15748) granting an increase of pension to William Whitlock; and

A bill (H. R. 1027) granting a pension to Lavinia Cook.

Mr. CARMACK, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (H. R. 15391) granting a pension to Margaret Cotter; and

A bill (H. R. 16274) granting an increase of pension to Sallie H. Kincaid.

Mr. FOSTER of Washington, from the Committee on Pensions,

to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 700) granting an increase of pension to Eben Slawson; and

A bill (H. R. 14475) granting an increase of pension to David E. Lawton.

Mr. FOSTER of Washington, from the Committee on the District of Columbia, to whom was referred the amendment submitted by himself on the 29th ultimo, proposing to appropriate \$5,000 for paving old Sixteenth street from Columbia road to Kenesaw avenue, in the District of Columbia, intended to be proposed to the District of Columbia appropriation bill, reported favorably thereon, and moved that it be referred to the Committee on Appropriations, and printed; which was agreed to.

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

A bill (H. R. 6656) granting a pension to Samantha Yant;

A bill (H. R. 4632) granting an increase of pension to William P. Rhodes;

A bill (H. R. 5281) granting an increase of pension to Patrick Mahan;

A bill (H. R. 15466) granting an increase of pension to John H. Robson;

A bill (H. R. 15674) granting an increase of pension to John A. T. McPherson;

A bill (H. R. 14027) granting an increase of pension to Thomas J. Winfrey;

A bill (H. R. 1637) granting an increase of pension to John A. Spalding;

A bill (H. R. 16291) granting a pension to Laban McGahan;

A bill (H. R. 659) granting an increase of pension to Winfield Pierce;

A bill (H. R. 15746) granting an increase of pension to Daniel R. Lucas; and

A bill (H. R. 942) granting a pension to John R. Dougherty.

Mr. DEBOE, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (H. R. 2136) granting an increase of pension to Lawrence H. Rousseau; and

A bill (H. R. 14195) granting an increase of pension to David T. Towles.

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

A bill (H. R. 3261) granting a pension to George R. Grubaugh;

A bill (H. R. 7710) granting a pension to Margaret Scanlon;

A bill (H. R. 15423) granting an increase of pension to Stephen B. Morehouse;

A bill (H. R. 3265) granting an increase of pension to Henry Pensinger;

A bill (H. R. 3353) granting an increase of pension to John H. Kehn;

A bill (H. R. 16073) granting an increase of pension to John H. Smith; and

A bill (H. R. 5876) granting an increase of pension to Jacob E. Richards.

Mr. BURTON, from the Committee on Pensions, to whom was referred the bill (H. R. 14592) granting an increase of pension to Benjamin F. Barrett, reported it with an amendment, and submitted a report thereon.

Mr. PLATT of Connecticut, from the Committee on Patents, to whom was referred the bill (S. 7194) authorizing the issuance of letters rogatory by the Commissioner of Patents, and providing for the execution of letters rogatory issued from foreign patent offices, reported it without amendment.

Mr. BLACKBURN, from the Committee on Pacific Islands and Porto Rico, reported an amendment proposing to appropriate \$200,000 for payment to Liliuokalani, formerly Queen of the Kingdom of Hawaii, in full satisfaction and discharge of all claims or pretended claims, intended to be proposed to the sundry civil appropriation bill or to any other general appropriation bill, and moved that it be referred to the Committee on Appropriations, and printed; which was agreed to.

STATUES OF CHARLES CARROLL AND JOHN HANSON.

Mr. PLATT of New York, from the Committee on Printing, to whom was referred the concurrent resolution submitted by Mr. McCOMAS on the 3d instant, reported it without amendment; and it was considered by unanimous consent, and agreed to:

Resolved by the Senate (the House of Representatives concurring). That there be printed and bound of the proceedings in Congress upon the acceptance of the statues of Charles Carroll of Carrollton and John Hanson, presented by the State of Maryland, 16,500 copies, of which 5,000 shall be for the use of the Senate and 10,000 for the use of the House of Representatives, and

the remaining 1,500 copies shall be for the use and distribution of the Senators and Representatives in Congress from the State of Maryland.

The Joint Committee on Printing is hereby authorized to have the copy prepared for the Public Printer, who shall procure suitable copper-process plates to be bound with these memorials.

LILLIAN G. ELKINS.

Mr. GALLINGER. I am directed by the Committee on Pensions, to whom was referred the bill (S. 6048) granting a pension to Lillian G. Elkins, to report it favorably with an amendment; and as it is extremely important that the bill should be immediately passed, I ask for its consideration.

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

The amendment was to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Lillian G. Elkins, widow of Fred C. Elkins, late of Company C, Thirtieth Regiment United States Infantry, and Company D, Seventeenth Regiment United States Infantry, and pay her a pension at the rate of \$12 per month.

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.

ANDREW C. SMITH.

Mr. GALLINGER. I make the same request for the same reason in regard to the bill (S. 4922) granting an increase of pension to Andrew C. Smith, which I report back from the Committee on Pensions with amendments.

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

The amendments of the Committee on Pensions were, in line 6, after the word "late," to strike out "of company" and insert "musician;" and in line 8, before the word "dollars," strike out "fifty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Andrew C. Smith, late musician, Twenty-fourth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$24 dollars per month in lieu of that he is now receiving.

The amendments were agreed to.

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

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

BILLS INTRODUCED.

Mr. HARRIS introduced a bill (S. 7291) regulating the importation of breeding animals; which was read twice by its title, and referred to the Committee on Agriculture and Forestry.

Mr. MALLORY introduced a bill (S. 7292) granting an increase of pension to Alice M. Hickey; which was read twice by its title, and referred to the Committee on Pensions.

Mr. McLAURIN of South Carolina introduced a bill (S. 7293) for the relief of the estate of Dedrick Stokein; which was read twice by its title, and referred to the Committee on Claims.

Mr. CULLOM introduced a bill (S. 7294) for the relief of Corning & Co.; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. TELLER introduced a bill (S. 7295) to correct the record of Col. George M. Brayton, United States Army, retired; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. BEVERIDGE introduced a bill (S. 7296) granting an increase of pension to Lloyd Hickman; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 7297) granting an increase of pension to Hensley H. Kirk; which was read twice by its title, and referred to the Committee on Pensions.

Mr. SPOONER introduced a bill (S. 7298) to fix the rank of certain officers in the Army; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. ALGER introduced a bill (S. 7299) for the relief of Arra M. Farnsworth; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. HOAR introduced a bill (S. 7300) further to provide for the care of dependent children in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. ALDRICH introduced a bill (S. 7301) to further provide for the safe-keeping of public money, and for other purposes; which was read twice by its title, and referred to the Committee on Finance.

Mr. BURTON introduced a bill (S. 7302) in relation to the conveyance and sale of railways, property, rights, and franchises in

the Indian Territory; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. SIMMONS introduced a bill (S. 7303) for the relief of O. H. Perry, administrator of the estate of George W. Perry, late of the county of Craven, N. C.; which was read twice by its title, and referred to the Committee on Claims.

AMENDMENTS TO BILLS.

Mr. TURNER submitted an amendment authorizing the sale of the timber upon the lands of the Tulalip Indian Reservation in the State of Washington, intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

Mr. FOSTER of Washington submitted an amendment proposing to appropriate \$21,000 for the management, protection, and improvement of Mount Rainier National Park, in the State of Washington, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Forest Reservations and the Protection of Game, and ordered to be printed.

Mr. BURROWS submitted an amendment proposing to increase the salary of the captain of the watch of the Agricultural Department from \$1,000 to \$1,200, intended to be proposed by him to the Agricultural appropriation bill; which was referred to the Committee on Agriculture and Forestry, and ordered to be printed.

Mr. DUBOIS submitted an amendment proposing to appropriate \$234.21 to pay R. F. Pettigrew, administrator of the estate of F. W. Pettigrew, deceased, and Ernest J. Lacey, balance due on surveying contract No. 139, intended to be proposed by him to the general deficiency appropriation bill; which, with the accompanying paper, was referred to the Committee on Appropriations, and ordered to be printed.

Mr. JONES of Arkansas (by request) submitted an amendment proposing to appropriate \$80,000 for the purchase of lots 75, 76, and 19, and the east 21 feet of lot 20, in square 624, in the District of Columbia, for the erection of suitable stables for the Government Printing Office, etc., intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

Mr. GALLINGER submitted an amendment proposing to appropriate \$18,664 for the purchase of land necessary to extend Euclid street, block 18, Meridian Hill, intended to be proposed by him to the District of Columbia appropriation bill; which was ordered to be printed, and, with the accompanying paper, referred to the Committee on the District of Columbia.

Mr. LODGE submitted an amendment proposing to appropriate \$75,000 for constructing a first-order light and fog signal on one of the ledges known as The Graves, on a granite tower, to mark the entrance to the new Broad Sound Channel in Boston Harbor, etc., intended to be proposed by him to the sundry civil appropriation bill; which was ordered to be printed, and, with the accompanying paper, referred to the Committee on Appropriations.

Mr. McCOMAS submitted an amendment intended to be proposed by him to the bill (S. 7142) for the allowance of certain claims reported by the Court of Claims, and for other purposes; which was ordered to be printed, and, with the accompanying paper, referred to the Committee on Claims.

Mr. FRYE submitted an amendment proposing to appropriate a sum equal to two years' pay of a district superintendent of the Life-Saving Service for the widow and children of the late Joseph W. Ethridge, late superintendent of the sixth life-saving district, who died from pneumonia contracted in the line of duty, and proposing to appropriate a like sum for the widow of the late John M. Richardson, late superintendent of the first life-saving district, who died from sickness incurred in the line of duty, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

SPECIAL POSTAL RATES.

On motion of Mr. FRYE, it was

Ordered, That leave be granted the Postmaster-General to withdraw from the files of the Senate the papers marked "Exhibits A, B, C, D," submitted by him in connection with Senate resolution No. 103, Fifty-seventh Congress, first session, dated February 4, 1902.

PHILIPPINE COMMERCE.

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

Resolved, That there be printed 1,000 copies of Senate Document No. 128, Fifty-seventh Congress, second session, entitled "Philippine Commerce," of which 500 copies shall be for the use of the Senate and 500 copies for the use of the War Department.

EXTENSION OF EIGHTH STREET NORTHWEST.

Mr. GALLINGER. I ask unanimous consent for the present consideration of the bill (S. 3638) for the extension of Eighth street NW., or Wrights road, District of Columbia.

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 the District of Columbia with an amendment, in section 1, page 1, line 11, before the word "subdivision," to strike out "Wright and Dole's" and insert "Todd and Brown's;" so as to make the section read:

That within six months after the passage of this act the Commissioners of the District of Columbia be, and they are hereby, authorized and directed to institute in the supreme court of the District of Columbia, sitting as a district court, by petition particularly describing the lands to be taken, a proceeding in rem to condemn the land that may be necessary for the extension of Eighth street N.W., otherwise known as Wrights road, District of Columbia, northward to Irving street, through lot 4 of Todd and Brown's subdivision, with the full width of said lot.

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.

COURTS-MARTIAL IN THE PHILIPPINES.

Mr. QUAY. I move that the Senate proceed with the consideration of the omnibus statehood bill.

Mr. RAWLINS. The Senator from Tennessee [Mr. CARMACK] is prepared to submit some remarks on the resolution which I offered, calling for information concerning courts-martial in the Philippines, and I suggest to the Senator from Pennsylvania to defer his motion.

Mr. LODGE. The resolution went over, I will say to the Senator, subject to call, and the Senator from Tennessee has a right to call it up at any time.

Mr. QUAY. Certainly. I withdraw the motion.

MUSCLE SHOALS POWER COMPANY.

Mr. PETTUS. I ask the indulgence of the Senator from Tennessee and the unanimous consent of the Senate to call up House bill 16602. It is a bill merely extending the time in which work is to be done on the Muscle Shoals by a private company.

The PRESIDENT pro tempore. Does the Senator from Tennessee yield to the Senator from Alabama?

Mr. CARMACK. Certainly.

The PRESIDENT pro tempore. The bill will be read to the Senate for its information.

The Secretary read the bill (H. R. 16602) to extend the time granted to the Muscle Shoals Power Company by an act approved March 3, 1899, within which to commence and complete the work authorized in the said act to be done by said company, and for other purposes; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

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

COURTS IN COLORADO.

Mr. McCUMBER. I move that the pending business be temporarily laid aside—

The PRESIDENT pro tempore. If the Senator from North Dakota will pardon the Chair, a pending resolution was by unanimous consent laid on the table subject to call. The Senator from Tennessee has just given notice that he proposes to call it up in order to submit some remarks, and therefore the Chair will be obliged to recognize the Senator from Tennessee.

Mr. PATTERSON. There was a bill reported from the Committee on the Judiciary this morning establishing a term of the United States court in Montrose, Colo. I ask unanimous consent that it may be taken up and passed.

The PRESIDENT pro tempore. Does the Senator from Tennessee yield to the Senator from Colorado?

Mr. CARMACK. Certainly.

Mr. PATTERSON. I ask the Senate to proceed to the consideration of the bill (H. R. 16334) fixing terms of United States courts in Colorado, and other purposes.

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 to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LIFE-SAVING STATION AT CAPE NOME, ALASKA.

Mr. TURNER. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Tennessee yield to the Senator from Washington?

Mr. CARMACK. Certainly.

Mr. TURNER. I wish to call up a short bill in which the people of the Territory of Alaska are very much interested. I ask unanimous consent for the consideration of the bill (S. 6848) to establish a life-saving station at Cape Nome, Alaska.

The Secretary read the bill; and there being no objection, the

Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported from the Committee on Commerce with an amendment, to add at the end of the bill a new section, as follows:

SEC. 2. That the thirteenth life-saving district is hereby extended to include the coast of Alaska.

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.

HOUSE BILL REFERRED.

The bill (H. R. 17) requiring corporations engaged in interstate commerce to make returns, prohibiting rebates and discriminations and the use of interstate commerce in attempts to destroy competition, and for other purposes, was read twice by its title, and referred to the Committee on the Judiciary.

ARMY APPROPRIATION BILL.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 16567) making appropriation for the support of the Army for the fiscal year ending June 30, 1904, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

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

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate, and Mr. PROCTOR, Mr. QUARLES, and Mr. COCKRELL were appointed.

MEMORIAL ADDRESSES ON THE LATE REPRESENTATIVE SALMON.

Mr. KEAN. Mr. President, I desire to give notice that on Saturday, February 14, after the conclusion of the exercises in commemoration of the life and character of Hon. CHARLES A. RUSSELL, late a member of the House, I shall submit resolutions commemorative of the life and character of JOSHUA S. SALMON, late a Representative from the State of New Jersey.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. B. F. BARNES, one of his secretaries, announced that the President had on the 7th instant, approved and signed the following acts and joint resolution:

An act (S. 679) directing the issue of a check in lieu of a lost check drawn by Capt. E. O. Fehét, disbursing officer, United States Signal Service Corps, in favor of the Bishop Gutta Percha Company;

An act (S. 4832) for the relief of Col. H. B. Freeman;

An act (S. 5079) for the relief of George P. White;

An act (S. 5381) to correct errors in dates of original appointments of Capt. James J. Hornbrook and others;

An act (S. 6446) to provide for the construction of a bridge across Rainy River in Minnesota;

An act (S. 7063) permitting the building of a dam across the St. Croix River at or near the village of St. Croix, Polk County, Wis.; and

A joint resolution (S. R. 146) to extend the time for construction of the Akron, Sterling and Northern Railroad in Alaska.

The message also announced that the President of the United States had on this day approved and signed the following acts:

An act (S. 4722) for the erection of a building for the use and accommodation of the Department of Agriculture; and

An act (S. 7124) to provide for the removal of persons accused of crime to and from the Philippine Islands for trial.

COURTS-MARTIAL IN THE PHILIPPINES.

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution, which will be stated.

The SECRETARY. A resolution submitted by Mr. RAWLINS, directing the Secretary of War to inform the Senate what courts-martial have been ordered and held in the Philippine Islands, etc.

Mr. CARMACK. Mr. President, I suppose that the Senate, following the suggestion of the Senator from Massachusetts [Mr. LODGE], will send the resolution to the Committee on the Philippines. I suppose also that every Senator thoroughly understands that you might as well write a letter to a dead man for information as to send a resolution of inquiry to that committee. Before this resolution goes to its grave, I wish, in the language of a distinguished Arkansas divine, to make a few remarks concerning the remains.

The Senator from Indiana [Mr. BEVERIDGE] the other day, when this resolution was in debate, asserted with an air of triumph that the inquiry made by the Philippines Committee had shown that the great majority of the officers and soldiers in the

Philippine Islands had been kindly and humane in their dealings with the natives, and he declared that I was very much disappointed because the result of that investigation had not put a brand of infamy upon the American Army.

This last remark, Mr. President, was wholly gratuitous and wholly mistaken. I have asserted that myself in every speech I have made upon the floor of the Senate. I have said over and over again that the great majority of the American Army abhorred the criminal practices which have brought shame and dishonor, not so much upon the American Army, which is the mere instrument, as upon the authors of that policy. The Senator's statement in that respect is absolutely true, but it is utterly irrelevant. I have some facts in mind to show how true and how irrelevant the Senator's statement is.

We had a number of witnesses before our committee who testified that the command to which they were attached occupied a district comprising five towns, one or more of which had a population of 12,000, and that in all this district there had not been one single act of violence committed by a single Filipino against a single American soldier, and the soldiers on their part were kind and just and generous in dealing with the natives.

There is a fact, Mr. President, to vindicate the assertion made by the Senator from Indiana, if an uncontroverted statement needs any vindication. But what does it signify so far as this controversy is concerned? The further fact is that by the order of the commanding officer all five of those towns and every house in them was laid in ashes and the people driven forth into the wilderness. How much good did it do these wretched Filipinos that the great majority of the soldiers were kindly and humane? How much good did it do them to know that the very men who applied the torch abhorred and detested the acts which they were compelled to commit?

I have another fact in mind, Mr. President, to substantiate the Senator's statement. General Smith in a letter over his own signature declared that the relations existing between his soldiers and the native Filipinos in Samar were of the friendliest character. He declared, in substance, that it was almost impossible to compel his soldiers to execute his brutal and inhuman policy. He said that the soldiers seemed to have a love of the little brown brothers ingrafted in their nature; that they looked upon them as little brown angels.

Mr. President, there, I say, is another fact to substantiate the statement made by the Senator from Indiana that a majority of the American soldiers were just and kind and humane in their dealings with the Filipinos. How much good did that do? How much good did that do the people when Smith issued his inhuman order to make Samar a howling wilderness, to practically exterminate the whole people, to kill even the little children above 10 years of age, and to kill all prisoners?

Sir, if we may believe the testimony brought out in the recent Glenn trial, his orders were executed with such brutal completeness that he actually doomed several thousand people to death by starvation after they had laid down their arms and become friendly to the United States.

Mr. President, how much good does it do to say that the American Army contained only the usual proportion of wicked and vicious men? Every man knows that every army contains a number of wicked and vicious men. How many men does it take to torture unarmed and helpless noncombatants? How many men does it take to burn a village, or a hundred villages? How many men does it take to sweep a whole district with fire after its armed defenders have been driven away?

Mr. President, we know, as I have said, that every army in the world contains enough wicked and vicious and lawless men to make its presence a hell upon earth if those men are not restrained by proper discipline. You may take the most peaceful community in this world, in a time of profoundest peace, when the people are long habituated to orderly government, and you dare not relax the rigor of your penal laws. You know that if you did so, that community would burst out into crimes of blood and violence.

How much more is that true of an army in time of war, habituated to scenes of death and violence. You may take the best army that ever trod the earth, send it to a distant and hostile country, subject it to the nerve-racking strain of a campaign in a tropical land, and let it be known throughout that army that crimes of violence will go unpunished, and who does not know the awful consequences that will ensue?

Let us suppose, Mr. President, that in an army invading a distant country you have a regular system of criminal violence in known, deliberate, scandalous violation of the laws of war; and though this is long continued and notorious, no effort whatever is made to suppress it, and that no criminal is ever brought to justice; let us suppose that the very officers, charged with the duty of enforcing discipline, are themselves the very worst offenders; let us suppose that the most brutal outrages go unnoticed and apparently unknown to the military authorities on the scene

long after they have become a matter of common knowledge even to the people at home, 7,000 miles away; let us suppose that courts-martial obstinately refuse to punish or to adequately punish the most flagrant crimes; let us suppose when the facts of an atrocious murder are forced upon the attention of the military authorities, the crime proven, and the criminal known, it is all waved aside as a matter of no consequence, and that this action is approved by the government at home; let us suppose that at last a general officer should throw down all pretenses of discipline and should proclaim to his soldiers that the more bloody and cruel and ferocious they were the better he would be pleased—let us suppose that these conditions exist in the best army in the world, I ask would they not be utterly subversive of discipline, would they not demoralize that army, would they not result in a reign of blood and crime and violence?

Mr. President, the charge we make is that just these conditions have existed and just these consequences have ensued. Who can say that that is a charge against the honor of the great body of American soldiers?

But, Mr. President, you must add one more condition to make this statement complete. You must suppose that these crimes have been again and again brought to the attention of the governmental authorities at home; that respectful requests have been made for some action that would put an end to these abuses; that these requests are at first met with cynical indifference, and when the demands become more sharp and insistent they are met with spurious investigations, which discover no single fact, and with sweeping denials of charges which are afterwards proven beyond the possibility of doubt or denial; and when the facts are established so plainly that they can no longer be disputed, let us suppose that the governmental authorities, and those who speak for them, should turn with the bitterest imprecations upon those by whose efforts the truth has been revealed and should show in every possible way that they have a deeper hatred for the man who exposes than they have for the man who commits the crime—I ask if that would not demoralize the best army in the world? I ask if it would not operate as a license to all the wicked, degraded, depraved, and ruffian characters in that army?

Mr. President, it is a fact that we have had an organized system of torture in the Philippine Islands—torture practiced frequently upon helpless noncombatants, upon men against whom there was no scrap of evidence, against whom no charge was made—torture prolonged until the victims fainted from agony, only to be revived and tortured again, until they had made a confession of guilt or betrayed their countrymen, or by their long endurance of agony convinced their persecutors that they had no crime to confess and no knowledge to reveal, or else until, as in some cases, they died from the torture.

Mr. President, it is a further fact, that though this was notorious throughout the whole army, though it was continued for months and years, no effort was made to suppress it, and no single torturer was ever punished for the crime. It is a fact that men of high character and standing, representatives of leading Republican, Administration newspapers, went in person to the commanding general and told him that they had not only seen a perfect orgy of looting and plunder, but that they had seen wounded prisoners butchered before their very eyes, and, though he did not deny it, he ignored it.

It is further true that this fact was brought to the attention of the Secretary of War in a letter over the signature of Robert M. Collins, the chief agent and representative of the Associated Press in the Philippine Islands, and it did not suggest to him the propriety of any inquiry or any investigation.

Another fact. It was revealed by the publication of a soldier's letter in the United States that there had been a murder of prisoners of war after the battle of Caloocan. I want to say right here that this was one of the many cases that have occurred again and again where the most atrocious crimes remained unnoticed by the military authorities until they were accidentally revealed by the publication of a soldier's letter in the United States, and from the United States sent back to the Philippines.

In this case an investigation was ordered. The inspector-general of the district prosecuted that investigation and he reported that at least two—he did not know how many more—but at least two prisoners had been murdered, and the facts recited showed that there was strong reason to believe that it was done by the order of an American officer, Captain Bishop.

Mr. President, what was done with respect to that report? What followed that report? First, Mr. President, there was a great hue and cry raised and threats of prosecution against the soldier through whose letter the facts had been revealed; next, an attempt was made to stop all investigation by one of the principal heroes, one of the prime favorites of the War Department—General Funston—who lodged the complaint with General MacArthur that the inspector was showing too much zeal in seeking to uncover this crime; next, it was proposed to make a vicarious

sacrifice of a poor private soldier, one of the men who, under orders, had executed the prisoners; but when this was brought to the attention of the judge-advocate he saw that you could not kill even a private soldier or put him in the penitentiary without a trial, and he said that the soldier on that trial would bring out the fact that he acted under the orders of his superior officer, and that the facts developed would implicate too many others.

So, Mr. President, it was decided—it was officially decided—that there were so many engaged in this bloody business that it was better to wink at the crime of murdering prisoners of war than to expose the actual condition of affairs, and that lame and impotent conclusion was accepted by the War Department without a protest.

The Department itself had ordered an investigation of a charge that American officers had murdered prisoners of war. The answer came back that there had been so many men engaged in this practice it was too common a practice to bear investigation; and that answer seems to have been entirely satisfactory to our noble and generous and humane Secretary of War.

Mr. President, when, later on, in a sudden spasm of virtue, a court-martial did convict an officer of the crime of killing an unarmed and unresisting prisoner of war and had fixed upon him the disgracefully light punishment of five years in the penitentiary the President of the United States intervened in his behalf and commuted the punishment to a pecuniary fine and a slight reduction in his rank.

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

The PRESIDING OFFICER (Mr. DUBOIS in the chair). Does the Senator from Tennessee yield to the Senator from Wisconsin?

Mr. CARMACK. I do.

Mr. SPOONER. Will the Senator please state what case that was and give the name of the officer?

Mr. CARMACK. That was the case of Lieut. Preston Brown.

Mr. SPOONER. Oh, yes.

Mr. CARMACK. Mr. President, I want to say when you talk about dishonoring the Army, that the man who does more than any other to dishonor the American Army is he who permits a cowardly convicted murderer to wear the uniform of an American soldier.

Mr. President, it is a fact that our court-martial trials over there are a travesty upon justice.

Mr. SPOONER. Will the Senator permit me to interrupt him again?

Mr. CARMACK. Yes, sir.

Mr. SPOONER. Does the Senator contend that the record shows that Lieutenant Brown was convicted by a court-martial of murder?

Mr. CARMACK. It does not say "murder."

Mr. SPOONER. No; but the Senator said "a cowardly murderer, a convicted murderer," as I understood him. Does the Senator contend that the record shows that Lieutenant Brown was convicted of murder?

Mr. CARMACK. He was convicted of this: He was convicted of killing an unarmed, unresisting, native Filipino prisoner of war in his charge; and I say that that is murder, whether they call it murder or not.

Mr. SPOONER. If that were true, it would be murder.

Mr. CARMACK. That is what he was convicted of; that was the very charge; it was the very language of the charge; and he was convicted of that—that is the record—of killing an unarmed, unresisting, native Filipino, a prisoner of war in his charge.

Mr. BATE. I wish to ask my colleague if the record shows that fact?

Mr. CARMACK. It does. I think I have quoted the exact language. I have it here, and it reads:

Lieut. Preston Brown, charged with murdering "an unarmed, unresisting, native Filipino, name unknown, a prisoner of war in his charge," convicted of manslaughter, and sentenced to be dismissed from the service of the United States and confined at hard labor for five years.

I was saying, Mr. President, that our court-martial trials over there have been a travesty upon justice. We have had men convicted of torturing helpless prisoners of war by hanging them by the neck, and the punishment inflicted was a reprimand; of looting, plundering, and firing upon peaceable citizens—punished with reprimand; the most outrageous acts of violence committed upon women and children—punished with a small fine; rape and murder—punished with imprisonment.

Mr. President, I ask if these unpunished crimes, these insufficiently punished crimes, did not constitute a license to all of the criminal elements of the American Army? We have had over there innocent, friendly guides butchered in the most horrible manner without the form or semblance of a trial, and though the facts subsequently developed showed that they were innocent, that they were loyal, that they by their faithfulness had saved the lives of their very murderers, no man ever was punished for

the crime. It has been shown in court-martial proceedings over there that natives were required to act as guides to betray their countrymen to American troops, and when they refused to do it their brains were beaten out with the butts of muskets. We have had repeated cases of indiscriminate firing upon peaceable citizens resulting in the killing and wounding of women and children, and the only record of any man ever having been punished for the offense is that of one officer who was reprimanded.

We have had a case brought to light, as so many others have been, through the letter of a soldier, where a number of soldiers surrounded a house, from which house there proceeded sounds of music and laughter. There was no body of armed insurgents there. It was a wedding party. And yet the soldiers fired in upon that peaceable wedding party, killing and wounding a number of women and children, and no man was ever punished for that. No notice was ever taken of it until the news had come back to the United States, having been accidentally revealed through the publication of a soldier's letter and forced upon the attention of the War Department, and, by that circuitous route, sent back to the Philippine Islands.

We have had towns and villages innumerable burned. We have had vast tracts of territory converted into a howling wilderness. Mr. President, when Smith issued his brutal and inhuman order, commanding his soldiers to practically kill everybody over 10 years of age, to murder all prisoners, to make the country a howling wilderness, I have no doubt that that shocked the conscience of a large majority of the American soldiers; but to every wicked, vicious, and depraved ruffian it said, "There is no more law; there is no more restraint; there is no more punishment for crime; you can do just as you please;" and, as I have said, there are enough bad men in every army to spread ruin and death and desolation in its path where no restraint is put upon them.

Mr. President, suppose when Lee invaded Pennsylvania, instead of issuing that humane, magnanimous order forbidding pillage and violence, he had said, "I want you to kill and burn; I want no prisoners; the more you kill and burn the better you will please me." Suppose Grant had issued such an order in the South; each of those great humane commanders would have burned a path of ruin and desolation as deep and as lasting as that of the Conqueror in Northumberland, and he would have left a memory to be execrated by the remotest descendants of the victims.

But, Mr. President, we have to deal not only with the ruffian element of our own Army, who are thus licensed to commit crime, but it is a fact that we turned loose upon those helpless people heathen Macabebe savages. It is a fact, not shown from the testimony of witnesses, but from the official reports of General MacArthur and of General Wheaton, that we turned loose upon those people heathen Macabebe savages, who carried on a perfect carnival of crime, plundering towns, murdering peaceable citizens, and ravishing women, and that the American commanders sought to conceal their crimes and protect them from punishment. It is admitted by General MacArthur and General Wheaton that when these men were employed and clothed with the uniform of the United States their propensity to murder and loot and ravish was well known, and after they had done all this they remained under the same commanders in the service of the United States! The excuse is made by General MacArthur that it was absolutely necessary to employ those savages in order to execute there the policy of the United States.

Mr. President, I have no charge to make against General MacArthur. I will accept as true the plea that the exigencies of the policy imposed upon our commanders did require that mediæval torture should be inflicted, that it did require that we should employ known murderers of men and ravishers of women and clothe them with the uniform of the United States. I will admit, for the sake of argument at least, that these things were necessary to execute this policy; but I say that it constitutes the strongest indictment that could be made against any policy that it requires that such things shall be done by men wearing the uniform of the American soldier.

Mr. President, such were the methods which prevailed in the Philippine Islands, and yet the President of the United States in a public speech declared that we should have been justified in being infinitely more severe. We have adopted mediæval tortures; we have adopted the Spanish reconcentrado policy; we have hunted men down like wild beasts and shot them if they preferred their own wasted country to the reconcentrado pens; we have made that country a howling wilderness; we have driven the people into the very jaws of famine, and yet the President of the United States calmly surveys the ruin he has wrought and, like another great imperialist, is astonished at his own moderation!

Mr. President, I say that we have a right to have the records of these courts-martial laid before the American Senate and given to the American people; and when we ask for them we are confronted with the pitiable excuse on the part of those who have

squandered hundreds of millions of dollars of the public money in this wicked policy and wasted four years in a bloody and devastating war that it would cost a dollar or two and would put the War Department to a little trouble.

Mr. President, we have seen enough in the newspapers with respect to the Glenn court-martial to make it important that the facts should be laid before the American people. I saw in a newspaper a report of some testimony taken in that trial. It was said that a number of natives were commanded to act as guides for American soldiers, and either because they would not or because they could not they were made to kneel and their skulls were beaten in with the butts of muskets, and no man has been punished for that crime.

I do not know whether those men were able to do what was commanded of them. I have it from a high official of the Philippines, recently in the city of Washington, that one peculiarity of the Filipino is that he knows very little of the geography of his country outside of his immediate neighborhood; that it had been the policy of Spain to keep them confined within their own neighborhoods, and that when the average Filipino got beyond that he was in a strange and unknown country. It may be, Mr. President, that these men were killed for not doing what they did not know how to do; but if they did know, and if they chose death rather than betray their countrymen, though their names are unknown and their graves are unmarked, they suffered martyrdom with as sublime a heroism as the most illustrious chieftain who ever died for the liberties of his country.

I do not know, Mr. President, whether Major Glenn was guilty of the murder of those men; I do not know that he had guilty knowledge of the act; but I know from newspaper reports of that trial that the crime was committed and that no man has been punished for it.

I know, further, that Major Glenn defended himself by citing the orders of General Chaffee and General Smith, and that he demanded that they should be brought before that court-martial to testify, so that he might confront them with his statements, and they did not come. I know he declared that the records of General Smith's brigade had been tampered with in order that they might not show the truth.

Mr. President, General Smith has been defended on the ground that his brutal order was not executed. If some of the testimony adduced in the Glenn trial by American officers is true, that order was executed with the most brutal and barbarous perfection. "Let them die," said General Smith, when told that several thousand people who had become friendly to the United States were starving to death in the mountains. "Let them die; the sooner they die the sooner we shall have peace."

Mr. President, there is the Brownell case. How does it happen, I want to ask, when we were assured by the President that he was going to conduct a most rigid investigation and was going to discover all of the crimes that had been perpetrated in the Philippine Islands—how does it happen that he never heard and never learned of the Brownell case, where a priest was tortured until he died? This man was tortured again and again until he fainted under the torture, and when he revived he was tortured the third time, when he died. I know that a complaisant physician who made the post-mortem examination in that case certified that this man did not die of the torture, but that he died of a broken heart—died from "mental anguish."

Mr. President, fortunately we know the meaning of the term "mental anguish" as it is used by the military authorities in the Philippine Islands, for when men were tried and convicted and reprimanded for torturing native Filipinos by hanging them by the neck they were found guilty of inflicting "mental anguish" upon their victims. You can fancy the "mental anguish" of a man who is hanging by his neck!

Mr. President, I do not know but that it would be a good idea to adopt some of these terms in our own law courts. It would not sound half so bad, and would rob death of a great deal of its terrors, if we would do so; if the judge, when he draws on his black cap to pronounce the sentence of death, should order that the prisoner at the bar should at such a time be taken to such and such a place and there suffer "mental anguish" in the neck until he is dead! [Laughter.]

I am not surprised that "mental anguish" is so fatal to people in the Philippine Islands. But, Mr. President, accept this statement as true and it at once destroys the pretense that this water torture is a gentle, humane, and persuasive method. It is said that this man was filled with agony and remorse; that as soon as he had been compelled to make his confession he felt that he was disgraced and dishonored, and he wanted to die and he prayed for death.

Mr. President, how great must have been the physical agony that could have extorted from such a man a confession which he would rather have died than reveal. I have no harsh words to say of Captain Brownell. I am willing to give all due weight to

what has been said in his behalf by the Senator from Vermont [Mr. PROCTOR], who knows him well. But the fact is that he repeatedly applied the torture to this priest, and that the latter died under the torture; and I suppose the Senator from Vermont himself would admit that this act was, in general, a violation of the rules of civilized warfare, and in particular a violation of the specific rules laid down for the government of our army in the Philippine Islands—orders and rules which every American officer is supposed to understand and by which he is supposed to be guided unless he receives contrary instructions from his superior officer. If Captain Brownell of his own volition deliberately violated the rules of warfare by torturing this priest to death, he is guilty of an atrocious crime and he ought to have been punished.

I want to say that, in my judgment, Captain Brownell was doing his duty as a soldier in the sense that he was obeying the orders of his superior officers. I believe he was doing what he was sent there to do. I believe he was doing what Chaffee wanted him to do and knew he was doing. One of the most dastardly things in this whole business has been the attempt of the commanding officers to saddle all the odium and all the criminality of these acts upon subordinate officers and private soldiers when they themselves are responsible for the crimes.

Mr. LODGE. May I ask the Senator from Tennessee a question? Was General Chaffee in command at the date of this occurrence?

Mr. CARMACK. I am not right sure.

Mr. LODGE. My impression is that it was General MacArthur who was in command. I have not the date here.

Mr. CARMACK. I do not remember the date when it occurred.

Mr. President, there is one other case which does not concern the torture of a Filipino. It is the torture and the murder of an American soldier. I refer to the case of Private Richter, tortured and killed by Lieutenant Sinclair, who was afterwards acquitted. The effort has been made and the statement has gone forth, apparently emanating from the War Department, seeking to represent this man as a debauched, depraved, and degraded beast, who died while suffering mild and proper correction. I have here a statement which purports to have been taken from the records of this trial and which I believe is correct, and I will read it to the Senate.

The case of Private Edward G. Richter, who was put to death by torture while serving his country in a foreign land, is surrounded with details so horrible as to challenge human belief.

Prior to his enlistment in the United States Army young Richter was an honest and respected citizen of Syracuse, N. Y., possessing the confidence and esteem of all who knew him. A brief outline of the details in connection with the murder of this young soldier are as follows:

At Dasmariñas, Cavite Province, P. I., on the night of February 7, 1902, Lieut. William B. Sinclair, of Company I, Twenty-eighth Infantry, commanded his subordinate to remove Private Richter from his quarters and bind him, hand and foot, to the ground. There being no rope at hand Lieutenant Sinclair hastily procured one from his own quarters near by, and the man was bound as directed.

At this juncture the unfortunate soldier must have had a premonition of the horrible fate that awaited him, for he cried out to his comrades, "They are going to kill me." To prevent further outcry the lieutenant ordered a gag placed in the already helpless man's mouth. Next a stick of wood was brought, and with this the gag was pressed firmly into the mouth, apparently so as to effectually shut off the breath. But the torture did not cease here.

By the officer's order a cask of ice water was brought to the scene. Dripping at a time, the water was slowly poured on the dying man's face. In the agonizing attempt to catch one last breath the bound man twisted and squirmed his poor, tortured frame as much as the cords which bound him would allow. According to witnesses this diabolical torture was continued for two hours and twenty minutes, even for a considerable time after the dying man's struggles had ceased. Lieutenant Sinclair was duly tried, charged with the murder of young Richter.

It has been my painful privilege to read the entire court-martial proceedings, covering some 20,000 words, and I give it as my own unbiased opinion that the testimony there adduced was sufficient to convict a hundredfold; but the accused officer was found "not guilty."

Absolutely the only atom of evidence presented at this trial which by any stretch of the imagination could be construed as unfavorable to Richter was to the effect that he was in a state of intoxication—which, if true, only adds to the enormity of the crime—and that he had used obscene language to the lieutenant who was torturing him. Also, that during the torture Richter had called upon his comrades to help save his life. But the testimony shows that even these frail charges were by no means concurred in by all the witnesses. There is not a word in the testimony to indicate that the boy at any time offered the slightest violence toward his so-called superiors. All in all, it is one of the most cowardly and revolting deeds that stains the whole calendar of crime.

The mother who had borne and reared her son to manhood is now passing her days in sorrow and grief. She has modestly asked the War Department to return to her the body of her boy and to furnish her with a copy of the court-martial proceedings which acquitted his murderer. Up to the present time both of these requests have been denied her.

Mr. President, I assert that in my opinion that is a true statement of what will be revealed by the records of that court-martial. I assert that it is not true that this man was a debased and degraded ruffian, but that he was a man of good standing and of good character. In my judgment the records of that court-martial, if they are laid before the Senate, will show that he was foully and brutally murdered; and we demand that the court-martial proceedings shall be made public; and we demand it not to defame the American Army, but to defend the honor and good name of a murdered soldier.

Mr. President, the plain truth is that Senators upon the other side of the Chamber know of the awful horrors that have been enacted in our Philippine war, but they do not care. The whole land has been blighted and ruined by fire and sword, with plague and famine following, like wolf and vulture, in the track of war. Perhaps nowhere in the world are there a people in a more pitiable plight than are the people of the Philippine Islands to-day. But we do not care. If any part of our own people had been thus afflicted Congress would have been called together in extraordinary session for their relief, large appropriations would have been instantly voted, and private charity would have poured out its bounties.

In this case it is not even a topic of conversation. It is not mentioned by Senators in private or in debate. It was absolutely ignored by the President in his annual message to Congress. He rhapsodized over the magnificent triumph of our American arms, but he had not one word of pity for our victims. No note of dolor was suffered to mingle with the victor's song. In his speech at Memphis the President declared that the people of the Philippine Islands had never been as orderly, as peaceful, and as prosperous as they are to-day. He declared that their progress in material well-being was absolutely astounding. Yet, Mr. President, at the very moment when he made that statement those people were actually and literally starving to death. At that very time the insular government was spending \$15,000,000 to buy food to stay the advance of famine—\$15,000,000 wrung from the people themselves; taxing starvation to feed famine. At that very time agriculture and all other forms of industry were paralyzed and prostrate, and the people were being driven, by sheer hunger, to brigandage and robbery, fighting no longer for liberty, but for bread. These were the actual facts as stated by Governor Taft in his report from the Philippine Islands.

Mr. President, if all the cereal crops of the United States should fail, if some plague should destroy nearly all the horses, the cattle, and the hogs in this country, the immense increase in the importation of food stuffs and of live stock that would ensue would not be regarded by any man as an evidence of prosperity in this country, but rather as the marks of a vast and overwhelming calamity. But in the Philippine Islands our President and our Secretary of War and our imperialist orators regard the food that is imported to feed the starving as showing the great commercial prosperity of a famine-stricken country. "The imports are so great and the people are so prosperous" because food is being sent there to feed the people who have no food at home, and which would not be sent there if the people were prosperous and if their crops had not been destroyed.

Mr. President, there is another aspect to this question besides that of mercy and humanity. I suppose it is vain to appeal upon that ground, but there is this practical aspect of the question. Mr. Roosevelt, in a speech made when he was governor of New York, said that our indifference to the welfare of the people of Alaska had made them prefer annexation to Great Britain, and the same condition would result, he said, if we showed a like indifference in the Philippine Islands. Governor Taft has told us that if our Government there is to be a success, if it is not to be a colossal and egregious failure, we must keep in office there the very best men, and he said it would be very difficult to get high-class men to remain in that country. He said that the opportunities and temptations for plunder and oppression would be very great, and that there must be a constant and most vigilant supervision on the part of the Government at Washington. How much vigilant supervision is exercised by the man who thinks that the country is enjoying the greatest prosperity when, as a matter of fact, it is actually starving to death?

The President has told us again and again that our war in the Philippine Islands was the most gentle, the most merciful, and the most humane ever waged in the history of this world. But we can not forget that the same President has told us that the people of the Philippine Islands were actually wallowing in luxury and fat content, when, as a matter of fact, they were perishing by the tens of thousands of plague and famine. How much confidence can you put in official information with respect to that unhappy country when the very source of information tells us that the people are the most prosperous people in the world, when, as a matter of fact, they are in the grip of famine and dying by the thousands and the tens of thousands, and when an appeal is lying right before this Congress to make an appropriation to keep this most prosperous people on earth from starving to death? The most prosperous people in the world! With torch and sword he had scattered plenty o'er a smiling land. He had made it a howling wilderness, but the most prosperous "howling wilderness" in the world.

Mr. President, the same vigilance that enabled the President to discover that these people were enjoying such marvelous prosperity, when they were starving to death, will enable him to discover that they are enjoying the best government in the world,

when, as a matter of fact, they are being oppressed and plundered by carpetbag adventurers, and when they rise in insurrection against intolerable oppression that vigilance will enable him to see that it is simply the innate devilment and wickedness of the people.

Mr. President, I have heard it said again and again, "There is no use talking about this Philippine question, because the people of the United States do not care what is going on in the Philippines." Our experiment there will fail disgracefully and disastrously because we do not care. If you are to have good government there, if you are to have tolerable government there, you must care; you must exercise an eternal vigilance for the welfare of the people, for, Mr. President, the price of bad government will be discontent, will be hatred, and sooner or later it will be insurrection and war, to be put down at the cost of the blood and the treasure of the American people.

Mr. President, I do not know whether this country will ever come back to the old traditions of the past. I have seen a vast change in the ideals of those who now lead the dominant party. The President of the United States in his public utterances has repudiated his own most fundamental political conceptions as laid down in his books. An eminent Senator on the other side of the Chamber has declared that in his judgment the abolition of human slavery was a mistake. Perhaps that eminent Senator, whoever he may be, contemplated the opportunity for vast profits by the employment of slave labor in the Philippine Islands and cursed the shortsightedness of the Republican party in abolishing slavery. I do not know how that is.

The Senator from Wisconsin [Mr. SPOONER] in a speech made during the last campaign expressed a wish that the present occupant of the White House could be fixed in that position for twenty years, in order that he might resist such revolutionary and socialistic doctrines as found expression in the New York Democratic platform. But, Mr. President, those who have launched this country upon a new and strange and revolutionary policy abroad can not complain if others follow their revolutionary example. The fatal work is done, and the door is thrown open to all forms of revolution when you destroy the reverence of the people for the old conservative traditions of the past. Those who have trampled down the principles and traditions which forbid this country to become the ruler of subject races can not complain if others trample down those old principles and traditions which define the scope and purpose of our Government at home.

Mr. President, it is said that we can not retreat; that it would be cowardly for us to retreat. I do not believe that it is an act either of folly or of cowardice to retreat from the bog to the solid highway upon which we have thus far traveled to glory and with honor. I believe, I firmly believe, that time will demonstrate the folly of all this business, and I earnestly hope time will find some cure for the blunder we have made.

Mr. LODGE. I ask that the resolution may go over without prejudice.

The PRESIDENT pro tempore. The Senator from Massachusetts asks that the resolution may lie on the table. Does the Senator mean as before—subject to call?

Mr. LODGE. Yes; I think it would be better in that way.

The PRESIDENT pro tempore. That will obviate the necessity of its being laid before the Senate every morning. The Senator from Massachusetts asks unanimous consent that the resolution may lie on the table subject to call. Is there objection? The Chair hears none, and it is so ordered.

STATEHOOD BILL.

Mr. QUAY. I now renew my motion that the Senate proceed with the consideration of the omnibus statehood bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12543) to enable the people of Oklahoma, Arizona, and New Mexico to form constitutions and State governments and be admitted into the Union on an equal footing with the original States.

The PRESIDENT pro tempore. The Senator from New Jersey is entitled to the floor.

Mr. ALGER. Will the Senator from New Jersey yield to me for a moment?

Mr. KEAN. Certainly.

ROBERT C. GREGG.

Mr. ALGER. I ask unanimous consent for the consideration of the bill (S. 5219) to grant an honorable discharge from the military service to Robert C. Gregg.

The PRESIDENT pro tempore. The Senator from Michigan asks unanimous consent for the consideration of a bill, which will be read to the Senate for information.

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

order dismissing Robert C. Gregg from the service as a first lieutenant of the Forty-ninth Regiment United States Volunteer Infantry, and to issue a certificate of honorable discharge for him to date from the 31st day of March, 1900.

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

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the House to the following bills:

A bill (S. 149) to provide for holding terms of court in the district of Utah; and

A bill (S. 3287) to fix the salaries of certain judges of the United States.

SALARIES OF JUDGES.

Mr. HOAR submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 3287) to fix the salaries of certain judges of the United States, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendments of the House numbered 1, 2, 3, 4, 5, 6, 7, 9, 11, 12, 13, 14, 15, 16, and 17, and agree to same.

That the Senate recede from its disagreement to the amendment of the House numbered 8, and agree to the same with an amendment as follows: In place of "six" insert "seven," and the House agree to the same.

That the House recede from its amendment numbered 10.

GEORGE F. HOAR,
CHARLES W. FAIRBANKS,
GEORGE TURNER,
Managers on the part of the Senate.
JOHN J. JENKINS,
D. H. SMITH,
V. WARNER,
Managers on the part of the House.

The report was agreed to.

LOUISIANA PURCHASE EXPOSITION COMPANY.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Industrial Expositions, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith a report from the Secretary of State covering a statement showing the receipts and disbursements of the Louisiana Purchase Exposition Company for the month of December, 1902, furnished by the Louisiana Purchase Exposition Commission in pursuance of section 11 of the "Act to provide for celebrating the one hundredth anniversary of the purchase of the Louisiana Territory," etc., approved March 3, 1901.

THEODORE ROOSEVELT.

WHITE HOUSE, February 9, 1903.

STATEHOOD BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12543) to enable the people of Oklahoma, Arizona, and New Mexico to form constitutions and State governments and be admitted into the Union on an equal footing with the original States.

Mr. KEAN addressed the Senate in continuation of the speech begun by him on the 4th instant, and having spoken, with interruptions, for nearly an hour.

Mr. PATTERSON. Mr. President—

The PRESIDENT pro tempore. Does the Senator from New Jersey yield to the Senator from Colorado?

Mr. KEAN. Certainly.

[Mr. KEAN'S speech will be published entire after it shall have been concluded.]

Mr. PATTERSON. My attention was attracted to what appear to be suggestions from the Senator from Maine [Mr. HALE] that there are no good, substantial reasons for the admission of New Mexico, in connection with which he told an anecdote, the full import of which I did not gather, but I thought it would be quite apropos to read a very short extract from a speech by a very distinguished Republican, made at Las Vegas, N. Mex., on the 25th of June, 1899—made by the present occupant of the White House. It was at a reunion of the Rough Riders, and this is an extract taken from the speech which he made at that time, which was published in the Las Vegas Daily Optic. It was sworn to by the publisher of that paper as a correct report of his remarks. It is very short, and it may furnish an opportunity for further digression by Senators who oppose the admission of these Territories, as I take it that opportunities for digression are what they are mostly seeking for at this time. The extract I referred to is as follows:

I can not say how glad I have been to come here. I never was in New Mexico before, but I never felt like a stranger for one moment among you. [Applause.] I claim the same right that each of your sons claims of glory,

and take pride in the name and fame of New Mexico. I am an American, as you are Americans, and you and I alike have the right to claim as our own every acre and rod of country from Maine to Oregon; from Florida to California. [Applause.]

It seems that a shower came up at about that time and the speaker said:

The heavens have been more than propitious so far and we must not complain of this shower. All I shall say is if New Mexico wants to be a State, you can count me in, and I will go to Washington to speak for you or do anything you wish.

Mr. KEAN. What was the date of that speech?

Mr. BATE. By whom was it delivered? The Senator should state that.

Mr. PATTERSON. It is an address delivered by Hon. Theodore Roosevelt, now President of the United States, at the Rough Riders' reunion, on Sunday—"the better the day, the better the deed"—June 25, 1899, at Las Vegas, N. Mex.

Mr. KEAN. That was not a speech in favor of the omnibus bill.

Mr. HALE. Does the President indicate in that rather large contract that he entered into that he had never been in New Mexico before?

Mr. PATTERSON. That is what he said.

Mr. HALE. He was a stranger?

Mr. PATTERSON. He was a stranger.

Mr. HALE. Speaking from his impressions?

Mr. PATTERSON. He was a stranger, but they did not take him in. [Laughter.]

Mr. KEAN. But they tried to.

Mr. GALLINGER. He took himself in.

Mr. PATTERSON. I am quite convinced that they could not play any gold-brick game on the honorable gentleman who was addressing that meeting; but I am inclined to think that President Roosevelt was not at all ignorant of the history of the country, nor of the part New Mexico had played in the country's history, nor of the part its men played in the war from which we emerged with so much glory, and I imagine also that he was not ignorant of the moral obligation that rested upon this country by virtue of the treaty—

Mr. KEAN. What moral obligation of the treaty?

Mr. PATTERSON. By which that great territory was annexed to the United States; nor, I take it, was a man, who had been so long connected with public affairs, ignorant of the section of the country and its conditions of which he was then an honored and invited guest, and I am inclined to think that at that time the President of the United States spoke his honest sentiments, sentiments that a majority both of the Senate and House of Representatives echoed.

This bill passed the House of Representatives by a tremendous majority, and there are those who say that if an opportunity was given in this body it would pass this body by a very decided majority. So we have the very condition of things that the parties to the treaty of Guadalupe-Hidalgo contemplated. Congress is now ready to admit these Territories if those who are opposing the measure will but give the Senate an opportunity to vote, so that the record made on this side of the Capitol may coincide with the record made on the other side.

Mr. HALE. Mr. President—

The PRESIDENT pro tempore. Does the Senator from New Jersey yield to the Senator from Maine?

Mr. KEAN. Certainly.

Mr. HALE. I only wish to say that I have no doubt that the President was sincere at the time that he made that speech. It does not disclose that he had made a thorough examination into the conditions of New Mexico; but with the impressions upon his mind, the feeling that animated him, he was in favor of the admission of New Mexico; but, Mr. President, there is nothing in that speech that indicates that the President at that time was in favor of the admission of New Mexico with bare, barren, sparsely populated Arizona tacked on it as a rider, and Oklahoma, with varying conditions, not in the slightest degree touching those of New Mexico, tacked on as another incident. There is nothing whatever in that speech that indicates that the President in any way then, there, or now was, or is, in favor of this omnibus bill, admitting all these Territories together.

If some enthusiastic person in the audience which the President addressed, some denizen of Arizona, who had strayed far enough away from that Territory to be present at the meeting which the President addressed, and thinking of his own region, instead of New Mexico, had arisen and asked the President whether he was in favor of the admission of New Mexico with Arizona attached, does the Senator believe that the President had enthusiasm enough at that time to have favored that proposition also?

The President was talking about a single bill for the admission of New Mexico standing upon her own merits, whatever they may be. One of the great objections that we have to it is that it is lumped together with other measures, and sought to be put

through as an omnibus bill. I know of no record of the President or of anybody who is opposing this bill which ever indicated that they would support such a proposition as is presented here by the minority.

Mr. BATE. Mr. President—

The PRESIDENT pro tempore. Does the Senator from New Jersey yield to the Senator from Tennessee?

Mr. KEAN. I yield to the Senator from Tennessee.

Mr. BATE. As a part of history, the Senator from Maine, I think, will find, if he will search the RECORD of the proceedings of the other House, that there were three separate bills there introduced and ready to be acted upon, which passed the committee, and that the House of Representatives gave an instruction or an order, which I think is in the RECORD, that the three bills should be united into an omnibus bill. The House has done that and put the bill in this shape. That is a Republican House, and Republicans voted for it.

Mr. HALE. Is there anything to hinder the Senate committee from separating them and putting each of these Territories in a separate bill?

Mr. BATE. I understand, sir, there was an order in the House that the different bills should be united in an omnibus bill.

Mr. HALE. Yes; but that does not bind the Senate.

Mr. BATE. Perhaps not; but has the minority here attempted to put those bills through separately; and if so, when? Has the minority proposed statehood for a single one of these Territories? I understand not, nor has there been any effort made to put a single one of them through or to give us a chance to vote upon the bill at all.

In reply to what the Senator from New Jersey said in reference to the speech of the President, I beg leave to read the closing words of what the President said, and let us see if he did not mean to assist New Mexico even at that time, if it were necessary. The closing words of the President's speech, addressing that audience in New Mexico, are:

All I shall say is, if New Mexico wants to be a State you can count me in, and I will go to Washington to speak for you or do anything you wish.

I think that is language plain enough and distinct enough to show what the President then desired to do. But whether he has changed his opinion or not is, I suppose, a mere matter of surmise, for I do not know what his position is now. I do not belong to his party and do not know what he thinks about this measure, nor do I know what his final action regarding it will be if the bill should come before him for the admission of these Territories; but there is the declaration of Colonel Roosevelt, now the President of the United States, and I have seen no recantation of it.

Mr. KEAN. Mr. President—

Mr. PATTERSON. Will the Senator yield to me for a few moments?

The PRESIDENT pro tempore. Does the Senator from New Jersey yield to the Senator from Colorado?

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

Mr. PATTERSON. With reference to the question that was before Colonel Roosevelt when he made his speech at Las Vegas, it is very true there was no proposition to lump three Territories together for admission as three separate States; but as I have listened to the objections to the omnibus bill from the other side of the Chamber, they have been concentrated almost exclusively upon New Mexico. New Mexico is the sore spot in the measure; and that, I discover, is chiefly by reason of the fact, until the Mormon bugaboo was started the other day, that the people speak Spanish, that the children play in Spanish, and that some of the business houses have Spanish signs over their doors to indicate—

Mr. KEAN. What did the Senator say—that the children play in Spanish?

Mr. PATTERSON. Yes; they play in Spanish. They leave school where they have been taught English during the day, and they have so much love for what we would term their mother tongue that they actually forget English for the time being and play tag and puss in the corner and games of that kind in the Spanish language, which of course is quite a disqualification for statehood, or it would be when they come in.

But, Mr. President, the main objections have been urged against New Mexico, and those objections have attacked the qualifications of the citizenship of New Mexico.

So far as Arizona is concerned, the chief objection has been to the lack of numbers and not the quality of the people. It is admitted that Oklahoma has a population sufficient, I think, for at least two members of Congress, nearly 400,000, a population that is composed of the very best blood and the very best people of the American race.

So when we show that a most distinguished statesman and a most distinguished Republican leader, one upon whom at that time the eyes of the Republican party were concentrating as a proper person at least to fill the great office of Vice-President of the United States, most heartily and enthusiastically pledged

himself even to go to Washington for the purpose of securing the admission of New Mexico as a State in the Union, then the objections to the omnibus bill ought to vanish.

It is not at all unusual for States to be admitted into the Union in a group. That has been the practice ever since the adoption of our Constitution and the passage of the Ordinance of 1787. If the grouping of three Territories in one bill for admission as three States were at all unusual, then an objection based on that fact might carry some weight with intelligent Senators, but I submit to the Senate that it has been the exception to admit a State singly; that the usual course has been to group several States, admitting them either in one bill or at one session, it being understood that the admission of one was dependent upon the admission of another.

So I again suggest that that most emphatic and earnest and unqualified indorsement of New Mexico by the gentleman who is now President of the United States should carry conviction even to unwilling Republican minds.

Mr. QUAY and Mr. ELKINS addressed the Chair.

Mr. KEAN. Mr. President, I trust the Senator—

The PRESIDENT pro tempore. Does the Senator from New Jersey yield to the Senator from Pennsylvania?

Mr. KEAN. I yield.

Mr. QUAY. Mr. President, recurring to the suggestion of the Senator from Maine [Mr. HALE] that the proposition for the admission of the Territory of New Mexico as a State is an entirely different proposition from the omnibus bill, I ask the Senator from Maine whether, in the event there is an agreement for a division of the question and that a vote shall be taken as to the admission of each Territory separately, he and those who are acting with him in obstructing the passage of this bill through the Senate will agree to fix a day for a vote?

Mr. HALE. Oh, well, that is a non sequitur. But if the question were divided and it came separately, I should certainly vote for New Mexico quicker than I would for Arizona. I should like to have the opportunity of discriminating, and I think we ought to have it.

Mr. QUAY. There will be no opportunity to discriminate unless there is an opportunity to vote.

Mr. HALE. There will be an opportunity to discriminate when we do vote.

Mr. QUAY. When will we vote?

Mr. HALE. I can not tell the Senator. I am not in charge of the measure; I do not know. I will assure the Senator that I would rather vote for New Mexico than for Arizona.

Mr. QUAY. I should be very glad to have a date fixed for this discrimination, if it is ever to occur.

Mr. ELKINS. Mr. President—

The PRESIDENT pro tempore. Does the Senator from New Jersey yield to the Senator from West Virginia?

Mr. KEAN. Before yielding to the Senator from West Virginia, I want to ask the Senator from Colorado a question. That is, whether he would give us the same assurances now on the admission of these Territories that he gave in the House of Representatives—in 1875, I think it was—when he was urging the admission of Colorado as a State in the Union.

Mr. PATTERSON. I was not then a member of the House of Representatives.

Mr. KEAN. Was not the Senator a Delegate?

Mr. PATTERSON. I was not a Delegate when Colorado was admitted into the Union. Mr. Jerome B. Chaffee was the Delegate from Colorado at that time.

Mr. KEAN. It must have been at a previous time. I made a mistake as to the date. I beg the Senator's pardon.

Mr. ELKINS. Mr. President—

Mr. KEAN. I yield to the Senator from West Virginia, although I had not quite completed reading from his remarks. I can do it after he has concluded.

[Mr. ELKINS addressed the Senate. See Appendix.]

Mr. CLAY. Mr. President, the Senator from New Jersey [Mr. KEAN] certainly does not desire to do an injustice to the people of New Mexico and Arizona, but the Senator has undoubtedly done them an injustice. The Senator has referred to the fact—and it has been referred to on this floor time and again—that the people of New Mexico and Arizona were in favor of polygamy; that they were ignorant; that they were repudiationists. It is perfectly legitimate to stand on the floor of this Chamber—

Mr. KEAN. I beg the Senator's pardon. I did not refer to them as repudiationists.

Mr. CLAY. In one moment I will yield to the Senator.

It is perfectly legitimate to stand on the floor of this Chamber and present proper arguments against the admission of these Territories to statehood, but to stand here and do an injustice to

those people, Mr. President, is an act which some day Senators will regret.

Now I yield to the Senator from New Jersey.

Mr. KEAN. I merely wish to call the attention of the Senator to the fact that I did not allude to those people as repudiationists.

Mr. CLAY. I did not especially refer to the Senator from New Jersey when I stated that those people had been spoken of as repudiationists, but it has been charged on this floor that the people of Arizona were repudiationists, and when an investigation was made it was demonstrated that they were in favor of the payment of their debts, but that Congress had done them an injustice in requiring them to pay bonds that were fraudulent, and which ought not to have been paid.

The Senator from New Jersey has said upon this floor that there was great danger in the admission of New Mexico to statehood, because of the large number of Mormons in that Territory. Why, Mr. President, if you will refer to the census report you will find in 1890 that, with a population of 180,000, there were only 456 Mormons in New Mexico.

Mr. KEAN. Will the Senator yield to me?

Mr. CLAY. With pleasure.

Mr. KEAN. The Senator is mistaken. I know perfectly well what the Mormon population in New Mexico is according to the census report, for I have it here. I call the Senator's attention to the statement which I made, which was that there were 400 and odd Mormons, I believe, in New Mexico.

Mr. CLAY. Four hundred and fifty-six.

Mr. KEAN. Four hundred and fifty-six. I made no extravagant statement as to the number of Mormons in New Mexico.

Mr. CLAY. I did not say that the Senator from New Jersey made an extravagant statement in regard to the number of Mormons in New Mexico, but the Senator stated that great danger was likely to come by reason of the Mormon population in that Territory, which is only 456.

Mr. KEAN. That was twelve years ago.

Mr. CLAY. And the best information that I can obtain at the present shows less than 1,300 Mormons there at the last census.

Mr. KEAN. It has considerably more than doubled.

Mr. CLAY. Yes. I will call the Senator's attention to the fact that in Idaho, by the census of 1890, there were 14,972 Mormons, and if you will examine the census returns as to the population of Utah you will find that there are 118,201 Mormons there, while there are only 456 in New Mexico and 6,500 in Arizona.

Mr. President, we ought not to do those people an injustice. The time may come—and it ought to come now—when we will admit those people to statehood, and we shall be ashamed of the treatment we have accorded to them during this debate. They are all American citizens; they can be classified among the best people of this Republic, and it is wrong to stand upon this floor and denounce them in the way they have been denounced.

I want to call the attention of my friend from New Jersey to a statement he made, for I do not believe he desires to do injustice to any one. He said that New Mexico and Arizona had never given an expression against polygamy. If the Senator had taken the trouble to read the history of New Mexico, he would have found that in 1889, when she adopted her constitution, she provided that polygamy should forever cease in that Territory; and I have that constitution before me. That constitution was adopted with practical unanimity, and we find that the Secretary of the Interior in submitting it to Congress said:

Referring again to the constitutional convention held in 1889, I beg to submit its work herewith as an evidence of the character, ability, fairness, and broadness of the people who framed it, and who were representative New Mexicans. I submit it confidently, to compare favorably as a state document with any of the constitutions adopted by the older States, and earnestly invite your attention to the same as showing the qualities of mind and character of thought representative of the people of New Mexico upon this organic measure.

If the Senator would turn to the bill of rights in the constitution adopted by the Territory of New Mexico in 1889, he would find that the people whom he has charged with being polygamists provided in section 14 of their bill of rights, as follows:

SEC. 14. The free exercise and enjoyment of religious profession and worship, without discrimination or preference, is hereby guaranteed, and no person shall be rendered incompetent to be a witness or a juror on account of his opinions on matters of religious belief; but the liberty of conscience hereby secured shall not excuse acts of licentiousness or justify polygamous practices or other acts inconsistent with morality or the peace or safety of the state, nor permit any person, organization, or association, directly or indirectly, to aid or abet, counsel or advise any person to commit bigamy or polygamy or any other crime.

Now, mark you, Mr. President—

Bigamy and polygamy are forever prohibited—

By this constitution adopted in 1889 by New Mexico and submitted to Congress. If the enabling act had been passed, New Mexico would have become a State. I understand now that the people of New Mexico are ready at this time to present this identical constitution to Congress. All they ask is an opportunity for statehood.

I did not rise for the purpose of making a speech, but I do believe it is wrong for a Senator to stand here and charge those people as being repudiationists, charge them with being polygamists, and charge them with being ignorant, when they are an intelligent, progressive, and enterprising people, who at no distant day will constitute States in this Union of which we shall all be proud.

Mr. KEAN. Mr. President—

Mr. NELSON. Will the Senator from New Jersey yield to me?

Mr. KEAN. I will yield to the Senator from Minnesota in a moment. Before yielding, however, I would like to say that I am not in the least disturbed by the remarks of the Senator from Georgia [Mr. CLAY]. I do not think that I charged the people of New Mexico wrongly. All I was contending for was a proper amendment to this omnibus statehood bill to prohibit polygamy. With the growing power of the Mormon Church, I think such a provision is necessary, and I think the Senator from Georgia will agree that it is necessary. I have looked through the statutes of Arizona, and all I could find on this subject was what I read on Saturday last. There may be other statutes, but I do not know of them. I was not aware until a little while ago of the provision of the constitution of New Mexico which the Senator has read, but I certainly did not charge that any statute had been passed in New Mexico that gave polygamy any standing whatever. What I complained of was that not sufficient attention had been given to this subject in the pending bill.

Now I yield to the Senator from Minnesota.

Mr. NELSON. Mr. President, I desire to make a brief statement to correct some of the misapprehensions under which Senators seem to labor. First of all, I was struck by the circumstance that the Senator from Colorado [Mr. TELLER], who is usually very correct in his statements, the other day called attention to the fact, as he claimed, that it was really New Mexicans that expelled the Confederates from New Mexico during the civil war. In that I think the Senator unwittingly did an injustice to his own State. As a matter of fact, and it is also a matter of history, it was a regiment from Colorado, a regiment of "Pike's Peakers," under the command of Colonel Slough and Major Chivington, that went into New Mexico and turned the tide of the Confederate invasion.

I wish to read very briefly in this connection from Bancroft's History of Arizona and New Mexico:

Colorado's experience in the civil war has been elsewhere recorded in the volume devoted to that Territory. Here it must suffice to state that by the energetic efforts of Governor Gilpin and his associates a Union force was raised, which not only defeated all Confederate hopes at home, but was also able to go abroad and turn the scale in New Mexico. Two companies, which later became A and B of the Second Colorado Volunteers, were mustered in December, 1861, going to New Mexico in January, 1862. Company B, Capt. T. H. Dodd, served under Canby at Valverde, as we have seen, and Company A, Capt. J. H. Ford, remained at Fort Union.

The First Regiment of Colorado Volunteers was commanded by Col. J. P. Slough, S. F. Tappan being lieutenant-colonel and J. M. Chivington major. The regiment was composed largely of "Pike's Peakers," the best of fighting material, intensely loyal to the Union, always eager to go to the front, but not taking kindly to the restraint of military discipline when there was no fighting to be done. Whole companies were often under arrest for mutiny, and an order to march to the relief of Canby, obtained by Major Chivington from General Hunter mainly with a view to prevent the disintegration of the regiment, was welcome to all. The troops left Denver in February; the different divisions united March 7 at the foot of the Raton pass. A march of 64 miles was once made in twenty-four hours, and the regiment arrived at Fort Union on the 11th-13th of March. Maj. G. R. Paul, colonel of New Mexico Volunteers, was in command of the post, but was ranked by Colonel Slough, who assumed command of the united forces.

On March 22, Colonel Slough's army of 1,342 men, including 300 regular troops, marched from Fort Union toward Santa Fe, encamping at Bernal Spring on the 24th. On the 25th the advance of 400 men, half of them mounted, encamped near the old Pecos ruins, and a scouting party, under Lieutenant Nelson, captured 4 men of the enemy's picket, 5 miles farther west at Pigeon's rancho. Next morning Major Chivington advanced with all force; and about a mile beyond the rancho, at the mouth of the Apache Canyon proper, found a Texan battery posted, which opened fire. This was about 2 p. m. The Federal infantry deployed to the canyon slopes as skirmishers, advanced to the attack, the cavalry remaining behind a spur in the ravine, with orders to charge when the battery showed signs of retreating. The battery presently fell back a mile or more, but Captain Howland failed to charge as ordered. The new position of the Texan guns was at a bend in the canyon, across a dry arroyo bed, supported by the infantry, strongly posted among the rocks and on the summits.

Chivington repeated his former maneuver, but dismounting Howland's and Lord's men to strengthen the infantry on the flanks, he left the cavalry charge to 100 Colorado horsemen under Captain Cook. After a sharp fight on the flanks the battery yielded and Cook dashed forward, his horsemen leaping the arroyo with a yell and charging through and through the enemy's ranks. Cook fell severely wounded, but Lieutenant Nelson took his place. The infantry, under Captains Downing and Wincoop, cooperated most effectively; the Texans were driven from the field, and the fight of Apache Canyon was won.

Mr. TELLER. Will the Senator allow me to correct him?

Mr. NELSON. Certainly.

Mr. TELLER. I never made any statement of the kind the Senator has attributed to me. I only claimed that the New Mexican soldiers had assisted in the expulsion of the Confederates. The New Mexicans had three regiments in that fight and Colorado had one regiment. I do not know who did the work, but I know it was well done. I have never claimed that the New Mexicans did all the work and that our soldiers did not do their share.

I want to say to the Senator that I am entirely familiar with that transaction. In the regiment from Colorado all of the officers were acquaintances and friends of mine, as were very many of the common soldiers; and I should like to say now, while upon the subject, that in that campaign a Colorado regiment of infantry made a march of over 60 miles in twenty-four hours, and went into that battle at the dawn of day, assisting General Canby with his New Mexican troops. I will not allow the Senator to put upon the record a statement that I claimed that the New Mexican soldiers did this work alone; for I made no such statement, and nothing which I said could be tortured into it.

Mr. NELSON. Mr. President, the most that can be claimed for the New Mexicans during the civil war was that they were to a large extent passive. The turning of the tide of the Confederate invasion of New Mexico was largely through the efforts of this regiment of Colorado Pike's Peakers, in connection with about 300 United States Regulars. But I will take no more time upon that subject. I only refer to it incidentally to show how sometimes we are prone to exaggerate and give credit where credit is not due.

Now, I want to call attention to some of the statements of the Senator from West Virginia [Mr. ELKINS], which were utterly wide of the mark. He claimed, in his remarks a moment ago, that there were over 300,000 people in New Mexico, and that three-fifths of them are now Americans. I have examined the last annual report of Governor Otero, of New Mexico, and the most he claims is 234,000, and out of that he says that the Spanish-Mexican population is 144,000 and the American population only 90,000. That shows that the Senator from West Virginia is entirely mistaken.

At the close of his speech the other day, and I had not the opportunity of being in the Chamber at that time, owing to the fact that I was engaged in committee work, the junior Senator from Ohio [Mr. FORAKER] referred to the character of the population in the State of Minnesota and took occasion to compare them with the population of New Mexico. It is true that in Minnesota we have a large foreign population; but a large proportion of that foreign population are English-speaking people. Out of a total foreign population of about 500,000 in Minnesota nearly 90,000 are English-speaking foreigners from Canada and the British Isles. They come over familiar with our language and they immediately become valuable members of the community. The remainder of our immigrants in Minnesota are either from Germany or the three Scandinavian countries—Denmark, Sweden, and Norway. Everyone who is at all familiar with the facts knows that there is no class of people coming to this country speaking another tongue who more rapidly learn the English language and become good American citizens. The first generation of children of these German and Scandinavian immigrants become thoroughly Americanized; they speak the English language, and in many instances never are able to learn the mother tongue of their parents; in fact, they frequently grow up without any knowledge of it.

Minnesota has been settled to a large extent by immigrants and the children of immigrants, and it is to-day one of the most prosperous and progressive States in the Union. In the matter of intelligence, in the matter of literacy, and in all that goes to make up a State it will compare favorably even with the State of Ohio, and there is no occasion to compare it with the Territory of New Mexico.

I find on looking at the census reports for 1890 that the percentage of illiteracy in the State of Ohio was 4.8 per cent, while in the State of Minnesota it was only 4.1 per cent. Compare that with New Mexico, with its 28.3 per cent, and the Senator from Ohio will see the difference as to the conditions existing in Minnesota and New Mexico.

As I have said, we have one of the most prosperous and progressive States in the Union. We have a school fund, which we have secured from the proceeds of the sales of the public lands given us by the United States, of over \$15,000,000 invested in interest-bearing securities. Notwithstanding other States got as large a school land grant as we did, we have a greater school fund in the State of Minnesota than any State in this Union outside of the State of Texas.

We have in our State a State university with over 3,500 students and with a curriculum only second to that of a few of the leading institutions of learning. I think there are only three universities in all the United States that have a larger attendance of students than has the University of the State of Minnesota. We have connected with that university a school of practical agriculture, the leading and most eminent one of its kind in all this country, with an attendance of from seven to eight hundred students, where the sons and daughters of farmers are taught all that pertains to farming and the agricultural interests of the country.

We are the most progressive State in the way of regulating

and controlling the great corporations of the country. We have in our State a board of railroad and warehouse commissioners, and we have given them what the Federal Government has refused to give to our own Interstate Commerce Commission, authority to fix transportation rates; and the rates which this board fixes are valid and binding until set aside by the courts.

We have in our State an elevator and warehouse law, by which railroad companies are required to permit warehouses and elevators to be built along their right of way. We have compelled the railroads where they intersect one another to put in Y's, so that loaded cars may be transferred from one intersecting railroad to another, and I doubt whether another State in the Union has such a law.

All this legislation, Mr. President, we have secured in the face of the opposition of the railroad companies and their friends. A large share of this liberal and broad-minded legislation, intended to protect the farmers and industrial classes of the country against the inroads of the great corporations, has been secured through the energy of the representatives of foreign birth in our legislature. The leader in the house of representatives of the Minnesota legislature for the last six or eight years, a man who is recognized by all elements as the leader of the house, and who has secured a great deal of the progressive legislation in that State, is a man who was born on the other side of the sea, in one of the Scandinavian countries.

Compare the record of the people of Minnesota with that of New Mexico. In 1878, after New Mexico had been a Territory of the United States since 1850, the legislature of the Territory, in defiance of the statutes of the United States, in defiance of all right and justice, passed a law to incorporate the Jesuit Society. Let me read the act. I read from Senate Miscellaneous Document No. 43, second session, Forty-fifth Congress:

An act to incorporate the Society of the Jesuit Fathers of New Mexico.

Be it enacted by the legislative assembly of the Territory of New Mexico:

SECTION 1. That Donato Gaspari, Rafael Baldasaré, Luis Gentilé, Salvador Personé, and Pascual Tomasine, of the counties of San Miguel, Mora, and Bernalillo, in the Territory of New Mexico, and all other persons who are now or in the future may associate themselves with them for the purposes hereinafter mentioned, be, and hereby are, created a body politic and corporate, in law and in fact; and they shall be known and called by the name, style, and title of that of the "Association of the Jesuit Fathers," and by this name may hereafter have perpetual succession, sue and be sued, plead and be pleaded, in any court of law or equity—

I call attention to this—

may hold and reserve to themselves and for their successors, either by grant, contract, sale, transfer, gift, testament, legacy, or in any other manner, lands, tenements, hereditaments, and all and every class of real or personal property, and may cede, contract, sell, and transfer the same, for the use and benefit of said Society of the Jesuit Fathers so incorporated; and singular and generally may do each and every thing that such corporation may and be legal for them to do, for the welfare, benefit, and advancement of said Society of the Jesuit Fathers hereby incorporated.

It is curious to see how this act was passed. I am reading from this same document—

Introduced by the Hon. Diego Archuleta January 11, 1878.

Read the first time, and, the rules being suspended, was read the second and third times, and passed the legislative council January 11, 1878.

JESUS M. SENA Y BACA,
Chief Clerk of the Legislative Council.
HOUSE OF REPRESENTATIVES.

Received January 11, 1878.

Received on the same day it passed the legislative council.

Read the first time, and, the rules being suspended, was read the second and third times, and passed.

It was passed under suspension of the rules in both houses. Here is a further indorsement:

An act to incorporate the Society of the Jesuit Fathers in New Mexico, introduced by Diego Archuleta January 11, 1878, read the first time, and, on a suspension of the rules, was read a second time, and the rules being further suspended, the act was read the third time, and passed the legislative council January 11, 1878.

This act was sent to the governor for his approval. The governor vetoed it, and here is his veto message. It is a very interesting document, and I want to call attention of Senators to it:

GENTLEMEN: I return to you with my objections "An act to incorporate the Jesuit Fathers in New Mexico."

For the purpose of obtaining for your information the best legal advice within my reach, I requested the attorney-general of the Territory, Hon. William Breedon, to prepare a careful opinion upon the law of the case. This opinion I make part of my message and lay it in full before you. Attorney-General Breedon says: "The bill, in my opinion, is clearly in violation of the said law of the United States."

This opinion I fully indorse, and if you pass this bill over General Breedon's opinion and my veto you will do so with your eyes open, in violation of your oaths of office and the laws of the United States. There are many other objections to the bill, a few only of which I will briefly notice.

It is difficult to decide whether the man who seeks to establish the society or the society which he seeks to establish is the worse. Both are so bad you can not decide between them. This Neapolitan adventurer, Gaspari, teaches publicly that his dogmas and assertions are superior to the statutes of the United States and the laws of the Territory. No doctrine or teaching can be more dangerous to good government than this, especially in New Mexico, where the mass of the people are ignorant. He also, by his writings and harangues, endeavors to excite animosities and to stimulate the people toward those lawfully exercising civil authority over them to acts of violence. He comes here while the legislative assembly is in session and lobbies in the

most brazen and shameless manner to defeat needed and wholesome laws, and to force through bills antagonistic to the laws of the United States.

Two years ago he intruded himself into the lower house and remained within the bar and by the speaker's side till he forced the passage of this bill, but at that session it was defeated by an honest legislative council. He now presents himself again, and being fully informed that what he asks is contrary to the laws of the United States, urges you to violate your oaths and pass the bill.

The society which he seeks to establish in New Mexico is worthy of just such a leader. It has been denounced time and again by the head of the Catholic Church, and justly expelled from the most enlightened countries of Europe.

But apart from the bad character of the society and the dangerous character of its chief, the bill is especially objectionable because it does not require that the incorporators shall be citizens of the United States nor residents of New Mexico. The number who may hereafter associate with them is unlimited, and they might all be aliens and reside abroad.

Again, the bill permits these people to own, free of taxation, an unlimited amount of property. They are permitted to own all kinds of real and personal estate in all parts of the Territory, and are not subject to any supervision by the legislature nor required to pay anything toward the support of the government. The provisions of the bill are contrary to public policy and in direct violation of the laws of the United States, and can not receive my approval.

Then follows the opinion of the Attorney-General calling attention to the statutes of the United States and pointing out plainly that such legislation is directly in violation of the United States statutes.

Now, what do you think they did after that veto? I read from the same document:

There was taken up from the president's table and under consideration act No. 3, "To incorporate the Society of the Jesuit Fathers in New Mexico," submitted by his excellency the governor, with his objections and disapproval, and the said act having been read, the question was put, "Shall the act pass, notwithstanding the objections of his excellency the governor?" which resulted by a vote of the council in the passage of the act in the legislative council by a two-thirds vote of the members composing the legislative council, notwithstanding the objections and disapproval of his excellency the governor.

January 18, 1878.

JESUS M. SENA Y BACA,
Chief Clerk of the Legislative Council.

Sent to the house of representatives for its action, together with the objections of his excellency the governor, and returned from the house on the 19th day of January, 1878, having passed that body by a two-thirds vote, notwithstanding the objections and disapproval of his excellency the governor.

They passed the bill in both houses on the same day. It was sent to the governor, and after the governor had vetoed it and called their attention in his own veto and also in the letter of the Attorney-General to the fact that it was contrary to the laws of the United States, they passed it in both houses on the same day over the governor's veto.

That act came before Congress. Congress was compelled to pass an act annulling that law. It is an act passed in 1879, and is as follows:

Be it enacted, etc., That an act of the legislative assembly of the Territory of New Mexico entitled "An act to incorporate the Society of the Jesuit Fathers of New Mexico," which passed both houses of said legislative assembly on or about the 18th day of January, 1878, over the veto of the governor of said Territory, being in violation of section 1889 of the Revised Statutes of the United States, which declares "the legislative assemblies of the several Territories shall not grant private charters or especial privileges," said bill being a grant of a private charter or act of incorporation, with the "especial privileges" of an unlimited power to acquire, hold, and transfer all kinds of property, both real and personal, and the exemption from taxation of all the effects and property of said corporation be, and the same is hereby, disapproved and declared null and void.

This act was approved February 4, 1879.

All these things occurred when, or about the time when, my friend the Senator from West Virginia [Mr. ELKINS] was a delegate in Congress laboring to get that Territory admitted as a State in the Union.

I desire to ask the Senator from Ohio [Mr. FORAKER], who has taken pains to parade the figures of the foreign population of Minnesota and to compare them with those of New Mexico, if he can find in the legislative history of Minnesota, either as a Territory or a State, any instance of that kind of legislation. Our public school system in the State of Minnesota is equal to the very best in all of the United States. We are as progressive and as prosperous as any State in the Union, and no State can fairly say to us, not even the State of Ohio, that we occupy an inferior rank, except in population and wealth, in the galaxy of the American States.

Mr. FORAKER. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Minnesota yield to the Senator from Ohio?

Mr. NELSON. Certainly.

Mr. FORAKER. Mr. President, the Senator from Minnesota asked me a question, and in the asking of the question said I had arraigned the State of Minnesota and paraded the fact that she has a large element of foreigners in her population. The Senator I know does not want to do me an injustice.

Mr. NELSON. Certainly not.

Mr. FORAKER. And does not want to misrepresent what I said.

In saying what I did about Minnesota I was answering an argument which had been made by the Senator. The Senator in

addressing the Senate had alluded to the fact, and had cited the statistics to sustain him, that there was a large foreign population in New Mexico. I conceded that, and said in conceding it that that was not peculiar to New Mexico; that other communities which had been successful had a large element of foreigners in their population. And this is the language I employed in respect to Minnesota. The Senator, I know, will pardon me, in order that I may, in justice to myself, quote it. Before quoting it I will stop long enough to say that in all that the Senator has said in compliment of Minnesota he has not exceeded the compliments I passed upon Minnesota at that time and in that connection. What I said, referring to the Senator's argument that these people were disqualified for admission into the Union because of this large foreign element, was as follows:

Neither is it a disqualification that they are foreigners—

Referring to the Mexican and Spanish element—

Neither is it a disqualification that they are foreigners. We heard a large part of the Senate's time taken up in urging that these people ought not to come into the Union because they were not all American citizens. We have a number of communities in this country where the foreign element is very largely represented, and I am going to call attention to one. I refer to Minnesota. There is no State now in the Union where they have a more loyal, faithful, capable, creditable population than they have in Minnesota. That is not in spite of the fact that they have foreigners, but because the foreign element is sometimes a very valuable mixture.

One paragraph further:

Let me call your attention to what the statistics show as to the State of Minnesota. There is no better State in the Union, but what I call attention to shows that a representative of that State is the last one to question the fitness for statehood of a people on the ground that a large percentage of them are foreigners.

Then, giving the statistics, which I do not care to take the time now to repeat, I said:

Now, Mr. President, with that admixture of foreigners, as I said, they have had enough good sense to have built up a great Commonwealth, to have made a proud record for themselves, and to have sent to this body as their representative the distinguished Senator who has addressed us in opposition to the admission of New Mexico to statehood.

Then I was interrupted by a question, which, having answered, I proceeded as follows:

I regret to say that I am unable to answer that question. I did not think to look at that. But what I want to say is that Minnesota is one of the best States in this Union. Her population, as everybody knows, is an intelligent, patriotic, busy, and capable population. They have never made any mistake in selecting representatives to the Congress of the United States in either House, certainly not beyond the average number made by States as a rule. Their whole record is a creditable one, and I cite the fact that they have this foreign-born population to show that it does not follow because there are foreign-born citizens in the Territory of New Mexico that that Territory is disqualified for admission to statehood.

I might have cited the statistics as to my own State, Ohio (as the Senator has seen fit to do, but I did not care to parade the statistics as to my own State), to show that there was a large admixture of foreign element in the population of Ohio. It did not seem to me that it was necessary for me to make any defense of the people of Ohio because they had a large foreign population. I think every Senator here will concede that the population of my State is a creditable one, that they have made a creditable record in the history of this country, and that they have done their duty under any and all circumstances.

I did not refer to Minnesota except only because the Senator himself had challenged attention to that subject. The purpose I had in view, conceding that they had a foreign element of which we all have knowledge, was to show that it does not follow that they are disqualified for statehood. You have only to look to New York, to Massachusetts, as well as to Ohio and Minnesota, or to any and every other State of the Union, where you will find a large admixture of foreigners with the native-born population, to find that it has made a splendid population in the aggregate, and that the people of all the States are, notwithstanding that fact, doing their duty in a creditable way as citizens of the United States.

I was simply answering the argument the Senator made. I was not arraigning his people. I was not arraigning his State. I was complimenting his State. Every Senator I know is proud of the record Minnesota has made, and it is not to the discredit of Minnesota that she has this large foreign element in her population. I did not say they could not speak the English language. The Senator says that 25 per cent of the 500,000 can and do speak the English language. I supposed a larger percentage than that spoke the English language, although I did not stop to examine the statistics; but that is immaterial. We know the record they have made, and that is one we can all in good faith compliment.

Why I rose was simply to call the Senator's attention to the fact that I did not arraign Minnesota. I did not say one word to her discredit or in disparagement of her. I cite her record with pride, and I cite her deeds and her achievements with pride, as every other citizen might.

Mr. NELSON. The Senator is entirely wide of the mark. He built up an argument as a basis for his reference to Minnesota by claiming and insisting that I was opposed to the admission of

New Mexico because of its foreign population. They are not a foreign population. I never opposed the admission of New Mexico on the ground that its population is foreign born.

Mr. FORAKER. Mr. President—

Mr. NELSON. They have more native-born people there perhaps than in most of the Northwestern States.

Mr. FORAKER. Mr. President—

Mr. NELSON. The Mexicans and that class of people whom I think are unfit for State government are people who were born in and have lived in this country for generations, as did their ancestors ahead of them. They are not foreign born. I never attacked the people of New Mexico on the ground that they were foreigners. They are natives of this country. I simply criticized them for the fact that they had not become Americanized, notwithstanding the fact that they were born in this country, notwithstanding the fact that their fathers and their grandfathers and their great-grandfathers way back for generations were all born in this country they had not become Americanized as rapidly as the foreigners in our country of the first generation.

Mr. FORAKER. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Minnesota yield to the Senator from Ohio?

Mr. NELSON. By and by.

Mr. FORAKER. I want to—

Mr. NELSON. Of the immigration that comes to Minnesota over 25 per cent are English-speaking people—Canadians and from the British Isles. The remainder that come are from the German countries, the northern countries of Germany, and from the three Scandinavian countries. They come there and they learn the English language as rapidly and as readily as any class of people who come here speaking a foreign tongue. You do not have to wait three or four or five generations before those people can speak the English language. They learn it themselves, so that they speak it quite well, and their children speak it.

They do not have interpreters in the courts to interpret the argument of counsel to a jury. They do not have interpreters in court to interpret the charge of the court to the jury. They do not publish the laws in the German or the Scandinavian or any other foreign language. They are to all intents and purposes an English-speaking people. They are Americanized; and that is my objection to the Mexican people; that although they are natives of this country, they have not become Americanized as the great mass and body of our people have.

Mr. FORAKER. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Minnesota yield to the Senator from Ohio?

Mr. NELSON. Certainly.

Mr. FORAKER. I have not looked over the remarks of the Senator from Minnesota as they appear in the RECORD, but I sat on the other side of the Chamber near the Senator when he was making that part of the speech to which I refer, and if he did not say that one of his objections was that there was this large foreign element in the population of New Mexico, I misunderstood him. I understood him so to charge and so to insist.

Mr. NELSON. I never intended to charge anything of the kind.

Mr. FORAKER. It may come from the fact that the Senator was talking about the people not becoming Americanized. That is practically the same thing, I think. There is not a very broad distinction. I got that impression.

If the Senator has no objection to the population of New Mexico on the ground that they are foreigners, or if he insists there are no foreigners there, of course the point to which I was replying falls to the ground by his concession, and I have nothing more to say. But I retract nothing I said in that connection. What I said was justified by the remarks of the Senator from Minnesota, and what I rose to object to was simply his putting it into the RECORD that I had arraigned the State or the people of Minnesota. I had not done anything of the kind. I had complimented them quite as generously as the Senator himself has complimented them.

Mr. PATTERSON. Mr. President, the last effort of the Senator from Minnesota [Mr. NELSON] is to my mind the most conclusive evidence of both the necessity and the justice of the passage of this bill. Here are 200,000 people arraigned and assailed in this body at the national capital, and the things that are said against them, injurious to the last degree, must practically go unchallenged unless they are met by those who are not residents of the Territory, and who may not be presumed to have that knowledge of the procedure of the Territory and its people that those who live there have.

For the purpose of combating in some degree some things that the Senator from Minnesota imagined the Senator from Ohio [Mr. FORAKER] said about the foreign population of his State, the Senator from Minnesota recalls to the attention of the country an

episode which occurred in New Mexico twenty-five years ago. Simply reading the measure and reciting the circumstances of its passage and its repeal by act of Congress would create the impression that there was something heinous committed by the people of New Mexico against the United States and American institutions.

What was it after all, Mr. President? The legislature of New Mexico passed a special act incorporating a religious body, and it was against the laws of the United States only in this respect, that the law creating the Territory of New Mexico, commonly known in Territories as the organic act, or the constitution of the Territory, prohibited the granting of charters by special act to any corporation whatsoever. The legislature of New Mexico had been induced to believe that they might incorporate by special act a religious body known as the Jesuit Fathers. It could not be done under its organic law. That, Mr. President, was the head and front of its offending.

There is nothing criminal or reprehensible in the incorporating of religious bodies. I will venture the assertion that in the Senator's own State the religious order known as the Jesuit Fathers has a corporate existence, organized under its general incorporation law. I imagine that whether a religious body is incorporated under a special or a general law makes no difference whatsoever so far as the public welfare is concerned.

Mr. President, why did not the Senator from Minnesota, if he desired to do justice to the people of New Mexico, in connection with that statement make the additional statement that in fifty years of Territorial life it was the only law enacted by the New Mexicans in their Territorial legislature which the Congress felt compelled to repeal? One of the strongest and most conclusive evidences of the capacity of a people for self-government is the peace and order they maintain within their borders and the character of the laws they enact. And this one charge by the Senator from Minnesota brings prominently before the people of the country the fact that so well are the people of New Mexico qualified for self-government that in fifty years, during all of which time they have elected their legislature, with its membership answering to the strange names he read, not a single law that that body has passed has received the censure of the Congress of the United States, and during all that time Congress had the right to repeal any law that the legislature of New Mexico enacted.

So we find, even from the report of the committee that went to the Territory seeking rather to evade testimony than to obtain it, that that Territory is lawfully inclined and peaceful, and that life and property are as safe in that Territory as in any other section of this Union. In addition to that we have now the unqualified and uncontradicted fact that in fifty years of legislative life, enacting their own laws, providing for their own rules, not a single law has been enacted by the legislature of that Territory which received the censure of Congress, and which was not permitted to remain upon the statute books so far as any act of Congress is concerned.

Flings are made, Mr. President, against the people of New Mexico because interpreters are used in the courts and occasionally an interpreter may be called to the jury room for the purpose of interpreting the evidence given on the trial and which was taken down in shorthand by the court stenographer. In Colorado, I believe that the legislature which is in session to-day is the only one that ever met and did not appoint interpreters to make easier the burdens and the labors of Spanish members who were elected to that body, that they might perform their duties the more intelligently. I think the laws of every legislature there up to the present time have by special act been printed in Spanish.

I recall, when I first went to the Territory of Colorado, making a canvass for Congress as early as 1874, and upon more than one occasion I addressed the audiences through an interpreter. The object of an interpreter is simply to give to those who listen a clear and comprehensive knowledge of that which the speaker says. It does not indicate that those who are not able to speak English are un-American or that they have not adapted themselves to the best of their ability to American institutions. It simply means that in the stress of life, in the efforts and the time necessary to earn the bread with which the breath of life is maintained, they have not had time to learn what to them is a difficult language to understand and to master.

So none of these objections, when they are summed up, go to the capacity or to the character of the citizenship or to the relation of the minds of the Mexican people to the American Government. They simply go to the proposition whether or not they can speak more than one language. I take it that in every community in New Mexico and wherever Spanish-speaking people are they have the Constitution of the United States and the constitution of their State or, if it is a Territory, the organic law printed in the language the people speak. I know that every volume of the statutes throughout that section of the country has in it, in the Spanish language, the Constitution of the United

States and of the State, in order that those who use the statutes and may not be able to speak the English language may have those instruments, so essential to American freedom and American liberty, and that they may be read and comprehended by them.

But what I desired to enforce above everything else was that in fifty years, with the exception of a single law which has been read by the Senator from Minnesota, not a single act has been passed by the New Mexican legislature which did not receive at least the quasi approval of Congress, because Congress was not called upon to repeal it.

It is a testimonial, Mr. President, to the patriotism, to the love of country, to the genius for government of the Mexican people. Instead of crowding them back, instead of denouncing and anathematizing them and holding them up in a degraded light to the American people, it should be the duty of Senators to extend to them the hand of fellowship and of help, and to give them credit for what they have accomplished and for what they are attempting to accomplish. If that was done there would be no such controversy as we have had here now for nearly six weeks over the admission of these people to statehood.

Mr. TELLER. Mr. President, the senior Senator from Minnesota [Mr. NELSON] seemed to think that I overlooked the services of the Colorado troops in Mexico. I want to read what I said. In speaking of these people on Saturday I said:

I knew them in the war. I knew them when they had not forgotten the fact that they were a conquered people. I know that nowhere on this continent were men more anxious to preserve the integrity of the Union than the Spanish population of New Mexico and Colorado. They put into the field, in proportion to their population, more men than many of the States which are boasting of their devotion to American institutions. They fought our battles; they kept back the forces from the Confederate States that were invading and attempting to cut off communication between the Atlantic and the Pacific oceans.

Mr. President, that is strictly true. Early in the winter of 1862 General Sibley left Texas with a large force, probably from 4,000 to 6,000 men—nearer 5,000, perhaps, than either. I need not state that General Sibley was a West Point officer and a man thoroughly familiar with the Western country. He moved into New Mexico. He was met soon after he got into New Mexico by General Canby with three New Mexican regiments. General Canby's force was greatly inferior to that of General Sibley. These New Mexican forces under Canby held Sibley in check for some time, but being less in number, they were compelled gradually to retire toward the capital of New Mexico. The point for which Sibley had started was first to strike Fort Union, where the Government of the United States had then a very large quantity of munitions of war, amounting to many millions of dollars. The second point to which he was reaching was the continental stage line, to cut off communications with California.

We had in Colorado a regiment, raised the summer before in a very irregular manner, and it had been rejected by the General Government. It took the united efforts of all the people of Colorado for many months to get the Government of the United States to accept that regiment. Some time late in the fall or early in the winter the Government accepted it. The regiment was composed of about 1,000 men.

We had in addition to that a battery and about 120 cavalry. So we had in the Colorado force about 1,200 men.

The Government of the United States ordered a portion of those troops, and a portion of them only, to New Mexico to support Canby. About two-thirds of the troops were ordered into New Mexico. The officer in command reached a point not far from Fort Lyon where about 400 of the Colorado troops were stationed. The Colorado troops so stationed, and who were to be left in Colorado, insisted that if there was to be any fighting they had not enlisted to remain in the fort and that they would go to New Mexico with the rest, and in spite of the protest of the colonel, contrary to the designs of the General Government, they marched out with him to meet Canby.

Couriers from General Canby were sent up to the Colorado troops coming down to hurry their passage, stating that it was quite impossible with his inferior forces to hold the Confederate army in check, and, as I stated a few moments ago, the last day this infantry made a march of 52 miles, marching all day and all night, and in the early gray of the morning striking Sibley. They did not wait for any orders from Canby, but sailed into him, burnt his baggage train, which they struck first, and, with the aid of the New Mexicans and General Canby, routed General Sibley. Sibley having lost his baggage train, and having failed to reach the munitions of war at Fort Union, of course turned his face toward Texas.

Now, Mr. President, I should not have referred to this matter at all, but the statement made by the Senator might leave the inference that I had been careless, at least, in not giving to the people of Colorado the credit that they were entitled to receive. I only claimed that Canby had held in check until our troops got there, and that was all that could have been expected with the small number he then had.

Now, Mr. President, I do not care to debate this question. I am going to present some facts on some other occasion in connection with this debate, if the debate is to continue. I have some things I desire to say, and that I believe ought to be said, in defense of those of us who think the time has come when justice requires that these people should be admitted into the Union, and that, too, in spite of everything that has been written by the committee or spoken, so far as I know, by the opponents of the bill. But I shall not attempt to do that, Mr. President, to-night.

Mr. McCUMBER. Mr. President, there has been much injustice, it seems to me, done to these Mexicans in comparing them with other nationalities and drawing an odious comparison as to their ability to understand and read or write the English language. It appears to me that we ought to take into consideration one condition there that has never applied to any foreigners coming to any other section of the country. Let us remember this one fact and then apply it.

We simply removed the boundary line of Mexico a few hundred miles south. We had there a population that was practically Mexican. That population was segregated hundreds of miles from the rest of the populated section of the United States. We had to cross hundreds of miles of territory before we could reach their settlement not only on the east, but on the west. They were practically segregated from all the balance of the United States.

Now, let us suppose that we had placed Germans, Scandinavians, or any other foreign-speaking element in that same section, does any person claim that they would have learned the English language as readily and as properly as they have done in the State of Minnesota?

It must be remembered that the foreigners from Europe who have come to this country have not come as a body. They have come here gradually. They have been learning the English language gradually. They have come into a country where the English language was spoken, and necessity, which is the mother of invention, compelled them to learn the English language. For instance, Russians and that class of people coming to the State of North Dakota or Minnesota very readily learn the English language, but suppose we had had them all up in Alaska and segregated from the balance of the United States, does anyone claim that they would have adopted the English language readily? Suppose, if we could reach beyond our own borders, that we would extend our laws over a portion of Norway or Germany to-day, where the people are surrounded by those speaking their own language, does any person claim that then they would readily adopt a new language?

Yet this is exactly the condition of those people in New Mexico. They have never had an opportunity to understand the English language. They have never been brought enough in connection with the English-speaking classes to compel them to learn it. It seems to me that if we will take any population of a foreign-speaking element and place them in the same conditions that have surrounded this little band of Mexicans in a Territory so far from the English-speaking portion of the United States, the comparison with other people situated under the same conditions would be favorable to the Mexicans there. I simply speak of this, Mr. President, because it seems to me that the comparison does not do them justice.

Mr. QUAY rose.

Mr. NELSON. Will the Senator from Pennsylvania yield to me for a moment? I do not want to prolong the debate at this time. I simply desire to say to the Senator from Colorado [Mr. TELLER] that I had no intention to do him any injustice in this matter, and if I have misrepresented him I am sorry for it. I have the highest respect for the Senator from Colorado. I know he always means to be fair and right, and I certainly had no intention to do him any injustice.

Mr. TELLER. I do not myself think the Senator had any such intention.

Mr. QUAY. Mr. President, I rise to ask the unanimous consent of the Senate that a vote be taken upon this bill and the pending amendments at 2 p. m. on the 20th instant.

The PRESIDENT pro tempore. The Senator from Pennsylvania asks unanimous consent that a vote be taken on the pending bill and all amendments then pending and all amendments then offered, without further debate, on the 20th day of February, at 2 o'clock in the afternoon. Is there objection?

Mr. KEAN. Mr. President, I think I should like to finish my remarks before a day is fixed for a vote.

Mr. QUAY. Do I understand the Senator from New Jersey to object?

The PRESIDENT pro tempore. The Senator from New Jersey did not say that he objected.

Mr. KEAN. I think—

Mr. MCCOMAS. Mr. President, I object, because I should like to hear the conclusion of the speech of the Senator from New Jersey.

The PRESIDENT pro tempore. Objection is made.

EXECUTIVE SESSION.

Mr. GALLINGER. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After seventeen minutes spent in executive session the doors were reopened, and (at 5 o'clock and 10 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, February 10, 1903, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate February 9, 1903.

SECRETARY OF LEGATION.

Roger Sherman Gates Buntell, of Illinois, to be secretary of the legation of the United States at Berne, Switzerland, to fill an original vacancy.

ASSISTANT TREASURER.

Charles A. Bosworth, of Ohio, to be assistant treasurer of the United States at Cincinnati, Ohio. (Reappointment.)

COLLECTOR OF CUSTOMS.

George W. McCowan, of New Jersey, to be collector of customs for the district of Bridgeton, in the State of New Jersey. (Reappointment.)

UNITED STATES ATTORNEY.

Milton C. Elstner, of Louisiana, to be United States attorney for the western district of Louisiana. A reappointment, his term having expired December 19, 1902.

POSTMASTERS.

CONNECTICUT.

Charles C. Georgia, to be postmaster at Unionville, in the county of Hartford and State of Connecticut, in place of Charles C. Georgia. Incumbent's commission expired January 17, 1903.

Charles N. Hatch, to be postmaster at Bridgewater, in the county of Litchfield and State of Connecticut, in place of Charles N. Hatch. Incumbent's commission expired January 27, 1903.

ILLINOIS.

Marie Friendlich, to be postmaster at Mount Sterling, in the county of Brown and State of Illinois, in place of Jacob Friendlich, deceased.

James M. Joy, to be postmaster at Waverly, in the county of Morgan and State of Illinois, in place of James M. Joy. Incumbent's commission expired December 21, 1902.

INDIANA.

Frank B. Meyer, to be postmaster at Rensselaer, in the county of Jasper and State of Indiana, in place of Frank B. Meyer. Incumbent's commission expires March 2, 1903.

IOWA.

George W. Cook, to be postmaster at Guthrie Center, in the county of Guthrie and State of Iowa, in place of Charles Ashton. Incumbent's commission expired December 21, 1902.

A. J. Enbody, to be postmaster at Dunlap, in the county of Harrison and State of Iowa, in place of Richard H. Randall. Incumbent's commission expired January 12, 1903.

Barney Johnson, to be postmaster at Ida Grove, in the county of Ida and State of Iowa, in place of Anna Burns. Incumbent's commission expired December 21, 1902.

A. J. Vail, to be postmaster at New Sharon, in the county of Mahaska and State of Iowa, in place of Ross A. Nicholson, resigned.

KENTUCKY.

George M. Dickey, to be postmaster at Cynthiana, in the county of Harrison and State of Kentucky, in place of George M. Dickey. Incumbent's commission expires March 2, 1903.

LOUISIANA.

Amy C. Reiley, to be postmaster at Clinton, in the parish of East Feliciana and State of Louisiana, in place of George J. Reiley. Incumbent's commission expired January 10, 1903.

MASSACHUSETTS.

George Abbott, to be postmaster at East Douglass, in the county of Worcester and State of Massachusetts, in place of George Abbott. Incumbent's commission expired January 19, 1903.

Harding R. Barber, to be postmaster at Athol, in the county of Worcester and State of Massachusetts, in place of Harding R. Barber. Incumbent's commission expires February 15, 1903.

Alexander Grant, to be postmaster at Chicopee, in the county of Hampden and State of Massachusetts, in place of Alexander Grant. Incumbent's commission expires March 2, 1903.

Charles L. Stevens, to be postmaster at Clinton, in the county of Worcester and State of Massachusetts, in place of Charles L. Stevens. Incumbent's commission expires March 2, 1903.

Harry C. Thomas, to be postmaster at East Weymouth, in the county of Norfolk and State of Massachusetts, in place of Henry L. Lovell, removed.

William H. Twiss, to be postmaster at Ashland, in the county of Middlesex and State of Massachusetts, in place of William H. Twiss. Incumbent's commission expires February 15, 1903.

MICHIGAN.

Hiram E. Hardy, to be postmaster at Big Rapids, in the county of Mecosta and State of Michigan, in place of Hiram E. Hardy. Incumbent's commission expires February 15, 1903.

John N. McCall, to be postmaster at Ithaca, in the county of Gratiot and State of Michigan, in place of William A. Leet. Incumbent's commission expires March 3, 1903.

Frank C. Merrill, to be postmaster at Bay City, in the county of Bay and State of Michigan, in place of William McCloy, removed.

MISSISSIPPI.

Samuel R. Braselton, to be postmaster at Gulfport, in the county of Harrison and State of Mississippi, in place of Thomas A. Cleary, removed.

John H. Cook, to be postmaster at Ellisville, in the county of Jones and State of Mississippi, in place of John H. Cook. Incumbent's commission expired February 2, 1903.

NEW HAMPSHIRE.

Herbert Bailey, to be postmaster at Claremont, in the county of Sullivan and State of New Hampshire, in place of Herbert Bailey. Incumbent's commission expires March 2, 1903.

NEW YORK.

Thomas B. Gibson, to be postmaster at Walden, in the county of Orange and State of New York, in place of Thomas B. Gibson. Incumbent's commission expires February 15, 1903.

Frank W. Higgins, to be postmaster at Wellsville, in the county of Allegany and State of New York, in place of Frank W. Higgins. Incumbent's commission expired January 13, 1903.

John J. Hodge, to be postmaster at Oneida, in the county of Madison and State of New York, in place of John J. Hodge. Incumbent's commission expired January 28, 1903.

Everett I. Weaver, to be postmaster at Angelica, in the county of Allegany and State of New York, in place of Everett I. Weaver. Incumbent's commission expired January 13, 1903.

Seraph E. Wolcott, to be postmaster at Keeseville, in the county of Essex and State of New York, in place of Seraph E. Wolcott. Incumbent's commission expired January 13, 1903.

NORTH DAKOTA.

Michael B. De la Bere, to be postmaster at Sheldon, in the county of Ransom and State of North Dakota, in place of Maggie C. Doran, resigned.

Agatha G. Patterson, to be postmaster at Bismarck, in the county of Burleigh and State of North Dakota, in place of Agatha G. Patterson. Incumbent's commission expired February 1, 1902.

OHIO.

Van R. Sprague, to be postmaster at McArthur, in the county of Vinton and State of Ohio, in place of Van R. Sprague. Incumbent's commission expires February 10, 1903.

John L. Sullivan, to be postmaster at St. Marys, in the county of Auglaize and State of Ohio, in place of John L. Sullivan. Incumbent's commission expires March 2, 1903.

PENNSYLVANIA.

Ada U. Ashcom, to be postmaster at Ligonier, in the county of Westmoreland and State of Pennsylvania, in place of Ada U. Ashcom. Incumbent's commission expires March 3, 1903.

John F. Austin, to be postmaster at Corry, in the county of Erie and State of Pennsylvania, in place of John F. Austin. Incumbent's commission expires February 20, 1903.

Clark B. Bailey, to be postmaster at Elkland, in the county of Tioga and State of Pennsylvania, in place of Robert T. Wood. Incumbent's commission expires February 14, 1903.

Harold C. Carpenter, to be postmaster at Troy, in the county of Bradford and State of Pennsylvania, in place of William P. McCleery. Incumbent's commission expired May 11, 1902.

Henry Fuellhart, to be postmaster at Tidioute, in the county of Warren and State of Pennsylvania, in place of Cornelius P. Bucklin. Incumbent's commission expires March 3, 1903.

Warren B. Masters, to be postmaster at Jersey Shore, in the county of Lycoming and State of Pennsylvania, in place of Clayton E. Williamson. Incumbent's commission expired January 7, 1900.

Lucius Rogers, to be postmaster at Kane, in the county of McKean and State of Pennsylvania, in place of Lucius Rogers. Incumbent's commission expires February 21, 1903.

William W. D. Yerkes, to be postmaster at Ogontz, in the county of Montgomery and State of Pennsylvania, in place of William W. D. Yerkes. Incumbent's commission expired January 31, 1903.

RHODE ISLAND.

James T. Caswell, to be postmaster at Narragansett Pier, in the county of Washington and State of Rhode Island, in place of John H. Caswell. Incumbent's commission expired June 23, 1902.

WISCONSIN.

Ira P. Coon, to be postmaster at Plainfield, in the county of Waushara and State of Wisconsin, in place of Ira P. Coon. Incumbent's commission expired January 10, 1903.

William H. Johnson, to be postmaster at Berlin, in the county of Green Lake and State of Wisconsin, in place of William H. Johnson. Incumbent's commission expires February 13, 1903.

James W. Meiklejohn, to be postmaster at Waupun, in the county of Fond du Lac and State of Wisconsin, in place of James W. Meiklejohn. Incumbent's commission expired January 23, 1903.

WITHDRAWAL.

Executive nomination withdrawn February 9, 1903.

George J. Reiley, to be postmaster at Clinton, in the State of Louisiana.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 9, 1903.

SECRETARY OF LEGATION.

Roger Sherman Gates Boutell, of Illinois, to be secretary of legation at Berne, Switzerland.

PROMOTIONS IN THE REVENUE-CUTTER SERVICE.

First Lieut. William E. Reynolds, to be a captain in the Revenue-Cutter Service of the United States.

Second Lieut. Charles E. Johnson, to be a first lieutenant in the Revenue-Cutter Service of the United States.

Third Lieut. Joseph H. Crozier, to be a second lieutenant in the Revenue-Cutter Service of the United States.

POSTMASTERS.

ALABAMA.

Walter S. Standifer, to be postmaster at Gadsden, in the county of Etowah and State of Alabama.

James T. Pitt, to be postmaster at Florence, in the county of Lauderdale and State of Alabama.

CALIFORNIA.

William G. Hawley, to be postmaster at San Jose, in the county of Santa Clara and State of California.

Thomas E. Byrnes, to be postmaster at San Mateo, in the county of San Mateo and State of California.

Lindley M. Baldwin, to be postmaster at Whittier, in the county of Los Angeles and State of California.

Felix L. Grauss, to be postmaster at Calistoga, in the county of Napa and State of California.

Edward G. Hall, to be postmaster at Healdsburg, in the county of Sonoma and State of California.

Frank B. Mackinder, to be postmaster at St. Helena, in the county of Napa and State of California.

Orlando J. Lincoln, to be postmaster at Santa Cruz, in the county of Santa Cruz and State of California.

Charles H. Dobbie, to be postmaster at Palo Alto, in the county of Santa Clara and State of California.

ILLINOIS.

Andrew J. Pickrell, to be postmaster at Anna, in the county of Union and State of Illinois.

Charles F. Douglas, to be postmaster at Ashland, in the county of Cass and State of Illinois.

Albert W. Errett, to be postmaster at Kewanee, in the county of Henry and State of Illinois.

Clarence F. Buck, to be postmaster at Monmouth, in the county of Warren and State of Illinois.

Clark J. McManis, to be postmaster at Princeton, in the county of Bureau and State of Illinois.

Arthur P. Woodruff, to be postmaster at Savanna, in the county of Carroll and State of Illinois.

Henry K. Brockway, to be postmaster at Barrington, in the county of Cook and State of Illinois.

Warren M. Heath, to be postmaster at Libertyville, in the county of Lake and State of Illinois.

James Porter, to be postmaster at Martinsville, in the county of Clark and State of Illinois.

C. B. Crawford, to be postmaster at Genoa, in the county of Dekalb and State of Illinois.

William McMeekin, to be postmaster at Galva, in the county of Henry and State of Illinois.

Edward D. Cook, to be postmaster at Piper City, in the county of Ford and State of Illinois.

INDIANA.

David A. Shaw, to be postmaster as Mishawaka, in the county of St. Joseph and State of Indiana.

Robert W. Morris, to be postmaster at New Albany, in the county of Floyd and State of Indiana.

IOWA.

Abraham Wilkin, to be postmaster at Keosauqua, in the county of Van Buren and State of Iowa.

George Hardenbrook, to be postmaster at Maxwell, in the county of Story and State of Iowa.

Edward C. Brown, to be postmaster at Dewitt, in the county of Clinton and State of Iowa.

Gideon M. Gifford, to be postmaster at Elkader, in the county of Clayton and State of Iowa.

Ernest D. Powell, to be postmaster at Exira, in the county of Audubon and State of Iowa.

Stephen Tabor, to be postmaster at Independence, in the county of Buchanan and State of Iowa.

George W. Metcalf, to be postmaster at Lansing, in the county of Allamakee and State of Iowa.

William N. Oursler, to be postmaster at Odebolt, in the county of Sac and State of Iowa.

MARYLAND.

Ezra R. Zimmerman, to be postmaster at Emmitsburg, in the county of Frederick and State of Maryland.

MICHIGAN.

Joshua Braun, to be postmaster at Sebawaing, in the county of Huron and State of Michigan.

Frank C. Merrill, to be postmaster at Bay City, in the county of Bay and State of Michigan.

MINNESOTA.

Arthur W. Sheets, to be postmaster at Long Prairie, in the county of Todd and State of Minnesota.

John F. Wrabek, to be postmaster at New Prague, in the county of Lesueur and State of Minnesota.

Archibald J. Dewolf, to be postmaster at Windom, in the county of Cottonwood and State of Minnesota.

Frank Hagberg, to be postmaster at Winthrop, in the county of Sibley and State of Minnesota.

G. B. Bjornson, to be postmaster at Minnesota, in the county of Lyon and State of Minnesota.

Henry Tome, to be postmaster at Pine Island, in the county of Goodhue and State of Minnesota.

William Kaiser, to be postmaster at Faribault, in the county of Rice and State of Minnesota.

MISSISSIPPI.

Nevan C. Hathorne, to be postmaster at Columbia, in the county of Marion and State of Mississippi.

MISSOURI.

J. W. Jones, to be postmaster at Brookfield, in the county of Linn and State of Missouri.

HOUSE OF REPRESENTATIVES.

MONDAY, February 9, 1903.

The House met at 12 o'clock m.

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

THE JOURNAL.

The Journal of yesterday's proceedings was read.

The SPEAKER. Without objection, the Journal will be approved.

Mr. RICHARDSON of Tennessee. Mr. Speaker—

Mr. JENKINS. I desire to correct the RECORD. I joined with the other members of the conference committee in the report and statement as printed on pages 1893 and 1894 of the RECORD. My name is omitted from both the report and the statement. I desire it inserted.

The SPEAKER. In the absence of objection, the Journal will be corrected.

Mr. RICHARDSON of Tennessee. Mr. Speaker, I rise to a question of order, and it relates to the approval of the Journal of the proceedings of the House on yesterday. I think it affects the integrity of our proceedings, and is, therefore, in that view of the case, a privileged matter. I find that yesterday, under the orders of the House—

The SPEAKER. The Chair will ask the gentleman whether what he is now saying relates to the request of the gentleman from Wisconsin [Mr. JENKINS]?

Mr. RICHARDSON of Tennessee. Not at all; it relates to another matter; but it refers to the approval of the Journal.

The SPEAKER. If there be no objection, then, the Journal will be corrected in accordance with the request of the gentleman from Wisconsin.

Mr. RICHARDSON of Tennessee. I supposed the Chair had submitted that question.

The SPEAKER. The Chair thought the gentleman was addressing himself to that question.

Mr. RICHARDSON of Tennessee. Not at all; what I am about

to say relates to another matter presented yesterday during the session of the House by the gentleman from Iowa [Mr. HEPBURN].

Mr. Speaker, I have no sort of interest in this matter except to preserve the integrity of our proceedings here, which I know the gentleman from Iowa is as anxious to do as any other member; and what I say shall not reflect upon him in any way.

But, sir, the House met on yesterday (being Sunday) for a special purpose; and that purpose is defined in an order which I will read, which appears on page 1918 of the RECORD, and was read yesterday when the House was called to order by the Speaker pro tempore. The order under which the House assembled is as follows:

On motion of Mr. GARDNER of New Jersey, by unanimous consent.
Resolved, That the House meet on Sunday, the 8th day of February, 1903, at 12 o'clock noon, for the consideration of resolutions commemorative of the life, character, and services of the late Gen. WILLIAM J. SEWELL, a Senator of the United States from the State of New Jersey.

And it further appears that subsequently on a previous day of this session this order was made:

On motion of Mr. FLANAGAN, by unanimous consent, it was Resolved, That when the House meets on Sunday, the 8th day of February, 1903, it shall consider appropriate resolutions memorial of the public services and life of Hon. JOSHUA S. SALMON, late a Representative from the Fourth Congressional district of New Jersey.

Now, I say that under the special rule, the House assembled yesterday to pronounce eulogies on the life and character of General SEWELL, late a Senator, and Mr. SALMON, late a Representative; and, this being true, it was not in order—and unanimous consent could not have been given for the purpose, although it purports to have been given—to transact business. The business which I refer to as having been transacted yesterday was the presentation of a conference report by the gentleman from Iowa [Mr. HEPBURN]. It appears in the RECORD as if done by unanimous consent.

Mr. Speaker, I think that when we adopted the rule that these conference reports should be printed in the RECORD it meant that they should be presented on one day and printed in the RECORD of the next day. It certainly had in contemplation a legislative day. So that, in my opinion, under the special rule setting apart Sundays for eulogies alone, that report could not be presented; and, secondly, the report should be presented on a legislative day. For these two reasons this act of legislation should not, in my judgment, have taken place yesterday. Sunday is not a legislative day. In the law it is dies non, as I understand. It is not a legislative day under our rules.

If it be said that we sometimes, near the close of a session, legislate here on Sunday, I answer that we do not legislate on Sunday the calendar day. We sometimes extend the session over by recess from Saturday, and then, in that way, we sometimes legislate during the calendar day of Sunday. But that is done on the legislative day of Saturday. I do not believe there has ever been a case in which the House of Representatives adjourned on Saturday to meet on Sunday for legislative business. If so I have overlooked it. It has certainly never been done during my service in the House. But when it is necessary that we should meet on the calendar day of Sunday, near the closing of Congress, it is done under the legislative day of Saturday, and all business transacted at that time—by fiction, I grant you—is done as of Saturday and not Sunday.

Mr. Speaker, I think it wrong that we should meet here to legislate on Sunday. I do not think that was intended when we passed the special order in this case. I do not think when we agreed that we would meet on Sunday to perform this quasi religious service or pronouncing eulogies on deceased members that it was intended we should enter upon legislation. If this is true, then the effort to legislate on yesterday is void, and being void, the rule has not been complied with which requires that the conference report shall be printed in the RECORD. As I say, the language of the rule requiring conference reports to be printed in the RECORD does not declare that they shall be offered on a preceding day, but I think that is what is meant. Be that as it may, however, the proceedings would be void under the rules of the House, which prescribe that we assembled here for eulogies and not for legislation. If it be an error, the same mistake occurs in the Journal as in the RECORD, because the Journal says that the gentleman from Iowa presented this conference report, and that is the reason I objected to the approval of the Journal. I believe, Mr. Speaker, that the proper course will be for the gentleman from Iowa to withdraw the report and offer it this morning, let it be printed in the RECORD as of to-day, and come up for action to-morrow. If the gentleman does not desire to do that, however, I feel constrained to move to strike it out of the Journal.

The SPEAKER. Does the gentleman make the motion?

Mr. RICHARDSON of Tennessee. I hope to hear from the gentleman from Iowa. I prefer to relieve it of all question by letting it come up regularly, and there is no necessity for haste in the matter. I yield to the gentleman.

The SPEAKER. The Chair does not yield to him. The Chair is ready to rule upon the question. It has been held more than once that Sunday may be made a legislative day. There is no question on that point. It is a legislative day, if so made by the House.

Mr. RICHARDSON of Tennessee. Mr. Speaker, I do not wish to interrupt the Chair, but—

The SPEAKER. The Chair does not wish to be interrupted. If the gentleman desires to say anything afterwards, the Chair will hear him again. Sunday was set apart for eulogies. There was no legislation transacted yesterday. The filing of this report under the rule was not legislation, but the House, by unanimous consent, permitted that to be done. This House is the omnipotent party in this Hall, subject only to the Constitution. It unanimously consented that this might be done. If the House had said, ever so emphatically, that nothing else should be done on Sunday but the pronouncing of eulogies, still it would be within the power of the House to change its mind, and it did change its mind and allowed the notations to be made under the rule. No one is hurt by this. The rule distinctly requires every report to be printed in order that due notice may be given to the House. The report was printed this morning. The House has had notice and is entirely qualified to intelligently proceed this morning to consider the conference report involved in that notation, if it so desires. The Chair sees no difficulty in the question whatever. If the gentleman has anything further which he desires to say, the Chair will be pleased to hear him.

Mr. RICHARDSON of Tennessee. If the Chair will indulge me just a moment. I have no desire to take up time in this matter. I had no intention of interrupting the Chair a moment ago.

The SPEAKER. The Chair will always give ample opportunity for gentlemen to be heard.

Mr. RICHARDSON of Tennessee. Yes. I have no interest in the matter beyond keeping the record as it should be. I call the attention of the Chair to the fact that for years we met on Friday nights for the purpose of considering pension legislation. Now, we did not enter upon general legislation on Friday night. I know it may be said that the rule was that we meet for the consideration of pension legislation and the removal of political disabilities and charges of desertion only; but that would not affect it, because, under the intimation of the Chair, the House is omnipotent when it meets, and when it met on Friday nights it could say, we will set aside the little word "only" and go on and legislate. But it was always held that we could not do that on Friday night.

The SPEAKER. The Chair thinks there is no doubt the House could have done so on Friday night. This is District of Columbia day, but the House can take up something else if it so desires.

Mr. RICHARDSON of Tennessee. If the Chair will indulge me further, I would ask what became of the Journal of Saturday? It was not read to-day.

The SPEAKER. It was read and approved yesterday.

Mr. RICHARDSON of Tennessee. But the RECORD does not so say—at least, the copy that I have.

The SPEAKER. The gentleman should remember that yesterday the House was equipped with everything, the Journal and RECORD, to officially carry on the business of the House, and the usual proceedings yesterday morning were had as they are had every morning.

Mr. RICHARDSON of Tennessee. On looking further, I find that the Journal of Saturday was read and approved yesterday.

The SPEAKER. It was read and approved in the usual way. The House was clothed with all the power essential to do business, and still the gentleman must not forget that no legislative act was done, if he is disturbed by the idea that what was done was legislation.

Mr. RICHARDSON of Tennessee. I wish to say with all respect to the Chair that if we transact any business it is legislation.

The SPEAKER. In a technical sense that might be so.

Mr. RICHARDSON of Tennessee. And the ordering of the printing of a conference report would be legislation. It seems to me, Mr. Speaker, we are getting upon dangerous ground if we concede that when we set apart Sunday for eulogies the House can meet here and go into all kinds of legislation. I do not think that was meant, and if that is meant I shall object to setting apart Sundays for eulogies. That day should not be converted into a day of general legislation.

The SPEAKER. The Chair will frankly say to the gentleman that when he first learned of this thing he was a little disturbed by it himself, until he looked into it and thought of it. The gentleman will remember, too, that any one member could have stopped the proceedings yesterday, if he had wished.

Mr. RICHARDSON of Tennessee. Oh, yes; he could do that at any time if a quorum was not present.

The SPEAKER. And this was always so on Friday nights when the House met then. The Chair thinks there is no difficulty about it.

Mr. RICHARDSON of Tennessee. Then I move to correct the Journal and RECORD by striking it out.

The SPEAKER. The gentleman moves to correct the Journal and the RECORD.

Mr. RICHARDSON of Tennessee. By striking it out of the RECORD.

The SPEAKER. Which motion does the gentleman make first? The question is first on the approval of the Journal.

Mr. RICHARDSON of Tennessee. My motion will go to the approval of the Journal of Saturday, at yesterday's meeting, and the insertion of the item of legislation, in publishing the report of the committee of conference made by the gentleman from Iowa [Mr. HEPBURN]. I would like to put it in that way in order not to make two motions.

The SPEAKER. It will involve a separate vote on each.

Mr. RICHARDSON of Tennessee. In order that it may not appear that I make two motions I am willing that they be treated as one.

The SPEAKER. The motion of the gentleman is to correct the Journal of yesterday in the matter of the admission of the report of the gentleman from Iowa, the conference report, and the statement.

The question being taken (on a division demanded by Mr. RICHARDSON of Tennessee) there were—ayes 80, noes 88.

Mr. RICHARDSON of Tennessee. I ask for the yeas and nays, Mr. Speaker.

The yeas and nays were ordered. The question was taken; and there were—yeas 125, nays 102, answered "present" 9, not voting 115; as follows:

YEAS—125.

Adamson,	De Armond,	Kleberg,	Robinson, Ind.
Allen, Ky.	Dick,	Rucker,	Russell,
Aplin,	Dougherty,	Lamb,	Shackleford,
Bankhead,	Draper,	Lester,	Shallenberger,
Bell,	Esch,	Lewis, Ga.	Sheppard,
Bellamy,	Feely,	Little,	Sims,
Benton,	Finley,	Livingston,	Slayden,
Bishop,	Fleming,	Lloyd,	Small,
Bowersock,	Flood,	Loud,	Smith, Ky.
Bowie,	Foster, Vt.	Lovinger,	Snodgrass,
Brazzale,	Gaines, Tenn.	McCulloch,	Snook,
Brundidge,	Gardner, Mich.	McDermott,	Stark,
Burgess,	Gilbert,	McLain,	Stephens, Tex.
Burke, S. Dak.	Gill,	McRae,	Storm,
Burleson,	Glass,	Maddox,	Talbert,
Burnett,	Gooch,	Marshall,	Tate,
Butler, Mo.	Gordon,	Mickey,	Thayer,
Caldwell,	Green, Pa.	Moon,	Thomas, Iowa
Candler,	Greene, Mass.	Mutchler,	Thomas, N. C.
Cassel,	Griffith,	Needham,	Thompson,
Cassingham,	Griggs,	Norton,	Trimble,
Clark,	Hanbury,	Padgett,	Underwood,
Clayton,	Hay,	Patterson, Tenn.	Vandiver,
Cooper, Tex.	Henry, Tex.	Pierce,	White,
Cooper, Wis.	Hooker,	Powers, Mass.	Wiley,
Cowherd,	Jackson, Kans.	Randall, Tex.	Williams, Ill.
Creamer,	Johnson,	Reid,	Williams, Miss.
Currier,	Jones, Va.	Rhea,	Zenor.
Cushman,	Jones, Wash.	Richardson, Tenn.	
Darragh,	Kehoe,	Rixey,	
Davidson,	Kern,	Robb,	
Davis, Fla.	Ketcham,	Robertson, La.	

NAYS—102.

Adams,	Dalzell,	Kahn,	Shattuc,
Allen, Mo.	Davey, La.	Kyle,	Sibley,
Babcock,	Deemer,	Lacey,	Skiles,
Bartholdt,	Dovener,	Lessler,	Smith, Ill.
Bates,	Eddy,	Lewis, Pa.	Smith, H. C.
Beidler,	Emerson,	Littauer,	Southard,
Blackburn,	Fletcher,	Loudenslager,	Steele,
Boreing,	Fordney,	McCleary,	Stewart, N. J.
Boutell,	Fowler,	Mann,	Stewart, N. Y.
Brandegee,	Gardner, N. J.	Moody,	Sulloway,
Brick,	Gibson,	Morrell,	Sutherland,
Bromwell,	Gillett, Mass.	Morris,	Tawney,
Brown,	Grosvenor,	Moss,	Taylor, Ohio
Brownlow,	Hamilton,	Mudd,	Tirrell,
Bull,	Heatwole,	Nevin,	Van Voorhis,
Burkett,	Hedge,	Olmsted,	Wachter,
Burleigh,	Hemenway,	Otjen,	Wadsworth,
Burton,	Henry, Conn.	Overstreet,	Wanger,
Butler, Pa.	Hepburn,	Palmer,	Warner,
Cannon,	Hill,	Parker,	Warnock,
Capron,	Hitt,	Patterson, Pa.	Weeks,
Coombs,	Howell,	Payne,	Woods,
Corliss,	Hull,	Powers, Me.	Wright,
Cromer,	Irwin,	Reeder,	Young.
Crumpacker,	Jenkins,	Reeves,	
Dahl,	Joy,	Richardson, Ala.	

ANSWERED "PRESENT"—9.

Dayton,	Latimer,	McClellan,	Metcalf,
Haskins,	Lawrence,	Mahon,	Sherman.
Hildebrandt,			

NOT VOTING—115.

Acheson,	Evans,	Lassiter,	Ruppert,
Alexander,	Fitzgerald,	Lever,	Ryan,
Ball, Del.	Flanagan,	Lindsay,	Scarborough,
Ball, Tex.	Foerderer,	Littlefield,	Schirm,
Barney,	Foss,	Long,	Scott,
Bartlett,	Poster, Ill.	McAndrews,	Selby,
Belmont,	Fox,	McCall,	Shafroth,
Billmeyer,	Gaines, W. Va.	McLachlan,	Shelden,
Bingham,	Gardner, Mass.	Mahoney,	Showalter,
Blakeney,	Gillet, N. Y.	Martin,	Smith, Iowa
Brantley,	Glenn,	Maynard,	Smith, S. W.
Bristow,	Goldfogle,	Mercer,	Smith, Wm. Alden
Broussard,	Graff,	Meyer, La.	Southwick,
Burk, Pa.	Graham,	Miers, Ind.	Sparkman,
Calderhead,	Grow,	Miller,	Sperry,
Cochran,	Haugen,	Minor,	Spight,
Connell,	Henry, Miss.	Mondell,	Stevens, Minn.
Conner,	Holliday,	Morgan,	Sulzer,
Conry,	Hopkins,	Naphen,	Swann,
Cooney,	Howard,	Neville,	Swanson,
Cousins,	Hughes,	Newlands,	Taylor, Ala.
Crowley,	Jack,	Pearce,	Tompkins, N. Y.
Curtis,	Jackson, Md.	Perkins,	Tompkins, Ohio
Dinsmore,	Jett,	Pou,	Vreeland,
Douglas,	Kitchin, Claude	Prince,	Watson,
Driscoll,	Kitchin, Wm. W.	Pugsley,	Wheeler,
Dwight,	Kluttz,	Ransdell, La.	Wilson,
Edwards,	Knox,	Roberts,	Wooten.
Elliott,	Landis,	Robinson, Nebr.	

So the Journal was corrected. Mr. WACHTER. Mr. Speaker, I was present and listening, and did not hear my name called.

The SPEAKER. Was the gentleman listening when his name should have been called?

Mr. WACHTER. Yes, sir. The name of Mr. WACHTER was called, and he voted "nay."

The following pairs were announced: For the balance of the session:

Mr. SHERMAN with Mr. RUPPERT. Mr. MCCALL with Mr. MCCLELLAN.

Mr. DAYTON with Mr. MEYER of Louisiana. Until further notice:

Mr. DRISCOLL with Mr. SCARBOROUGH. Mr. CURTIS with Mr. MCANDREWS.

Mr. BALL of Delaware with Mr. RANSELL of Louisiana. Mr. BINGHAM with Mr. ELLIOTT.

Mr. DWIGHT with Mr. NEVILLE. Mr. JACK with Mr. ROBINSON of Nebraska.

Mr. HOPKINS with Mr. SWANSON. Mr. HASKINS with Mr. FOX.

Mr. LONG with Mr. NEWLANDS. Mr. GARDNER of Massachusetts with Mr. FOSTER of Illinois.

Mr. METCALF with Mr. WHEELER. Mr. BRISTOW with Mr. MIERS of Indiana.

Mr. SHOWALTER with Mr. LATIMER. For one week:

Mr. ACHESON with Mr. SPARKMAN. Mr. MERCER with Mr. BRANTLEY.

For this day: Mr. VREELAND with Mr. RYAN.

Mr. HILDEBRANT with Mr. MAYNARD. Mr. WM. ALDEN SMITH with Mr. BELMONT.

Mr. BURK of Pennsylvania with Mr. WILSON. Mr. GILLET of New York with Mr. BILLMEYER.

Mr. CONNELL with Mr. SHAFROTH. Mr. SPERRY with Mr. WOOTEN.

Mr. SAMUEL W. SMITH with Mr. SWANN. Mr. SCOTT with Mr. SPIGHT.

Mr. PRINCE with Mr. POU. Mr. SCHIRM with Mr. PUGSLEY.

Mr. MONDELL with Mr. NAPHEN. Mr. MINOR with Mr. MAHONEY.

Mr. MILLER with Mr. LASSITER. Mr. MCLACHLAN with Mr. KLUTTZ.

Mr. LITTLEFIELD with Mr. SULZER. Mr. LANDIS with Mr. HOWARD.

Mr. SOUTHWICK with Mr. HENRY of Mississippi. Mr. WATSON with Mr. CLAUDE KITCHIN.

Mr. MARTIN with Mr. TAYLOR of Alabama. Mr. HUGHES with Mr. WILLIAM W. KITCHIN.

Mr. HAUGEN with Mr. GOLDFOGLE. Mr. GROW with Mr. LINDSAY.

Mr. GRAFF with Mr. GLENN. Mr. FOSS with Mr. FLANAGAN.

Mr. FOERDERER with Mr. FITZGERALD. Mr. EVANS with Mr. EDWARDS.

Mr. DOUGLAS with Mr. COONEY. Mr. COUSINS with Mr. DINSMORE.

Mr. CONNER with Mr. CONRY. Mr. ALEXANDER with Mr. BROUSSARD.

Mr. CALDERHEAD with Mr. BALL of Texas.

Mr. SMITH of Iowa with Mr. CROWLEY.

On this vote:

Mr. SHELDEN with Mr. COCHRAN.

Mr. BARNEY with Mr. BARTLETT.

Mr. MAHON with Mr. JETT.

Mr. STEVENS of Minnesota with Mr. LEVER.

The result of the vote was then announced as above recorded.

Mr. HEPBURN. Mr. Speaker, I desire as a parliamentary inquiry to ask the effect of this motion. As I understand, the gentleman moves to correct the RECORD by striking out the language that declares that this report was presented, that unanimous consent was given here, and that it was printed.

Mr. RICHARDSON of Tennessee. I call for the regular order.

The SPEAKER. This is a parliamentary inquiry.

Mr. HEPBURN. This is to strike that out. What is the effect of that—to say that it did not occur? I say that does not change the fact. It did occur. There are scores of men that know it, and gentlemen who have made this declaration have simply stated that which is untrue. That did occur. That did happen here in the House yesterday, and the Journal is correct.

Mr. RICHARDSON of Tennessee. I rise to a point of order, that the gentleman is not making a parliamentary inquiry, surely.

Mr. LACEY. Mr. Speaker—

The SPEAKER. The Chair will answer. The Chair is ready to rule. We can not use all the day on this sort of business. The Chair admits that what has been done is proof of its having been done, as a fact. [Laughter.] The Journal has been corrected, and there is no proof that these were filed. [Laughter.] The Chair recognizes, and the gentleman, the Chair trusts, will recognize this. The Chair stated that he felt that there was perhaps a question about this, but there is no doubt of the legal right and of the exercise of it, and had no doubt at all, until the House has just spoken, that what was done was perfectly legal. Yet the sensitive feeling of every member, which feeling the Chair entertained, makes us all dislike to have a day that is set apart possibly used for another purpose. [Applause.] The Chair thinks that is the feeling of the House, and suggests that the gentleman bring in his report and his statement anew, and have it printed in sweet compliance with the decision of the House. [Laughter and applause.]

Mr. RICHARDSON of Tennessee. I desire to compliment the Chair on his answer to the parliamentary inquiry.

The SPEAKER. The question is on the approval of the Journal.

The question was taken, and the Journal was approved.

TERMS OF COURT IN DISTRICT OF UTAH.

Mr. JENKINS. Mr. Speaker, I present a conference report.

The Clerk read as follows:

The committee of conference on the disagreeing votes between the two Houses on Senate bill No. 149, to provide for holding terms of court in the district of Utah—

Mr. JENKINS. Mr. Speaker, I ask unanimous consent that the reading of the report be dispensed with, and the statement, which was printed in the RECORD, be read.

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

The statement of the House conferees was read, as follows:

The committee of conference agree that the House recede from its amendments to said act, and agree to the same with the following amendments:

Strike out the words "September, January, and" in line 6 of the Senate act, and insert after the word "April," in line 6, the following: "and November, and at Ogden City on the second Monday in March and September."

Insert in line 7, before the word "terms," the word "other," and insert after the word "at," in line 7, the following: "said Salt Lake City and."

Further amend line 7 by striking out the word "or," after the word "City" and before the word "other," and inserting the words "and at," so that the said act when so amended will read as follows:

"That the State of Utah constitutes one judicial district, which is known as the district of Utah. Terms of the district court shall be held in Salt Lake City on the second Monday in April and November, and at Ogden City on the second Monday in March and September of each year: *Provided*, That other terms of said court may be held at said Salt Lake City and Ogden City and at other places in said district when deemed necessary by the judge."

JOHN J. JENKINS,
D. A. DE ARMOND,
RICHARD WAYNE PARKER.

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

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

On motion of Mr. JENKINS, a motion to reconsider the vote by which the conference report was agreed to was laid on the table.

SALARIES OF JUDGES OF THE UNITED STATES COURTS.

Mr. JENKINS. Mr. Speaker, I call up another privileged report.

The SPEAKER. The gentleman from Wisconsin calls up another privileged report.

Mr. JENKINS. Mr. Speaker, I ask unanimous consent that reading of the report be dispensed with and that the statement only be read.

The SPEAKER. If there is no objection, that course will be pursued.

Mr. RICHARDSON of Tennessee. Reserving the right to object, if we could get order, I would like to know what it is.

The SPEAKER. The House will be in order.

Mr. RICHARDSON of Tennessee. May I ask, Mr. Speaker, of the gentleman what report this is, and if it is a unanimous report of the committee?

Mr. JENKINS. I will ask the Clerk to read the title of the bill.

The SPEAKER. The Clerk will report the title.

The Clerk read as follows:

A bill (S. 3287) to fix the salaries of certain judges of the United States.

The SPEAKER. If there be no objection, the statement only will be read.

Mr. JENKINS. I will say to the gentleman from Tennessee that this is a unanimous report from the conferees.

The SPEAKER. The Clerk will read the statement.

The statement was read, as follows:

To accompany conference report on S. 3287, "An act to fix the salaries of certain judges of the United States."

The Senate conferees agree to all of the amendments of the House with the exception of those relating to the salaries of the chief and associate justices of the court of appeals of the District of Columbia.

The bill as it passed the Senate gave the chief justice of this court \$8,000 and the associate justices \$7,500. The House amended the bill by giving the chief justice \$6,500 and his associates \$6,000.

The report of the conferees gives the chief justice \$7,500 and his associates \$7,000 a year.

The bill in all other particulars is as it passed the House.

D. H. SMITH,
V. WARNER,

Managers on the part of the House.

Mr. BARTLETT. Mr. Speaker, may I ask the gentleman a question?

Mr. JENKINS. I will yield to the gentleman.

Mr. BARTLETT. The gentleman will remember that the House struck out of the bill the provision which disallowed expenses of the judges while away from home. Did the Senate put it in or leave it?

Mr. JENKINS. That is left as it passed the House.

Mr. BARTLETT. Under this report the judge gets the increase of salary—

Mr. JENKINS. They get the increase of salary and the expenses now provided by law.

Mr. GAINES of Tennessee. Mr. Speaker, I would like to ask the gentleman a question.

Mr. JENKINS. Very well.

Mr. GAINES of Tennessee. I would like to have the gentleman state what the present law is with reference to paying the traveling expenses of the Federal judges. What expenses are paid now under the law?

Mr. JENKINS. Ten dollars a day.

Mr. GAINES of Tennessee. Does that cover railroad and steamboat transportation?

Mr. JENKINS. It covers all the expenses whatever they may be.

Mr. GAINES of Tennessee. Then if the judge is absent twenty days he gets twenty times \$10 for being away on irregular work. Is that the law?

Mr. BARTLETT. Yes, that is the law.

Mr. GAINES of Tennessee. When the judge goes on his regular circuit what expenses are then paid?

Mr. JENKINS. Well, Mr. Speaker, I object to answering these questions, because that is not involved in this report.

Mr. GAINES of Tennessee. Mr. Speaker, just a moment. The gentleman is so well versed in the law and the machinery of his great committee that I wanted this information from him. I wanted to see, to be frank about it, whether the judges drew money for their traveling expenses and then ride on "passes," as I am told by railroad conductors that some of them do; and it is an outrage.

The conference report was then agreed to.

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

ADVANCES FROM THE TREASURY OF THE UNITED STATES FOR THE GOVERNMENT OF THE DISTRICT OF COLUMBIA.

Mr. BABCOCK. Mr. Speaker, I now call up the bill (H. R. 16761) providing for advances from the Treasury of the United States for the support of the government of the District of Columbia. I ask unanimous consent that this bill be considered in the House as in Committee of the Whole.

Mr. PAYNE. May I ask the gentleman if that is the loan bill?

Mr. BABCOCK. It is.

Mr. PAYNE. I think it ought to go to the Committee of the Whole House on the state of the Union.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent that this bill be considered in the House as in Committee of the Whole.

Mr. PAYNE. I object, Mr. Speaker.

Mr. BABCOCK. Then, Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of that bill, and, pending that motion, I would like to know if there is anyone here who is opposed to it with whom we can agree on a time for general debate.

The SPEAKER. The gentleman from Wisconsin moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the purpose of considering the bill H. R. 16761, and pending the motion seeks to arrive at an agreement as to general debate.

Mr. COWHERD. Mr. Speaker, I supposed the members of the committee who opposed the bill would probably have charge of the other side, and as this is an important bill and several gentlemen have asked to be heard upon it, I think probably we would get along faster if we let debate run for a little while and see how it is coming out, rather than to attempt to agree upon time now.

Mr. BABCOCK. I think one hour, Mr. Speaker, is all the committee wants in favor of the proposition. Would it not be better to fix it at two hours for general debate?

Mr. COWHERD. I would rather not agree on a time now. I only want a few minutes myself, and four or five gentlemen want to be heard, and one of them wants about a half an hour. Of course, the gentleman knows that when we get into debate it may happen that the first speaker will cover the whole ground and the rest may not care to be heard. Perhaps we will not take that much time. There is no disposition on our part to kill time.

Mr. BABCOCK. Well, Mr. Speaker, as it is impossible to come to an agreement, I withdraw the request.

The motion of Mr. BABCOCK was then agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. OLMSTED in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 16761) providing for advances from the Treasury of the United States for the support of the government of the District of Columbia; and the Clerk will read the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That until and including June 30, 1923, the Secretary of the Treasury is authorized and directed to advance, from time to time, on requisition of the Commissioners of the District of Columbia, in the manner now prescribed by law, out of any moneys in the Treasury not otherwise appropriated, such sums as may be required to meet the obligations of the District of Columbia on account of its share of the extraordinary expenses for municipal improvements authorized, or to be hereafter authorized, by Congress: *Provided,* That the total advances hereafter made under this act, taken in connection with those heretofore made under the acts of February 11, 1901, and July 1, 1902, shall not exceed the sum of \$10,000,000, which said total sum, so advanced, shall be repaid to the Treasury of the United States within twenty years from July 1, 1903, out of the taxes and revenues collected for the support of the government of the District of Columbia, at the rate of \$500,000 per annum of the principal, together with interest upon the deferred payments at the rate of 2 per cent per annum.

SEC. 2. That all acts or parts of acts in conflict with this act are hereby repealed.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. PALMER having taken the chair as Speaker pro tempore, a message in writing from the President of the United States was communicated to the House of Representatives by Mr. BARNES, one of his secretaries, who also informed the House that the President had approved and signed bills of the following titles:

On February 7, 1903:

H. R. 159. An act providing for free homesteads on the public lands for actual and bona fide settlers in the north one-half of the Colville Indian Reservation, State of Washington, and reserving the public lands for that purpose;

H. R. 5756. An act for the relief of the officers and crew of the U. S. S. *Charleston*, lost in the Philippine Islands November 2, 1899;

H. R. 8650. An act for the relief of the estate of Leander C. McLelland, deceased;

H. R. 9360. An act for the improvement and care of Confederate Mound, in Oak Woods Cemetery, Chicago, Ill., and making an appropriation therefor;

H. R. 16099. An act to cancel certain taxes assessed against the Kall tract;

H. R. 11139. An act granting a pension to Carter B. Harrison;

H. R. 12240. An act granting to Nellie Ett Heen the south half of the northwest quarter and lot 4 of section 2, and lot 1 of section 3, in township 154 north, of range 101 west, in the State North Dakota;

H. R. 13316. An act granting an increase of pension to Weden O'Neal; and

H. R. 16564. An act granting an increase of pension to James Hunter.

On February 9, 1903:

H. R. 16724. An act to provide for an additional judge of the district court of the United States for the southern district of New York.

ADVANCES FROM THE TREASURY OF THE UNITED STATES FOR THE GOVERNMENT OF THE DISTRICT OF COLUMBIA.

The committee resumed its session.

Mr. BABCOCK. Mr. Chairman, I send to the Clerk's desk, to be read for the information of the House, an amendment which I propose to offer at the proper time. The object of this amendment is to more clearly define this proposition and to remove some objections that have been raised to the bill just read by the Clerk. I ask for the reading of this amendment as part of my remarks.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to advance from time to time to the District of Columbia, in the manner now prescribed by law, out of any moneys in the Treasury not otherwise appropriated, such sums as may be required to meet the obligations of the District of Columbia on account of its share of the extraordinary expenses for municipal improvements heretofore specifically authorized or to be hereafter specifically authorized by Congress, and as appropriations therefor shall have been or may hereafter be made by Congress: *Provided,* That the total advances hereafter made under this act, taken in connection with those heretofore made under the acts of February 11, 1901, and July 1, 1902, shall not exceed the sum of \$6,000,000, which said total sum so advanced shall be repaid to the Treasury of the United States from and after July 1, 1903, out of the taxes and revenues collected for the support of the government of the District of Columbia, at the rate of \$500,000 per annum of the principal, together with interest upon the deferred payments at the rate of 2 per cent per annum.

SEC. 2. That all acts or parts of acts in conflict with this act are hereby repealed.

Mr. BABCOCK. Mr. Chairman, one difference between this and the original bill is that this fixes the limit at \$6,000,000 instead of \$10,000,000. That is not the primary object, however, which is this: The substitute states specifically that these advances are to be made only for moneys heretofore appropriated or that may be hereafter appropriated by Congress. Quite a number of my colleagues and others have conceived the idea that this was a proposition to loan the District \$10,000,000 or to authorize the expenditure of \$10,000,000 or less. Mr. Chairman, this proposition does not appropriate one dollar. It does not authorize the expenditure of a single dollar. It provides simply this: For instance, if Congress appropriates \$10,000,000 in the current appropriation bill, the District's half would be \$5,000,000 and the Government would be forthcoming with its \$5,000,000; but if the District has but \$4,500,000 (\$500,000 less than its share of the total amount appropriated), it is provided that the Government may advance or loan to the District this deficit of \$500,000 with interest at 2 per cent.

I think, Mr. Chairman, this is as clear a statement as I can make of the proposition.

Mr. CANNON. Will the gentleman allow me a question right there?

Mr. BABCOCK. Certainly.

Mr. CANNON. Does not my friend believe that this Congress or any of the Congresses that will assemble for the next twenty years will be quite competent to decide how much the Government should advance when the emergency arises? In other words, is it not true that when we die wisdom will not take its departure?

Mr. BABCOCK. Well, we hope not, Mr. Chairman. [Laughter.] Now, sir, in answer to the gentleman from Illinois, I will say that we have been passing practically acts of this character in every recent Congress. In 1901 I reported from the District Committee the law which you will find printed on page 1 of the report, providing that the Government shall advance to the District an indefinite amount—any sum whatever—\$100,000,000 it might be, if Congress should so determine. That is the present law.

Now, sir, at the end of this fiscal year the District will be indebted to the Government in the sum of about \$1,901,000. The appropriations that Congress has authorized—appropriations for great improvements which are in progress—I refer to extraordinary appropriations, such as for sewage disposal, the filtration plant, the municipal building, and the union depot, which all practically must be paid for within the next three years—amount to something over \$4,000,000. The finances of the District of Columbia, thanks to the gentleman from Illinois, are now on such a basis that it can pay its current expenses and contribute to extraordinary expenses something like five or six hundred thousand dollars a year.

No gentleman on the floor of this House will say that these great improvements should be suspended, or that they should be strung along during a period of twelve or fifteen years, when they are absolutely demanded at the present time and necessary for

the health of the city and for the well-being and development of the capital. Now, this proposition simply authorizes the Government to advance whatever Congress may appropriate over and above the District revenues, and limits it to what will be the sum of the extraordinary expenses—\$6,000,000.

Now, this eliminates the question of a municipal hospital, and other things of that kind that have been discussed, and which Congress will probably discuss at greater length hereafter. This brings the amount down to the amount of the expenditures that Congress has authorized—projects covered by the law to-day, and for which payment must be made. Every recent session of Congress either this committee or the Appropriations Committee in an appropriation bill has been called upon to enact practically this law, giving it a time limit.

Now, if you adopt this provision, you settle this proposition here, so far as these improvements are concerned, which have been already authorized, and you provide that the District shall reimburse the Treasury at the rate of half a million dollars a year and the interest on the whole sum advanced. It settles the finances of the District. When the Commissioners make a recommendation to Congress, they will know just what the revenues are. When the Appropriation Committee reports a bill, it will know what the revenues of the District are or what they will be, and when Congress acts upon it it can act intelligently. So it would seem to me that the thing to do, the proper thing to do, and to do now, is to settle this question and not necessitate having it up every session of Congress.

Mr. STEELE. Mr. Chairman, I would like to ask the gentleman a question.

Mr. BABCOCK. Certainly.

Mr. STEELE. What rate of interest is provided?

Mr. BABCOCK. Two per cent.

Mr. STEELE. Is it so guarded that the interest shall be added to the District's part of the expenses of the District of Columbia?

Mr. BABCOCK. Oh, absolutely. I want to say to the gentleman right there on that point that the District moneys are in the United States Treasury, and the only way to get them out is by an act of Congress presented through the Appropriation Committee here. The Commissioners can not spend one dollar without a warrant of law from Congress, and this simply provides that where the District is short in its part, its proportion, that the District be loaned that money, which is repaid by the District, with 2 per cent interest, out of its taxes and revenues collected.

Mr. STEELE. It is usually provided wherever expenses of the District are appropriated for, that one-half shall come out of the District fund. This would have to be all out of the District fund, in making the appropriations.

Mr. BABCOCK. Yes; but I understand that this law in itself is a warrant for the payment of principal and interest, and it states specifically where it shall come from.

Mr. ROBINSON of Indiana. Mr. Chairman, I would like to make an inquiry of the gentleman from Wisconsin, bearing upon the subject of the ability of the District to repay. In the report of 17 pages I do not find the information that I seek. What is the total valuation of the real and personal property in the District of Columbia?

Mr. BABCOCK. I can not give the gentleman the exact figure, as there is now a new assessment.

Mr. ROBINSON of Indiana. I do not find that statement in the report.

Mr. McCLEARY. I take it the answer the gentleman wants is the earnings, the income to be derived.

Mr. ROBINSON of Indiana. No; I wanted the total valuation of the entire property; and then I will ask the gentleman what proportion that valuation bears to the real value.

Mr. McCLEARY. It is two-thirds. The assessed valuation is two-thirds of the real value.

Mr. ROBINSON of Indiana. But I do not find this in the report, which would be a valuable source of information.

Mr. McCLEARY. The gentleman has the information now.

Mr. BABCOCK. It has been reported over and over again to the House by the Committee on Appropriations.

Mr. ROBINSON of Indiana. But it is not in this report of 17 pages.

Mr. BABCOCK. The total assessed value is about two hundred and sixty-six millions, including real and personal property.

Mr. ROBINSON of Indiana. Can the gentleman separate the real from the personal easily in his statement?

Mr. BABCOCK. I think so.

Mr. ROBINSON of Indiana. Or approximately.

Mr. BABCOCK. I think I have it right here. The value of the real property is \$219,192,000, and of the personal property \$46,666,000.

Mr. ROBINSON of Indiana. Then will the gentleman state to the House the amount of taxation per hundred dollars of valuation?

Mr. BABCOCK. One and one-half per cent.

Mr. ROBINSON of Indiana. Will the gentleman state further what proportion the valuation, as he has given it, of the personal and real estate in bulk, if he cares to give it in that way, is to the real value of the property in the District?

Mr. BABCOCK. It is supposed to be two-thirds of the real value.

Mr. ROBINSON of Indiana. On page 3 of his report the gentleman gives the income of the District, and among other items we find \$3,222,000 from taxes on real estate, and the tax on personal property is \$500,000; licenses, \$640,000; arrears of taxes, \$150,000; miscellaneous, \$700,000. In a general way, can the gentleman give information what that miscellaneous item of \$700,000 includes?

Mr. BABCOCK. That comes from all other sources, from water taxes and different fixed incomes of the District, and for special assessments that have been levied. For instance, I will refer the gentleman to one matter. In the opening of new streets since the partial repeal of the highway act in 1898, the total amount expended is \$1,710,889.17, and \$466,139.44 has been charged up against the property as benefits.

Now, the District has to pay the entire amount of awards for the property taken, but the benefits assessed are charged up to the abutting property. Only \$194,103.68 of the amount assessed as benefits has been paid, and there is still due the District \$332,035.76 on account of the opening of the streets for benefits to adjoining property. That is an item that would go in under the head of miscellaneous.

Mr. ROBINSON of Indiana. Briefly, then, as I understand, the amount of benefits on street openings which under the law are paid by the District alone are a part of this miscellaneous of \$700,000.

Mr. BABCOCK. That is one of the assets of the District now.

Mr. ROBINSON of Indiana. How long has the District had a personal-tax law?

Mr. BABCOCK. I think the District has had a personal-tax law ever since George Washington was here.

Mr. ROBINSON of Indiana. They have been assessing on personal property, then, since the beginning of the Government.

Mr. BABCOCK. Not on all personal property. They have assessed personal property all the time.

Mr. ROBINSON of Indiana. I thought a year ago we passed a law to tax personal property.

Mr. BABCOCK. The gentleman from Illinois [Mr. CANNON] can explain the details of that better. I understand that the courts held that the personal-property tax law on the statute books could not be enforced.

Mr. ROBINSON of Indiana. And if that is the law that has existed since the time of George Washington, of course that is not in force now.

Mr. BABCOCK. I yield to my friend from Illinois [Mr. CANNON].

Mr. CANNON. I will say to my friend that from 1878 up to the current fiscal year there was practically no tax upon personal property. Now, last winter there was an increase made for licenses, which is the largest increase that was made, other than grew out of the increased valuation of real estate, which was a matter of administration. It was valued at about two-thirds of its real value, in fact, for the current year. Now, there is no tax upon many kinds of personal property now. There are very liberal exemptions to start with. There is no tax on bonds, there is no tax on stocks, there is no tax on evidences of indebtedness or choses in action, and so on.

Mr. SIMS. Or money.

Mr. CANNON. Or money, even under the legislation that we had; but I think that the total personal tax amounts to about \$500,000 and the total estimated tax for the coming fiscal year is \$5,400,000. That is to say, about \$600,000 from licenses.

Mr. BABCOCK. Six hundred and forty thousand dollars.

Mr. CANNON. Six hundred and forty thousand dollars from licenses and \$500,000 from personal taxes and the balance from realty.

Mr. BABCOCK. Miscellaneous and realty.

Mr. CANNON. Miscellaneous and realty.

Mr. ROBINSON of Indiana. I want to submit to the gentleman from Wisconsin a proposition. If the District owed \$22,000,000 in 1878, and up until the present time, in twenty-five years, has paid \$9,000,000 of that, it would take thirty-three years to pay the balance of that sum. Now, if you increased that indebtedness, as proposed to-day, how soon would the District be out of debt? Will the District get out of debt in fifty-five years?

Mr. BABCOCK. Oh, yes; the gentleman should understand that the revenues of the District of Columbia are about 100 per cent greater than they were ten years ago.

Mr. ROBINSON of Indiana. But the increased appropriations and expenditures—how much greater are they now?

Mr. BABCOCK. They have grown as the revenues have grown. Mr. ROBINSON of Indiana. And they will grow 300 per cent, will they not, if the gentleman's plan is adopted?

Mr. BABCOCK. The gentleman must recollect that here is the sewage-disposal plant, here is the water-filtration system, here is the municipal building, here is a union station, all projects that have never been considered before, and projects that will never be duplicated. The question is, Can we put the burden upon the people here now in the next three years to pay these extraordinary expenditures?

I want right here, Mr. Chairman, to call the attention of the gentleman to another fact, that the per capita tax paid in the city of Washington by its citizens for the present fiscal year is \$17.98, against an average per capita tax in the 18 largest cities in the United States of \$15.85.

Mr. PAYNE. Will the gentleman allow me to ask him a question?

Mr. COWHERD. Will the gentleman allow me to ask him a question?

The CHAIRMAN. To whom does the gentleman yield?

Mr. BABCOCK. I yield to the gentleman from New York.

Mr. PAYNE. What is the rate of taxation upon the assessment in these 18 cities of the United States? Has the gentleman those statistics?

Mr. BABCOCK. No; I have not them here. I wrote to some of the places. The assessment of the District of Columbia at one time was more than the whole West Side of Chicago, with its million of inhabitants.

Mr. PAYNE. I understand the rate is one and a half upon the assessed valuation, and the assessed valuation is two-thirds of the value of the property. That would be 1 per cent upon the value of the property. Does the gentleman know of any city in the United States where the total taxation of the city and county is lower than that—a rate of 1 per cent of the value of the property?

Mr. BABCOCK. I have just stated for the benefit of the House that the tax contributed averages only \$15.85, as against \$17.98 here. That is the answer.

Mr. PAYNE. That is the per capita tax. It does not make any difference to me if I am assessed on \$10,000 worth of property what is the per capita tax in my city; the question is, What is the rate on the assessment? I want to ask another question of the gentleman in that connection. Is there any reason under heaven why Congress should not deal with the city of Washington just as any other city is dealt with in the United States—make up a budget of expenses from year to year and find out how much taxation it would require to meet those expenditures, and put the tax rate upon the assessment to meet the expenses that have to be met during the year?

Mr. BABCOCK. Well, I would say to the gentleman that he knows, as well as every other gentleman of the House, the city of Washington is called upon to pay extraordinary expenses which no other city in the United States is called upon to pay.

Mr. PAYNE. Yes; and the city receives extraordinary help more than any other city in the United States. And I will say that if he takes these ordinary expenses you will ascertain the fact that the tax rate is low when compared with other cities in the United States. You will see what the rate is; and I am talking of what the rate is. Why is it not better to meet these expenses just as they are met everywhere in the United States—make up your budget of the amount of expenditures so that your tax rate must be equal to the expenditures and make the levy upon the next year's assessment of the taxes?

Mr. BABCOCK. Is the gentleman through with his question? I want to say, Mr. Chairman, that I did not expect to call up the repeal of the law of 1878 this morning. Congress in its wisdom enacted that law. I think the gentleman was a member of the House at that time, and that has been the law which has governed the District of Columbia since then.

Mr. COWHERD. Will the gentleman allow me to ask him a question?

Mr. BABCOCK. I want to answer this short question of the gentleman from New York. [Laughter.] And now if the gentleman wants to go to work to legislate in accordance with that principle, that is another proposition. The District Committee has acted upon the theory that the laws should be carried out exactly as they are. I am showing the gentleman that the people of the District of Columbia contribute more per capita than in the average city of its size.

Mr. COWHERD. It is upon that point that I want to ask the gentleman a question, if he will yield to me.

Mr. BABCOCK. Of course there are cities where it is more. Boston, according to the statistics, bears a higher rate per capita than any other city in the United States.

Mr. COWHERD. Right there I want to ask the gentleman a question.

Mr. BABCOCK. I yield to the gentleman.

Mr. COWHERD. From what source does the gentleman gather his figures upon which he makes his per capita statement in the report?

Mr. BABCOCK. They were figures compiled by the Department of Labor.

Mr. COWHERD. I want to ask the gentleman if it is not true in the 18 cities he has cited, in 15 of them he has taken only the municipal tax and shows that it is less than in the District of Columbia, and that there are only three where there is included the city and county tax, which shows a very much higher rate—Boston, New York, and San Francisco?

Mr. BABCOCK. I will say to the gentleman that I was two or three weeks in securing them, or rather the Department of Labor was. I asked for as full a report as they could make, which the Department of Labor made a day or two since. I can get it and show it to the gentleman if he wishes it. I wished in connection with that to get everything that was contributed by the residents of a city in the shape of tax, because in the city of Washington we have practically the State, county, and all embodied in one tax; and in order to show in comparison with other cities I desired that they should have all these included. The Department of Labor say that the statement does include these figures and shows it all in detail. It was too long to read, but it is given at length in the report.

Mr. COWHERD. I know the gentleman does not want to mislead the House. I call attention to the fact that the Department of Labor reported on these matters in Bulletin 36.

Mr. BABCOCK. This is their report.

Mr. COWHERD. And by these figures it is shown that the municipal tax alone in 15 out of the 18 cities that he has stated is practically as large as the entire tax of Washington, and in the three cities that have a higher tax it is because the State tax and the municipal tax were all put in in one connection, so the Department of Labor was unable to make the computation.

Mr. BABCOCK. I can only say that in asking for the report on this subject I asked that it should be an exhaustive report, and I supposed that it covered every proposition the gentleman mentioned. I asked for all and I supposed I had been furnished it. I reserve the balance of my time.

Mr. COWHERD. Mr. Chairman, this proposition as it came originally from the committee meant an advance of \$10,000,000 to the District, and eventually a like appropriation, of course, from the Treasury of the United States. Therefore it is a bill carrying \$20,000,000, and if for no other reason than the magnitude of it, the proposition is entitled to consideration by the House. If I understand the amendment offered by the distinguished chairman of the committee, it is to limit the advance to \$6,000,000, which means an equal appropriation from the Government Treasury, or a total appropriation of \$12,000,000.

Mr. BABCOCK. I wish the gentleman would explain to the House that proposition of \$12,000,000.

Mr. COWHERD. For every dollar advanced of this \$6,000,000 the gentleman's bill provides for, which he speaks of as extraordinary expenses, there is to be a like appropriation from the Treasury of the United States. The fact is this bill as it came from the committee and as it came from the Commissioners is an attempt to commit the Government to a lot of projects, some of which Congress has never approved of.

Mr. BABCOCK. I am sure, Mr. Speaker, that the gentleman does not want to misrepresent the matter to the House. I stated specifically, when I asked to have this amendment read, that this sum would cover only what had been authorized.

Mr. COWHERD. The gentleman did not understand me. I said as it came from the committee.

Mr. BABCOCK. It will take every dollar to pay for the proposed improvements already authorized.

Mr. COWHERD. I said as it came from the committee and the Commissioners it included projects that had never been authorized. As I take it the gentleman's amendment—and this comes up hurriedly and has not been considered—the gentleman's amendment for \$6,000,000 includes the advances for the projects he mentioned, but that necessitates a like appropriation from the Treasury of the United States; so it amounts to \$12,000,000.

Mr. BABCOCK. Just a moment. The District has paid out \$1,600,000 to open streets and the Government pays no part of it. If it had not been for the street-opening cases, the District, instead of being indebted to the Government \$1,900,000, would be indebted only \$300,000. Over \$1,600,000 to-day has been paid by the District that has not yet come back; for practically all the indebtedness of the District is for that purpose to-day, and the Government has not contributed a dollar, and will not.

Mr. COWHERD. The gentleman refers to street openings. I want the House to remember this proposition, that it is now

asserted by the District of Columbia and their officers that the Government of the United States is indebted to the District, as the gentleman says, nearly \$2,000,000.

In 1878 we relieved the people of the District of their reckless mismanagement by assuming one-half of the burden of \$25,000,000, and I believe that when the ten or twenty years is up, these yearly payments having been passed and current years taking up current revenues, there will be the same unanimous sentiment in this District for us to relieve them of this obligation that there is to-day for them to create it, and the basis of it will be just what the gentleman now says, "You owed us the money at the time you made the advance."

That is one reason why I am opposed to any kind of a proposition that recognizes any particular amount of an advance to be made at this time. That is the reason why I am in favor of Congress holding in its own strong hand the entire situation, and making advances to the District as the District needs them.

Now, Mr. Chairman, I was going to take up the proposition as it appears to me, and that is this: Last year we increased the revenues of the District possibly \$1,500,000 by personal property tax and saloon tax, and so forth. That means an increase of revenues of \$3,000,000. A pretty big jump, gentlemen, for a city of this size—\$3,000,000 in one year. The moment that increase comes, just at the time when the money is coming into the Treasury and the deficit decreasing, they come up here with a proposition to borrow \$10,000,000.

Now, I do not say you never ought to borrow money. I do not say that other cities do not borrow money; they do. But this city is the one city in the United States that is so fortunately situated that it does not have to borrow money. The business man does not mortgage the future to meet his present needs unless the necessity demands it. This city does not have to mortgage the future, because this is the only city in this country that whenever extraordinary occasion demands extraordinary expenditures comes to the Congress of the United States and calls on the limitless resources of the nation to meet it, and Congress gives it that authority.

I appeal to you if the past has not shown a rule by which you may judge of the conduct of the future. I ask if it be not true that we have provided for necessary expenses of the government of the District of Columbia as they come up year after year, and when the District had not the money to meet them we permitted advances to be made from the National Treasury.

Suppose this increase of \$3,000,000 in yearly revenues gives a surplus in the Treasury of a million and a half or two million dollars, why limit the returns to \$500,000? Why not let the District do what any good business man would do, and pay the surplus on its indebtedness, whether \$500,000 or \$1,500,000, as it would do if the present arrangement were continued?

Now, Mr. Chairman, it seems to me that back of all this is still that feeling of resentment that ran like a wave over the District when the personal-property tax law passed this House of Representatives last year, and that, in addition to these expenditures proposed to be met, some gentlemen probably want to show that there is no necessity for that personal-property tax.

There could be no greater misfortune to this District or to any city than to have a large accumulation of money in the Treasury from year to year, inviting, as such a thing must do in any community, extravagant expenditures. And if this bill should pass, and the \$3,000,000 that we raised last year should not be taken for extraordinary expenses, and should be more than enough for ordinary and current expenses, we shall either induce extravagance in the District or we shall come in here and take off the personal-property tax that we put on last year.

The gentleman from Wisconsin [Mr. BABCOCK] says that the people of this District are more heavily taxed per capita than the people of any other city. I challenge those figures, and I assert here, and make the assertion on an official report of the Bureau of Labor taken directly from the census statistics of the Twelfth Census, that the citizens of the District of Columbia are more lightly taxed—yes, by 50 per cent—than the citizens of any other municipality in the United States of 200,000 people. [Applause.]

Now, here are the figures, and these are official. They are printed in Bulletin 36.

Mr. McDERMOTT. Will the gentleman allow me a suggestion in the line of what he is now about to take up. My view is that the per capita tax, so far as it affects a bill of this kind, is of little consequence. I call the gentleman's attention to the fact that the budget for the District of Columbia for the last year was \$8,462,000; that is the cost of the municipal government; and if the rate had been fixed as suggested by the gentleman from New York, there would have been a corresponding application of one-half of that amount. One-half of that \$8,462,000, as I understand, was assessed upon property in the District of Columbia—

Mr. COWHERD. Oh, the gentleman misunderstands. The budget does not mean that the amount has been raised by taxa-

tion. There was \$300,000 and more raised from water supply; there was \$100,000 or more from special assessments. The gentleman can not take the entire budget—

Mr. McDERMOTT. How much was raised by taxation?

Mr. COWHERD. Last year, something over \$3,000,000; this year, I understand, a little over five millions.

Mr. McDERMOTT. I challenge the gentleman to find any city in the world of 270,000 inhabitants where the municipal government cost \$3,000,000 last year.

Mr. COWHERD. Well, I have here the return for the city of Newark, N. J. The total revenues of that city—I mean from all sources—amounted to \$6,080,707.

Mr. McDERMOTT. I do not know where the gentleman gets his figures.

Mr. COWHERD. Newark, N. J., is just a little smaller in population than Washington, D. C.

Mr. McDERMOTT. The city of Newark does not raise for all taxes, State, county, and municipal, \$3,000,000. I do not know where the gentleman gets his figures.

Mr. COWHERD. I take them from the report of the Bureau of Labor—

Mr. McDERMOTT. They are absolutely untrustworthy.

Mr. COWHERD. And that takes them from the statistics of the Twelfth Census of the United States.

Mr. McDERMOTT. No such tax was ever imposed in the city of Newark. Take Jersey City—

Mr. COWHERD. Jersey City raises \$4,946,000.

Mr. McDERMOTT. It raises about \$2,000,000, and I have aided in compiling many budgets of that city.

Mr. COWHERD. Is the gentleman giving the total rates?

Mr. McDERMOTT. I want to say the gentleman is giving the wrong figures.

Mr. COWHERD. Is the gentleman giving the total rates?

Mr. McDERMOTT. Yes.

Mr. COWHERD. The official figures are \$4,940,313.

Mr. McDERMOTT. The gentleman who compiled them must have been an idiot, for it would have made a 6 per cent rate of taxation in that city.

Mr. COWHERD. I do not know whether the gentleman is an idiot or not. He was an officer of the United States. He says he takes the figures from the Twelfth Census.

Mr. McDERMOTT. He must have included every bond that was sold.

Mr. COWHERD. No, sir.

Mr. McDERMOTT. And every bond that had anything to do—

Mr. COWHERD. No, that excludes cash on hand at the beginning of the fiscal year, and loans. It takes in property taxed, liquor licenses, other licenses, fines, franchises, waterworks, electric lights, which is nothing, special assessments, docks, wharves, bridges, etc.

Mr. McDERMOTT. The tax rate over in Jersey City on ratables of ninety-five millions this year is 2.70. The gentleman can compute the whole thing if he wants to.

Mr. COWHERD. And the tax rate in the city of Washington is 1.50, and the gentleman from Wisconsin [Mr. BABCOCK] has figured that Newark, N. J., pays a tax per capita of 14.91 and that Washington pays a tax per capita of 17.98.

Mr. McDERMOTT. Simply because he does not know what he is talking about.

Mr. BABCOCK. The assessment is nearly three times as much.

Mr. COWHERD. The assessment here is only 60 to 65. I will ask the gentleman what his assessment is.

Mr. McDERMOTT. Where?

Mr. COWHERD. In Newark, N. J.

Mr. BABCOCK. Here it is two hundred and sixty-six millions.

Mr. McDERMOTT. Our constitution demands that it shall be made upon the full market value. As a matter of fact, it is made on 70 per cent.

Mr. COWHERD. Then the assessment is higher there than it is here.

Mr. McDERMOTT. It is not higher. They pay 2.70 on 70 per cent.

Mr. COWHERD. And here 1.50 on 60 per cent.

Mr. BABCOCK. And the roll is ninety-five millions. The roll of real estate alone here is two hundred and nineteen millions, and of real estate and personalty two hundred and sixty-six millions—nearly three times as much.

Mr. COWHERD. The gentleman was afraid to make his comparison in the tax paid in different cities on real and personal property, but he makes it on a per capita basis, because Washington City, having no labor class, can make the best possible showing when it is taken per capita. Taking it on property in Newark, N. J., it is 2.70 on 70 per cent valuation, but in Washington it is 1.50 on 65 per cent.

Mr. BABCOCK. The gentleman says the assessment is wrong.

Mr. McDERMOTT. You have about the same per capita in Jersey City that you have in Washington. It is practically less.

Mr. COWHERD. You mean for municipal purposes?

Mr. McDERMOTT. For municipal, State, and county.

Mr. COWHERD. No; you said 2.70, but here it is 1.50.

Mr. McDERMOTT. I know; but it has no possible relation to values. As I said last year, it is simply the result of the vagaries of your assessors.

Mr. COWHERD. The value on which they rest. They are assessed by an assessor in whom this House has shown confidence by putting in a particular provision in the bill to keep him in office. That gentleman made the assessment after a careful study of it, and after competent assistants had been furnished him by Congress. Now, there is no city in the Union where the people do not object to the assessment.

Mr. McDERMOTT. That is natural. Every man is going to complain if he is taxed.

Mr. WILLIAMS of Mississippi. I would like to ask the gentleman a question. Why is it that the committee does not bring in a bill simply to permit the District of Columbia to float its own bonds, if the real purpose of the legislation is to let posterity pay its part?

Mr. COWHERD. Well, I do not know why the District Committee has not considered such a proposition.

Mr. WILLIAMS of Mississippi. Is not that the proper way of accomplishing what is contended ought to be accomplished?

Mr. SMITH of Kentucky. It may be that that is not what they want to accomplish, however. [Laughter.]

Mr. COWHERD. That is probably the ordinary way, but we have a better way, because the District of Columbia, when it runs into debt, can only go into debt by an order of this Congress, and when this Congress says to the District, "You can go into debt two millions, or five millions," this Congress in the very bill advances the money and then takes it back just as soon as the District can afford to pay it.

So that the District does not suffer. It does not have to bond posterity. And I want to say right here that is the argument upon the streets and in the press, that posterity ought to pay some of this. I do not believe in bonding posterity unless you have to. Posterity will want to make its own improvements, and it is never satisfied with the improvements that the former generation made for it. It will have burdens enough to bear when posterity comes on the scene of action. [Applause.]

Mr. SMITH of Kentucky. Posterity will have troubles of its own.

Mr. COWHERD. Now, I just want to say one word in conclusion. I have taken more time than I intended. I want to controvert very strongly the statement of the gentleman from Wisconsin [Mr. BABCOCK] that the people here are taxed more heavily than in other municipalities. I do that because when I have made the same assertion once or twice before, my statement has been challenged. Nearly every man in the District with whom I have talked on this subject has complained as to the enormous taxation here.

I have gone over the 18 cities that the gentleman used in his report. I have taken the figures furnished in Bulletin No. 36 of the Department of Labor, and I find this to be true; I find that in 15 of those cities the per capita tax for municipal purposes alone is practically as much or more than the total taxes in the District of Columbia.

Mr. GILBERT. And, besides, in those cities they pay taxes on money and evidences of debt.

Mr. COWHERD. Yes; but I am talking about the total tax. The per capita tax in 15 of those cities under these statistics is equal to the total tax in the District of Columbia. In addition to that, in those cities they must pay a State tax and a county tax, must pay for the schools, the courts, and all the paraphernalia of State and county machinery as provided for, in addition to this tax that is equal to the total tax in the District of Columbia.

So, if the gentleman from Wisconsin had doubled the figures he gave, if he had said the per capita tax in the District of Columbia is about \$18 and the per capita tax in other cities in the country is about \$30, he would have been very near the truth. And if he will only look at this report, he will find that in New York, as he gives it, where the per capita tax is about \$24, in San Francisco where the per capita tax is \$25, and in Boston where it runs to over \$30, it does so because the figures that he has used include the State and county tax on real and personal property. In the other cities, where he figures the per capita tax as less than in Washington, his figures include city tax only.

Now, Mr. Chairman, I want to say that it seems to me this is in the best possible shape it could be when it is in the hands of each Congress to legislate for the District in accordance with its current needs, and to advance to the District all the money it needs, and to compel the District the next year to return whatever money can be saved by economical management.

Mr. MUDD rose.

Mr. COWHERD. I have used more time than I intended to, and I should like to yield the floor.

Mr. MUDD. I should like to ask a question.

The CHAIRMAN. Does the gentleman yield to the gentleman from Maryland for a question?

Mr. COWHERD. I do.

Mr. MUDD. I want to get at the gentleman's position. Does he contend that the extraordinary objects and projects of improvement outside of the usual expenditures should be provided for or can be provided for out of current taxation?

Mr. COWHERD. Yes.

Mr. MUDD. Or that we should advance the money from time to time out of the National Treasury as the occasion may arise?

Mr. COWHERD. I contend that in large part they will be paid for out of current taxation. For instance, here is this sewage-disposal system, the work upon which has been going on for years, and every year the Committee on Appropriations has appropriated every dollar that was asked, as I understand it. This year they gave every single dollar. Here is the filtration plant, which will take three or four years—or at least a year or two—to complete. Here is the union depot, which we give them five years to complete. Here is the highway bridge, that the Commissioners guaranteed was to cost about \$568,000, and for which they say now we will need a million dollars.

It will take several years to build that. Out of the current revenues, that we have increased this year \$3,000,000, we will save a million or so each year that can be used in large part to pay these expenses, and what we can not meet in that way we will let the District draw from the General Government at 2 per cent.

Mr. MUDD. I ask the gentleman for information, because I thought, perhaps unconsciously, the gentleman contradicted himself. I understood him to say, in one part of his argument, that the annual taxes would pay for these projects, and I thought I understood him to say in another part of his argument that we should advance this money as we shall authorize the projects.

Mr. COWHERD. No; I do not say we shall advance the money. I say we will advance that part of it that can not be met out of the current taxation, out of the yearly revenue.

Mr. MUDD. The gentleman admits that we can not provide for all these things out of the annual revenues?

Mr. COWHERD. I do not admit that we can not provide for them. I say in large part they will be provided for out of the yearly revenues. I say that when we do not have sufficient revenue to meet them then we will make advances, but I deny that it is a good business proposition to make advances before you know that you will need them.

Mr. MUDD. You would make them from time to time, but not in a lump sum?

Mr. COWHERD. If it is necessary to make advances from time to time, make them when the necessity develops.

Mr. BABCOCK. While this matter is fresh in the minds of the committee I want to call their attention to this fact—that the gentleman from Missouri comes here and attacks official figures, the best that can be obtained, and which the Department of Labor has spent weeks in preparing.

Mr. COWHERD. The gentleman will permit me to say, with official figures from the same Bureau.

Mr. BABCOCK (continuing). And he presents, Mr. Chairman, nothing as a substitute for these figures. Now, I will show to the gentleman in just a moment his error, by showing the total amount of money raised from each one of the following cities. I hold in my hand a statement prepared by the Bureau of Labor; it has just been prepared. Taking cities like New Orleans, with 300,000 people, the total amount of revenue from property tax, franchise tax, liquor licenses and other licenses, fines, fees, and franchise grants, the city of New Orleans raises \$3,849,000. Washington, with 290,000 people, raises \$5,215,000. Where is your per capita tax there?

Mr. COWHERD. Does not the gentleman admit that New Orleans also raises in addition taxes for State and county purposes?

Mr. BABCOCK. This includes all property tax, both real and personal.

Mr. COWHERD. For municipal purposes.

Mr. BABCOCK. It covers everything contributed by the citizens of New Orleans.

Mr. COWHERD. For city purposes?

Mr. BABCOCK. This is the entire tax of New Orleans for all purposes. That is the report from the Department.

Mr. COWHERD. I wish the gentleman would put that report in the RECORD.

Mr. LANDIS. Does the gentleman from Wisconsin mean that that includes the county and State tax?

Mr. BABCOCK. That includes everything contributed in the way of taxes. Here is the city of Detroit, Mich., and if this

statement is not correct I hope some gentleman from Michigan will correct me. It has a population of about the same as New Orleans—300,000. They raise \$4,221,026. Washington, with 290,000, raises \$5,215,000 this year. Milwaukee, Wis., with a population of 297,500, almost the same—with 7,500 more people—raises \$3,397,886. Now, then, these are the official figures submitted from the Department of Labor. I do not want to misrepresent anything. I have tried to get the best information possible. That is the source it comes from, and that is the result.

Mr. COWHERD. Now will the gentleman yield to a question?
Mr. BABCOCK. Certainly.

Mr. COWHERD. The gentleman comes from the State of Wisconsin, the city of Milwaukee is in Wisconsin, and has a county organization in that city, has it not, and State? Now, then, the city of Milwaukee levies a tax for municipal purposes and the county levies taxes for State and county purposes, do they not?

Mr. BABCOCK. Yes, sir.

Mr. COWHERD. Now, I have the official report from the same Bureau of Labor, where it says in Bulletin 36, on cities and States, the receipts of the city from all sources, and it gives the property tax and liquor tax, etc., and then it goes on and gives the amount. Now, as to New Orleans and San Francisco it gives the State tax and the county tax; but when it comes to Milwaukee it gives only the tax for municipal purposes. Does the gentleman from Wisconsin say there is no State tax levied?

Mr. BABCOCK. There is very little State tax.

Mr. CANNON. The school tax.

Mr. COWHERD. And the total revenues of the city of Milwaukee in 1899—I take it that was the year, because this is dated 1900—included the property tax, the liquor tax, and the franchise, \$4,349,656.

Mr. BABCOCK. Accept the gentleman's figures. That is all right. Four millions for a population of nearly 300,000—

Mr. COWHERD. And this does not include the State or county tax.

Mr. BABCOCK (continuing). And Washington, \$5,215,000.

Mr. COWHERD. But out of that \$4,000,000 you do not take care of the schools and the courts, and you do not take care of any State or county paupers, for which in nearly every State there is a tax. This is practically a municipal tax, and I think anybody will admit that. I now want to yield to the gentleman from Nebraska [Mr. BURKETT].

Mr. BURKETT. Mr. Chairman—

Mr. PERKINS. Will the gentleman allow me to ask a question of the gentleman from Wisconsin?

Mr. BURKETT. Certainly.

Mr. PERKINS. As I understand the gentleman, the entire expense to the city of Washington is from eight to ten million dollars per annum.

Mr. BABCOCK. The present appropriation bill as it passed the House carries \$7,750,000, in round numbers.

Mr. OTJEN. Seven million six hundred and eighteen thousand dollars.

Mr. PERKINS. I would like to ask the gentleman why that is. I live in a city two-thirds the size of Washington, which is quite as well administered, has better water, is quite as well lighted, has an excellent police, and the entire expense of the city is a little over \$2,000,000. Allowing for the difference in population, it would make the expense of the city of Washington about \$3,000,000. Is it not possible that the expenses of Washington are too large, and that there is some extravagance in the city government? I do not see where the difference comes in.

Mr. BABCOCK. Mr. Chairman, I believe, so far as the municipal departments and the spending of the money appropriated is concerned, there has never been a criticism; not that any money was wasted, or that there was any fraudulent contracts.

Mr. PERKINS. Oh, no; but there may be extravagance without fraud.

Mr. BABCOCK. I understand, as far as that is concerned, that Washington has been an example for all the world in regard to municipal expenses. There are large expenditures here. This bill which passed the House carries two items amounting to twelve hundred and forty-seven thousand dollars for filtration plant and sewage disposal, and the gentleman has heard me state that the District has paid out seventeen hundred and ten thousand dollars for new streets. Those large items are extraordinary and not properly in the current expenses.

I admit that the criticism is true that the expense is large here, and it must necessarily be large. There is no city in the Union that has such wide streets; there is no city where practically all the streets are paved with asphalt. A large amount of money is necessarily expended on the streets.

Mr. PERKINS. Yes; but I do not see why it should be more than twice the rate of a well-administered city in the State of New York.

Mr. CANNON. Will the gentleman from New York allow me

a suggestion? There is a million dollars of this expenditure for the sinking fund for the money that the United States and the District owe.

Mr. PERKINS. Yes; and in the expenditure of the city of Rochester there is between three and four hundred thousand dollars' interest on the public debt that makes a part of the two million. Of course, if my friend from Illinois assures me that there is no extravagance—

Mr. CANNON. Oh, no, no; my friend will not get me on that point. [Laughter.]

Mr. MUDD. Mr. Chairman, may I ask the gentleman from New York a question?

Mr. PERKINS. Certainly.

Mr. MUDD. Is the gentleman sure that his city as a municipality pays the expenses for courts, schoolhouses, and charitable institutions? Does not the State provide for those or some of them?

Mr. PERKINS. The city pays the expenses of the schools of the city.

Mr. MUDD. The gentleman might find many things of that sort that are not paid by his city which Washington City has to pay for exclusively.

Mr. PERKINS. Well, they would not amount to very much; they might amount to two or three hundred thousand dollars.

Mr. BURKETT. Mr. Chairman, I want briefly, in opposing this bill, to do so from the standpoint of its necessity. I am opposed to the passage of this bill because I believe it is unnecessary. It is not expedient to do it, and I believe it would be a bad precedent. I have listened to the arguments for the passage of this bill and I have read in the newspapers every day for a month or two of the necessity for its passage. I do not know what is behind all this. I confess I have never before seen business men so anxious to run into debt and to encumber their property as some of them seem to be in the city of Washington. There is no question but what we all want Washington to be a beautiful city. We are all just as anxious for that and equally so as the people of this District.

Since 1878 Congress has been especially charged with beautifying this District and city, and no one can say but that it has made wonderful progress along that line. We want to continue to build up and develop and beautify this District. Now, I am opposed to this bill for borrowing this money because it is unnecessary to borrow it. I listened to the statement of the gentleman from Wisconsin [Mr. BABCOCK] as to what the things were for which we needed this money. I have done more than that. I have gone into the report that he has filed—from 15 to 18 pages long—and I have read every single proposition, and yet am convinced that within the time that it is provided for in this bill that this money shall be paid back that we can have done three times as much permanent improvement on the money we shall have from the taxes from year to year.

The bill that passed the House the other day, just referred to, appropriated \$7,617,000. The point has just been raised that it is an unusual amount. It was, but of that \$7,617,000 one million seven hundred and odd thousand dollars was for permanent improvements. So we say that in that bill—

Mr. PERKINS. What sort of improvements?

Mr. BURKETT. I will read them to you.

Appropriations made in the District of Columbia appropriation bill in the nature of permanent improvements.

Books for library	\$5,000
Permanent system of highways	2,500
Assessment and permit work	145,000
Paving roadways under permit system	10,000
Work on streets and avenues, per schedule	50,000
Opening alleys, widening streets	10,000
Construction of county roads	54,500
Main pipe sewers	50,000
Suburban sewers	50,000
Boundary sewer	40,000
Sewage-disposal system	25,000
Trunk sewer, western part Georgetown	22,000
B street and New Jersey avenue trunk sewer	400,000
Planting trees, parking commission	25,000
Placing fire alarm, telegraph, etc., underground	18,250
Filtration plant	600,000
Furniture, new school buildings	12,250
Pianos, schoolhouses	2,500
Fire escapes, schools	2,400
Fire alarms, schools	5,000
Business High School	75,000
Three new schoolhouses	140,000
New fire engine	30,000
Three new chemical engines	6,000
Aerial truck	3,500
Police court cells	1,000
Police court water-closets	3,000
Total	1,788,600

Mr. PERKINS. What is that \$400,000 for?

Mr. BURKETT. B street and New Jersey avenue trunk sewer—part of the sewage-disposal system.

In short, in the bill of the other day we appropriated \$1,788,600

for permanent improvements, according to the list that I have read.

Mr. PERKINS. How much of that went for street openings?
Mr. BURKETT. Well, there are items of \$50,000 for streets and avenues, \$10,000 for opening and widening alleys, \$54,000 for county roads—

Mr. BABCOCK. None of that was for street openings.

Mr. BURKETT. No, sir.

In addition to this \$7,617,000, we have a little over \$3,000,000 left to spend here in the city, because our revenues available are \$10,800,000. In the bill of the other day, as I say, we appropriated \$7,600,000; and we have left over to-day \$3,000,000 to improve the District with, to build the terminal, to make improvements here and there as they may be needed; in short, as the House can see, we have altogether for the coming year \$5,000,000 to put into permanent improvements in this District. Now, sir, we propose in the present bill to pay this money borrowed back in twenty years.

Mr. BABCOCK. Five hundred thousand dollars a year.

Mr. BURKETT. Well, that would pay it in something like twelve years. Now, by the time this is to be paid back we shall have, according to the same proportion as now (because taxes will increase as the years go on and expenses increase), we shall have in twelve years, at the rate of \$5,000,000 a year, \$60,000,000 worth of permanent improvements, and we shall have every dollar paid for.

Now, in my judgment, that is the better way to do. Why, sir, in three or four years these permanent improvements which the gentleman from Wisconsin has specified will have been paid for, and before those improvements are completed we shall have, at the rate we are now going on, every dollar collected with which to pay for them.

Some one says that this will necessitate cutting down running expenses. Let me call the attention of the gentleman from New York to this point: We are collecting \$10,000,000 annually, in round numbers—\$5,000,000 from the city and \$5,000,000 from the Government of the United States. Practically the \$5,000,000 which the Government of the United States puts in is what we have every year for permanent improvements.

But some one says, "If you put in for permanent improvements \$5,000,000 in the course of a year, that will cramp the city." It has been said here and in the press and on all sides that Congress has been niggardly with this District in its appropriations. But, sir, as I showed the other day on this floor, every single item necessary or important for the health of the city, or its development, or the education of the people or their protection within the District—every dollar of this kind that has been asked for was appropriated. I have a list here of the various purposes for which we made appropriations to the full extent of the estimates. This list, covering more than two pages, shows that we appropriated in all these cases exactly what the Commissioners asked for.

Estimates as granted—full estimates.

Street and avenue repairs	\$20,000
Replacing sidewalks and curbs	10,000
Care of bridges	4,000
Construction and repair of bridges	15,000
Cleaning and repairing sewers	58,000
Main pipe sewers	50,000
Suburban sewers	50,000
Purchase and condemnation of right of way to put sewers	1,000
Automatic flushing tanks	1,000
Extension boundary line sewer	40,000
Continuing sewage disposal system	25,000
Trunk sewer	22,000
B street and New Jersey avenue sewer	400,000
Disposal city refuse	115,000
Public scales	200
Public pumps	4,000
Wires underground	18,950
Extension police-patrol system	5,000
4-dial, 4-number manual transmitter fire alarm	5,250
Washington Aqueduct	33,000
Filtration plant	600,000
School-teachers	951,775
Schoolhouse janitors and engineers	85,259
School rental	15,684
Repairs and changes in plumbing in school buildings	25,000
Repairs, heating, and ventilation	3,500
Furniture new school buildings	12,250
Pianos, schools	2,500
Text-books, school supplies	52,500
Flags for schools	1,000
Fire extinguishers and escapes, schools	2,400
Telephone and fire alarm, school	5,000
Columbia Institute Deaf and Dumb	10,500
Police contingent	30,000
Repairs, fire apparatus	7,500
New hose	9,000
Purchase fire horses	11,000
Rent fire department	300
New engine house	30,000
3 new chemical engines (asked five)	6,000
Aerial truck	3,500
Health department, C. H., including disinfecting service, emergency, drainage fund, adulteration of drugs, etc., Garfield and Providence hospitals, including isolating wards, etc	8,000

Court reports	\$110
Police court (except raise of salaries), including witness fees, repairs, furniture, board, rental, and jury fees	17,700
Cells	3,000
Water-closets	1,000
Defending suits, Court of Claims	3,000
Interest and sinking fund	975,408
Emergency riot fund	8,000
Support of convicts	45,000
Court-house force and care	12,960
Support of prisoners	46,000
Washington Asylum, contingent	58,200
Support of inmates in reform schools	23,000
Girls' Reform School	6,765
Groceries and provisions, Girls' Reform School	10,000
Freedman's charities	21,500

ALL CHARITIES AS ESTIMATED.

Board of Children's Guardians	8,600
Hospital for insane	229,300
Relief of poor	13,000
Transportation of paupers	2,000
District of Columbia Militia	17,000
Water department (except salaries)	29,706
Total	4,464,314

If there be no objection, I shall put this entire list in the RECORD without reading the whole, so that members may see that for all this score of items that I have gone over we appropriated every dollar that the Commissioners of the District asked us to appropriate. We have not scaled down the items in any particular.

Now, I also have a list here, which I will not go into at length, of the few items which we did not allow in full as asked for. I will state for example the first one. It is an item for repairs to county roads. One hundred thousand dollars was asked and we gave \$80,000. Eighty thousand dollars was current law for the repair of county roads in this District, about 100 miles. It is possible that there are a little more than 100 miles, but in the examination it was stated 69 miles and afterwards corrected. All told, it is a little over 100 miles. For street sweeping we allowed current law. For cleaning off ice and snow we allowed current law. For the bathing beach we raised the estimate, and so on down through the list here. For the things that were necessary for the health, life, or protection of the people here in this District we gave them what they asked, and in these other items we gave what in the judgment of the committee they could use properly.

Now, I turn to this report of the gentleman from Wisconsin [Mr. BABCOCK], and I find that the \$1,700,000 added to what the committee appropriated would leave, as they say, a deficit of \$352,000. According to the report of the gentleman from Wisconsin, by adding all the things he says should be added, it would produce a deficit this year of only \$352,000.

Mr. BABCOCK. Will the gentleman yield for a moment?

Mr. BURKETT. Yes.

Mr. BABCOCK. If the gentleman will read the report, he will find the report says that there is a portion only, and to that I wish to call the attention of the House—not all.

Mr. BURKETT. These are a portion. There are some in here, I want to say, that this House will probably never indorse or pass through. It will be cut down more than increase in that particular; but giving it as the gentleman puts it, and as do the Commissioners, the very highest possible estimate they have ever asked for, there is a deficit of only \$352,000. Now, let me suggest another thing. The District owes to the United States on borrowed money \$1,900,000 in round numbers. Six hundred thousand dollars of that is payable this year by the terms of the law.

In the estimate that we have made, which I have given you heretofore, we have figured on the District paying back this year one-third of that \$1,900,000, or, in short, paying back \$600,000. Yet they have come in here and instead of extending the time, if it is necessary, on this year's payment, they ask us to loan them \$6,000,000 more, when all that is needed, according to their own statements, to make them come out even and \$300,000 ahead, would be to defer this year's payment on what they borrowed in times past, when taxes were not as they are to-day.

Now, I am opposed to this proposition of letting this loan go through for another reason, and that is that it is very expensive to borrow money. Away back a good many years ago this District went into the money borrowing business. To-day they owe in round numbers \$13,000,000 of bonded indebtedness. A few days ago I sent to the Treasury Department and had them figure up very carefully and accurately what that \$13,000,000 which the District of Columbia borrowed was going to cost the District of Columbia by the time they paid it off.

After giving all the items, which I will not read through, but will insert in the RECORD, the final line is: "Total cost of the 3.65 per cent bonds, \$37,883,579.61." In short, the \$13,000,000 of improvements which the District made with that borrowed money is to cost the District, and they are paying for it to-day, over

\$37,000,000, and in the bill we passed the other day we appropriated \$900,000 for that purpose.

TREASURY DEPARTMENT, OFFICE OF THE TREASURER,
Washington, D. C., January 26, 1903.

HON. E. J. BURKETT,
House of Representatives, Washington, D. C.

SIR: In answer to your request of the 16th instant relative to the cost, including the interest and final redemption, of the 3.65 per cent bonds of the District of Columbia, a reference to the laws under which these bonds were issued may be interesting.

Act of June 20, 1874 (18 Stat., 116), bonds issued for board of audit certificates.....	\$13,743,250
Act of June 16, 1880 (21 Stat., 284):	
Bonds issued for board of audit certificates.....	684,400
Bonds issued for judgments of the Court of Claims.....	429,150
Act of August 13, 1894 (28 Stat., 277), bonds issued for additional interest at the rate of 2.35 per cent on board of audit certificates funded under the act of June 16, 1880, and for the redemption of 8 per cent certificates of indebtedness.....	112,500

Total issue to date..... 14,969,300

The act of June 16, 1880, provided that the total issue of the 3.65 per cent bonds should not exceed \$15,000,000. The balance of \$90,700 unissued will probably be absorbed in payment of judgments of the Court of Claims in cases now pending.

The bonds issued for board of audit certificates and for judgments of the Court of Claims carried interest from an early date, the greater part from August, 1874.

The bonds issued under the act of August 13, 1894, bore interest only from the interest period preceding the date of issue.

The total interest due and payable on these bonds, including the fiscal year 1903, was.....	\$14,619,988.77
The bonds retired by the sinking funds amount to \$1,989,900 and cost.....	2,292,318.84

Total cost to the close of the fiscal year 1903..... 16,912,307.61

Estimated sum to be appropriated for the fiscal year 1904, and annually thereafter to the date of maturity of the 3.65 per cent bonds, August 1, 1924, \$975,408 for twenty-one and one-half years.....	20,971,272.00
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Total prospective cost of 3.65 per cent bonds to the date of maturity.....	37,883,579.61
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Respectfully,

ELLIS H. ROBERTS,
Treasurer of the United States,
Ex officio Commissioner Sinking Fund, District of Columbia.

Mr. SIMS. Mr. Chairman, the gentleman states that the District pays this all. Is he not mistaken? Does not the Government of the United States pay one-half of the borrowed money as well as one-half of the current expenses?

Mr. BURKETT. That is so by the terms of the undertaking of 1878, yes. Now, I want to add this in passing also. There is a limit of indebtedness beyond which a man should not go. My judgment is that a man should never go in debt to build a fine house. He can afford to go in debt to buy a farm, or his machinery, or the things with which he is going to do business, but he can not afford to go in debt to put on style. A city, when it is started out on the plains, must have certain things, and can afford to bond to pave a street, possibly; can afford to bond for waterworks or for electric lights, if necessary.

But I do not believe a city that is more than 100 years old, that has everyone of these necessary things, can afford to bond to beautify the city; in short, to put on the frills and the furls with borrowed capital. I do not believe that you and I, as guardians of the property of the people of this District, ought to permit them to go into debt for improvements of this character.

As I have said, there is a limit beyond which men and beyond which cities ought not to go into debt. I have here a report of the Department of Labor. I have gone through the list of 150 cities, and have found the limit of indebtedness that those cities have. I will say that it averages less than 5 per cent of the assessed valuation. That is the limit under the law.

Most of the towns in Pennsylvania, for instance, taking them as a whole, permit an indebtedness of 7 per cent of the assessed valuation. In Boston, Mass., they can not go into debt to exceed 2 per cent of their assessed valuation; Cambridge, Mass., 2½ per cent; Chicago, 5 per cent; Haverhill, 2 per cent; Indianapolis, Ind., 2 per cent, etc.; and, as I have figured it out, 5 per cent is a little more than the average indebtedness that the cities of this country permit themselves to contract by the laws passed by their councils or by the legislatures directly responsible to the people of those cities. That is the average; and of these 150 cities less than 15 have a larger per capita indebtedness than has Washington.

Now, I have taken the assessed valuation of the District of Columbia as it has been given to you by the chairman of this committee, and 5 per cent on that assessed valuation for the District of Columbia will figure out \$13,292,000—with a \$200,000 of what we are already in debt, without counting the floating debt.

Mr. BABCOCK. Mr. Chairman—

Mr. BURKETT. In short, Washington is already in debt more than the average city of this country is permitted by its own laws and regulations to go into debt.

Mr. BABCOCK. Will the gentleman permit me?

Mr. BURKETT. Yes.

Mr. BABCOCK. In making that statement here of property valued at \$219,000,000 the House should understand that that is only 46 per cent of the real-estate values of Washington. The Government owns 54 per cent of the real estate, so that, taking the gentleman's own rule, it would reduce the percentage rate more than one-half.

Mr. BURKETT. Now, here is another reason why I oppose the passage of this bill. As I have said, it is not necessary. As fast as these improvements are made we will have the money to pay for them. There may be a year or two when two or three extra things come in, when we will have to advance some out of the Treasury, just as we did last year.

Take it for example last year. Here came in a demand for a high-pressure water system. There came in a demand for the hurrying on of this filtration plant. There came in several of these things that had to be pushed, and pushed hard and quickly. What was the result? The Committee on Appropriations recommended, and the House and Congress appropriated, a large amount, advanced it out of the Treasury, and hurried that work on. Now, this year, as has been stated, the amount of the appropriation bill which passed the House was less than the amount carried last year. Why? Because we cut down the sinking fund appropriation this year \$239,000. We cut down the appropriation for the high-pressure water system \$200,000, and such items as that, and that is why it is decreased \$800,000 for this year.

I say we will have the money just as fast as these improvements are made. This bridge will not be completed for five years. This railroad terminal will not be completed for five years. The filtration plant will probably be finished next year. It will take three or four years to finish up this sewer system that we have started, and we have given them every dollar they asked for, and we are pushing it just as hard as we can. We will have every dollar for them as fast as they are ready for it. We have enough this year and almost \$1,000,000 to play on, in my judgment.

Here is the final reason why I am opposed to this loan, and why I am opposed to permitting this city to go further into debt, by way of bonded indebtedness or otherwise. We are not directly responsible to the people in this District. They do not vote for us. We and succeeding Houses never can feel the responsibility to the people here that we feel at home or that councilmen elected by the people of this District would feel toward them.

Precedent is a hard pusher. Whenever you establish a precedent for doing a thing you can always repeat the dose at the slightest provocation. If we establish a precedent now to permit them to borrow money without any more provocation than there is at present, time will go on and in years to come they will keep on increasing the indebtedness until they will confiscate the property of this District in time, or as the gentleman from Missouri [Mr. COWHERD] has prophesied, they will come in here on some great popular clamor and uprising in the District and will ask us to do exactly what we had to do once before, and that is absolutely to wipe out the indebtedness of the District by the appropriation of money from the Treasury of the United States.

I believe, gentlemen, in the face of these facts, that this bill ought not to pass. It is not necessary. We will have a surplus when the District appropriation bill has gone through this year, and in my judgment, estimating it carefully, with the things that are undertaken, we can make in the next five years \$25,000,000 in permanent improvements. If we have to pay for all in one year that is now under contract there would not be more than half of this amount needed. In short, if all were completed next year, it would take but \$7,000,000, and yet in the five years required for their completion we will have twenty millions to pay on the \$7,000,000 worth of permanent improvements that have been suggested.

Mr. MUDD. I wish to ask the gentleman a question for information. Do I understand the gentleman to say that we will have twenty-five millions over the expenditures of the next five years?

Mr. BURKETT. Yes, sir.

Mr. MUDD. Twenty-five millions to be expended for extraordinary projects? Will we have five millions in excess of ordinary expenditures for each of these five years? Can the gentleman mean to say that?

Mr. BURKETT. I say that it costs \$5,000,000, practically, in round numbers, for the mere running expenses of the District of Columbia, and we will have that other \$5,000,000 for permanent improvements. There will be \$5,000,000 this year to go into permanent improvements in this District, and if it does not cost any more than \$5,000,000 the next year for the running expenses, that will be met by the tax levy and we will have \$5,000,000 to go into permanent improvements every other year in the future.

Mr. McCLEARY. Mr. Chairman—

The CHAIRMAN. Does the gentleman desire to speak for or against the bill?

Mr. McCLEARY. Against it.

The CHAIRMAN. The Chair will have to recognize the gentleman from Tennessee, a member of the committee.

Mr. SIMS. If anyone wants to address the committee in favor of the bill, I prefer they do so.

Mr. McDERMOTT. Mr. Chairman, I want to speak to a point that seems to be raised by everyone who opposes national aid to municipal government in the District of Columbia. We are told that the District is without representation. That is not its fault. If it had the representation, if it had political influence outside of this body, it might not find the difficulty that is found in obtaining exact justice. But it does seem as if it was the pleasure of Representatives from all parts of the United States to cry out that the District of Columbia having the Federal Government located here, it should pay all the taxes.

Last year it was asserted on the floor of this House that the District of Columbia should pay more than its apportioned share of the public burdens—in fact, all the municipal cost. Why? The District of Columbia pays out for her municipal government more than any other city of equal population in the Union. Why? Because the city is the national capital. You take the case of maintaining the police force in the District of Columbia. Why is it so great? Because you have to keep a police force here to guard United States property and to be ready for incursions that do not occur in any other city in the Union. You have to keep constantly on hand a larger police force than would be necessary in any other city of 270,000 inhabitants.

Take the avenues of this city. For one century we have been constructing upon the plan laid down by Major L'Enfant. What was the idea of that plan? That there should be a national city so constructed as to necessarily be expensive. What is the result? There has been a constantly recurring annual expenditure for maintenance that is not found in any other city in the United States. What other city maintains any such avenues? What other city maintains any such system of parks as the city of Washington?

Washington's municipal government is costly, not because of the private residents here. If they had control of the ordinary expenses of the municipal government they would not be called upon to maintain such avenues as they do to-day. They would not be called upon to expend so much on asphalt pavements in miles of wide streets. It is a beautiful city, but it is not a city of the residents of Washington. It was designed and built for the people of the United States, and the people of the United States occupy the same relative position to its beauty and its improvement that the French people do to the city of Paris, where it is enough to put up a sign, "This park belongs to the people of France," to prevent trespass upon public ground or desecration of public property by anyone who comes from the most remote part of the French Republic.

This city has been constructed on lines not for the financial benefit of the residents here. Its avenues, its magnificent streets, the immense outlay for asphalt pavements have not been solely for the citizens of Washington. It is true they get the incidental benefit of residence here, but the city was designed to be a national monument. Where else can you find a city where over 50 per cent of the value of the real estate is occupied by the National Government?

We know that ordinary taxation is on the theory that it excludes Government property from tax imposition. It is an elementary principle that tax on Government property shall not be imposed, but we can not apply that rule to the city of Washington, because the city itself is laid out, is constructed, and has been improved from the days of Washington and L'Enfant, not merely as a residence city, but as a monument to our national greatness.

As we go on in the march of that improvement I do not believe in imposing in any annual tax levy millions of dollars for novel and permanent improvement. It is not done in any other city in the world and should not be done here. The people of this District ask only for that which is accorded by every State legislature to cities desiring to make extensive and expensive improvements. Sound municipal policy has always, outside of this District, embraced plans for the graduation of the burdens of permanent improvements, and, whatever the fate of this bill, that policy is bound to find place in the government of the District of Columbia.

Mr. SIMS. Mr. Chairman, I have got no ill feeling toward the people of the District of Columbia. I certainly take as much pride in this, our national city, as anybody. At least, I think I do, and I take it that I do in its favor all that I ought to, in view of my responsibilities as a representative of the people. I have not come here to say a word that will embitter anybody against the people of the city of Washington. I have no hard feelings against the people of this District, who, by this bill, are seeking to lighten their already very light burdens as compared with the burdens of other cities. Therefore it does not call for anything

bitter, for anything that is unpleasant, to be said in considering this bill. I only want to take a plain, fair, businesslike view of the matter.

Let us look at the facts. But before going into those facts in an orderly way, I want to notice a few things said in favor of this bill in the nature of a reply. My distinguished friend from New Jersey [Mr. McDERMOTT] speaks about the system of parks in Washington. They are the finest I know of anywhere, of which we are all proud. I think on account of that system that this city receives more benefit from its parks than any city in the United States or elsewhere. All of that benefit, if I am correctly informed, is a gift to the citizens of Washington. The parks, as I stated, and the public spaces are kept up entirely out of the Treasury of the United States, and do not cost any citizen of Washington one farthing; and although he has not the exclusive use of them, he has all the benefits of them that he wants. Washington has the best system of parks of any city in the world, as far as I know, and it does not cost the people of this city one cent.

Mr. McDERMOTT. But you should subtract the value of those parks from the value of property assessed for revenues.

Mr. SIMS. Do the people of this city not appreciate the fact in their favor that there is not a neighborhood in this District that the poorest person in it can not go out and enjoy the shade and quiet of the parks that are kept up by all the taxpayers in the United States for their benefit, without one cent of cost to them in the way of taxes, and yet this is made a matter of complaint that they are so blest.

What next? They claim on account of this large amount of park area that is kept up at the Government expense that they are deprived of that much real estate for purposes of taxation.

Now, let us look at that for a moment. What would this city be worth if the parks and the site of government were out of it? Would all this land of the area now covered by this city be worth as taxable assets what the area inhabited by private persons is now worth? The parks absolutely add in value to all the rest of the property, and without it it would shrink very materially. And when I hear gentlemen get up here and say that 54 per cent of the area of this city is covered by parks, and that they are deprived of that much taxable property that they otherwise would have, then I must reply to them that 100 per cent of the area without the Government would not be worth, for taxation purposes, what they have now.

Why not take a common-sense view of this thing? We are glad to have the parks, and we are glad to have our constituents keep them up. I expect to continue to vote for it, but I am sorry that I have continually to hear the complaints on the part of the people, who have almost exclusive enjoyments of the parks that they are enjoying by having the blessings cast upon them at the expense of my constituents and yours, say because you have done this for them you must do more. I think there has enough been said about that. Let us look at the situation as it is.

Every member of this House may know, but it is well to recall that on account of its being the seat of government, that on account of requiring greater expenditures, broader streets, and all that kind of thing, the Government of the United States, or the taxpayers of the United States, pay one-half of all the burdens, except street extension. Every improvement that is made, one-half is paid by the taxpayers of the United States, while the enjoyment is almost exclusively by the people of the city of Washington. Just let a member go and try, as I have been for the last few days, to buy a lot on which to build a house, or to buy a house, and to get within the precincts of Sixteenth street or Connecticut avenue or Massachusetts avenue NW., and see what it will cost him to get it. It appears that the value of the property in those localities is so much enhanced by the contiguity of these parks that there is no loss of actual financial benefit, but on the contrary a greatly added value. We are all in favor of these parks, and I do not want a backward step taken.

While one-half of all improvements made in this city is paid by the Government, I have never known an improvement authorized that had not been asked for by the Commissioners of this District in behalf of the people. Take the case of the municipal building. Very great interest was manifested by the people of the District for a magnificent municipal building, but when they asked for that improvement, did they not know that half the expense of that structure would be borne by them?

When they asked us to tax our people for one-half of the whole cost of that structure, did they not know that the other half, according to the agreement that they had made, and according to simple justice, should be paid by them? Such improvements are granted on the application of citizens; and then they come here and say, "You have saddled us with the expense of this improvement beneficial to the citizens of the District; now loan us the money to pay our one-half of the expense; and require us to pay only one-half the interest that citizens ordinarily pay upon money which they borrow for like purposes; and give us twenty years

in which to pay the indebtedness." Now, does a proper spirit of liberality toward this District require that we should burden in this way the taxpayers of the United States at large?

I know it is claimed that a United States 2 per cent bond is worth more than par—is at a premium. I admit it. That bond carries with it certain banking privileges which adds to its value. But, sir, the United States could not to-day borrow at simple interest without issuing bonds, with the benefits attending those bonds, \$100,000,000 at 2 per cent. I do not care what may be the solvency of the Government, sir. There is not a city in the United States to-day that can borrow money at 2 per cent. Yet, sir, when we thus pay one-half of the District expenses, we are asked to establish a permanent policy here of loaning money to this District at the rate of 2 per cent per annum. I ask, How does that look, when we consider the burdens of the citizens of the different States whom we represent?

Sir, this question has been so thoroughly ventilated heretofore, so far as the per capita taxation is concerned, that I do not think it worth while to go into it further. But when we come to impose these burdens upon your constituents and mine for the support of this District, we must look at the different forms of property of the different localities and the amounts at which they are assessed. The gentleman from Illinois [Mr. CANNON] has well and truly said that no bonds are taxed in this District; that the stock of no corporation is taxed in this District; that notes are not taxed; that mortgages are not taxed; that no evidence of indebtedness is taxed; that money is not taxed.

Now, when we come to compare the tax rate in Washington with the tax rate in other cities, we must make the comparison upon the basis of the same character of property and a similar assessment. I am not here to defend the theory of taxing evidences of debt. I believe that some of the taxation of this city is based upon a proper theory. The taxation of the gross receipts of corporations is, I think, correct; I advocate and defend it. But when you make a comparison between taxation imposed in Washington and some other city, you must bear in mind the character of property upon which this taxation is levied, taking into consideration both realty and personalty. Sir, if you would take the assessment roll of the District of Columbia, and consider the various kinds of personal properties which are taxed in other cities but not taxed here, you would probably bring the tax rate in this District down to \$1 per hundred, even upon a two-thirds valuation.

Look at taxation in the different States. Why, sir, in a debate in this House several years ago the question was raised by some gentleman from Iowa in regard to the taxes paid for school purposes in his section. He stated, if I remember correctly, that the total taxation paid in his State upon the average was \$4 or \$5 per hundred—in other words, 4 or 5 per cent—and he undertook to draw a comparison to the disadvantage of the Southern States, because his section, as he claimed, paid an amount so much larger for school purposes.

But, sir, when you weigh the tax burden of different sections and compare it with the burden here, and bear in mind the fact that the taxation here is for municipal purposes alone, while in most localities in the States there is taxation for municipal, county, and State purposes, you must reach the conclusion that a tax rate of \$1.50 in this District is extremely favorable to the citizens here. Take the State of Tennessee. There, when a man gives a note for borrowed money, taxes must be paid on that note, while the debtor pays taxes on the money owed. So on a vendor's lien note taxes must be paid, both note and the land for which it was given; so in the case of stock in corporations. The holder of the stock must pay taxes on it, while the corporation as such must pay taxes on the tangible property of the corporation.

You may say that this is double taxation. Granted. But I say when you undertake to compare the burden of people in other localities with the burdens borne by the people of this District you must make a reasonable, scientific, and just comparison. I do not know the city in the State of Tennessee in which the tax burden of the citizens will fall as low as \$3 per hundred, yet we think we are bearing a very low and modest rate of taxation. I can say that I think it is a great advertisement for Washington City that the tax burden of her people under the existing system is lighter than the tax burden of any other city of the United States having 200,000 population.

Then why should we loan this money? Whose money is it that we will loan? It is the money of your constituent and my constituent. How does that constituent get the money which we loan? If he is delinquent and has to borrow, he has to pay from 6 to 10 per cent if he borrows straight; if he is delinquent in his taxes and does not pay them at the time appointed, damages are assessed equaling, perhaps, 25 per cent, and he must pay them. This committee comes in here and asks Congress to take the money out of the pockets of your constituent and my constituent and loan it to these people at a rate of 2 per cent interest. For a

like loan your constituent and mine would have to pay from 4 to 6 per cent.

Now where is the justice in that? Where is the demand for it? Where is the plea for it? Where is the occasion that demands such a sacrifice of the interests of your constituent taxpayer and mine in order to further lighten the burdens of the taxpayers of the District of Columbia? I say this with no ill feeling toward these people. They have treated me nicely, and I like them. I wish I lived here, and then I would not have to pay taxes on my personal property, and by that I mean choses in action and things of that kind; but we have already adopted a precedent for it—and I take no credit for that, because I opposed it then—loaning even from one Congress to another at a rate of interest but one-half, at least, of what it would actually be if they had to borrow on their own bonds. Therefore I shall not oppose a loan in that way.

Are we not doing enough when we reenact from time to time, as emergency arises, proper legislation? Why should they borrow almost without limit, to be returned within twenty years, and at a rate of interest which the Government of the United States could not obtain if it were to borrow money as you or I or any city would have to borrow? I do not see any justice in this. I do not see anything that demands it. I think I have said enough on this matter. I opposed this bill when it came before the committee, notwithstanding every newspaper in the city published it as coming from the committee with a unanimous report, and has continued to do so ever since. Of course it is true that they might have regarded my opposition as amounting to nothing, but I feel it my duty to give this Congress the facts I have given them in this general way.

I am not going into details. That has been done already, and I do not want to consume the time of the committee and hold it here for further detail; but when your constituent and mine is taxed double what these people are and pay from double to three times the amount of interest on any money which he may borrow, why should we loan these people at the rate we do, to be paid within twenty years? I can not see why we should do so, and in not doing so I do not see that we prove recreant to the interests of the District or its citizens. Congress is practically the common council of the District of Columbia, and is in session practically all the time. Whenever an emergency has arisen in the past, it has never failed to come to the relief of the District. It will do so in the future, and let us have those who follow us in this House assume some of the responsibility.

I am not in favor of loaning money at all at 2 per cent. I would be in favor of raising the rate of taxation until they actually pay one-half of the burden, but the precedent has been established and I am willing to follow it. Cheap money means extravagance. With money at 2 per cent and the National Treasury to fall back on, extravagance will run riot in this city, and a debt will be piled up of such vast dimensions that some future Congress will be called on to assume it and take it bodily from the shoulders of the people of this District. Against such a condition of affairs I feel it is our duty to do all we can, and as a means to that end let us vote down this bill. "Sufficient unto the day is the evil thereof." Let the problems of the future be solved by the people of the future.

Mr. POWERS of Massachusetts. Mr. Chairman, I have listened very attentively to the debate this morning, and, unless I am greatly mistaken, there is an absolute misconception of the proposition that is before the House. I am going to take just a few minutes to state the proposition as I understand it. Here is the District of Columbia, a District 10 miles square, a trifle over one-half of the real estate in which is owned by the Government and the other half by the citizens residing in the District. There is no Territorial form of government. Congress controls this District absolutely.

The people, some 300,000 in number, residing in the District of Columbia have no political rights. They have not the political rights that we have conferred upon the Filipinos, because the Filipino, if he complies with certain qualifications, can vote and can organize his town and city government. These people can not do that. These people have not even the right to be represented upon this floor, in either Chamber of Congress. More than that, we tax these people. We fix the rate of taxation which they shall pay. We determine upon what improvements shall be made. We appoint officers who control them. We appoint the Commissioners who take charge of the affairs of the District, and the people have not a single word to say about it.

They have not the rights which the Territories of Oklahoma, Arizona, and New Mexico, and even Hawaii, have on this floor, because the Delegates from those Territories are entitled to come here to talk for the interests of those Territories. More than that, we have provided that they may establish their own Territorial form of government, and we have given to their people what may be termed self-government. Now, these people pay the tax which we say they shall pay. They pay the rate of taxation which we

say they shall pay. We determine what tax they shall pay, we take their money, and we put it into the United States Treasury, and we spend that money for them. We can make their tax rate any amount that we choose to make it.

The tax, as fixed by the laws now in force, amounts to about 1½ per cent. The assessed valuation is fixed by the officers of the United States Government, and not by the representatives of these people. Now this taxation, as appears in the report which you have before you, yields a revenue of about \$5,000,000 per annum. If that revenue be sufficient, then there is no occasion for the passage of this bill. But one thing is important. These people have the right to know whether this tax is to be uniform or is not to be uniform. All that we seek to do in this bill is to provide that in the future when any great exigency arises in the way of any large expenditure, the United States Government shall carry on the debtor side some part of the obligation which we put on these people.

Is that loaning money? We have a perfect right, if we choose, Mr. Chairman, to say that next year, if the part which the people of the District should carry amounts to \$10,000,000, that they shall pay the entire \$10,000,000 in a single year. Do we want to do that? Do we want to carry out the proposition which was made by the gentleman from New York [Mr. PAYNE] to-day, of putting into the tax levy each year the amount which will cover what is necessary to take care of that part which the people of this District are called upon to pay? I say not. I want to ask the gentlemen of this House if, when you carry out any great improvement in your cities, you put it all into the tax levy? I want to ask my friends on the other side if, when they introduce in their municipalities sewerage or water systems or any other great municipal improvements, they put it all into the tax levy of a single year and make the people pay it?

What is the purpose of this proposition? The only purpose of it is to give some assurance to the people of the District of Columbia that the rate of taxation shall not be jumped from year to year until it becomes burdensome. So far as I am concerned, and so far as my opinion goes, I believe that it is the duty of Congress to do something for the development of the city of Washington. These people in Washington are finding no fault with the payment of a reasonable rate of taxation. The rate of taxation which they bear to-day is a rate as high as is paid by the citizens of my city in Massachusetts, and it is a rate higher than is paid by the citizens of the city of Boston.

Mr. SHATTUC. May I ask the gentleman a question?

Mr. POWERS of Massachusetts. I yield to the gentleman from Ohio.

Mr. SHATTUC. Do you pay taxes on bonds and stocks in Boston, or, under the law, ought you to pay a tax on bonds and stocks?

Mr. POWERS of Massachusetts. We do not pay any tax in Boston on stocks which are issued by domestic corporations. We pay upon all bonds, and we pay upon stocks that are issued by corporations created outside of the State.

Mr. SHATTUC. My judgment is that there is no city in the United States where the tax amounts to over 1 per cent on a par valuation of the property in that city. I know something about taxation, and I say that there is not a city in the United States, where they exempt bonds and exempt stocks, where the rate is 1 per cent on the par valuation. In other words, my judgment is that there is no city in the world that is as favored in the matter of taxes as Washington City is. There is not a city in the world that is so free from taxation as this. You ought to pass a law, I think, in favor of Congressmen, so that they could stay here. [Laughter.]

Mr. POWERS of Massachusetts. Now, my friend from Ohio can not have any controversy with me on that proposition. I believe that the people living in the District of Columbia should pay a fair and reasonable tax.

Mr. SHATTUC. Upon what do you base that?

Mr. POWERS of Massachusetts. A fair and reasonable tax may be said to be the average tax in cities of like size.

Mr. SHATTUC. I think that is fair.

Mr. POWERS of Massachusetts. Now, my friend will agree with me that it is the duty of Congress to see that these people are assessed a rate that is fair and equitable. I am not here to make any defense in behalf of the citizens of Washington, or in favor of low taxation. On the other hand, I believe they should pay a reasonable tax. I believe to-day under the present assessment they are paying a reasonable tax. But what I say is that, since they have no voice in fixing the rate of taxation which they shall pay, since they have no representative upon the floor of this House or upon the floor of the Senate, we ought to adopt at this time a policy which shall be in favor of making the tax uniform. By uniform I mean having it continue fair and reasonable. I maintain that the proposition that we shall put into the tax levy

each year whatever sum we choose to assess these people in the way of taxes is unfair and unwise.

For one, while I am not a citizen of the city, I am interested in the growth of the city. Only a year ago we brought forward plans for the greater Washington, and they were sent throughout the country. They were approved. There was a national interest and a national pride in the development of Washington. People are coming to this city from all parts of the country. It has become the most important winter resort in America.

Only a year ago my distinguished predecessor, who served my district with distinction upon this floor, came to this city to make it his winter home, and he brought along with him a large amount of taxable property. He is a public-spirited gentleman, interested in the growth of this city, prepared to pay any reasonable tax. But I say he has a right to know whether his tax next year is to be a reasonable tax or not. I say he has a perfect right to know whether his tax is to be 3 per cent or 5 per cent, or whether he is to pay a tax of 1½ per cent, which is a fair and reasonable tax upon a fair and reasonable valuation. So I say that it is important it should be settled.

For one, Mr. Chairman, I would like to see the city of Washington become a city of art, a city of progress. I would like to see the capital city of this nation made a city to which wealthy men and wealthy women would resort. I would like to see the plan of greater Washington carried out. I read only a short time ago in a magazine article a statement that over \$100,000,000 was expended every year abroad by American citizens who go there to study art and to visit the cities of the Old World. We, the wealthiest nation in the world commercially, have reached that stage where we can afford to have one city, at least, the national capital, so developed and improved as to induce our people to stay on this side of the Atlantic and allow them to expend their money here.

If you take the case of the French capital, the wisest investment the French ever made they made a generation ago when they converted that city into a center of art to which the American goes to spend his money. More than that. Take the example of the old Greek, he fully understood the wisdom of investments in art. For more than twenty centuries the world has been paying the Greek race tribute. All that is necessary to be carried out in Washington to make it a place the people will be proud of is to develop it along right lines. If you will adopt the policy such as the District Committee present here to-day, a policy which will undertake to make the taxes from year to year uniform in the city of Washington, people will come here from all parts of the country and all parts of the globe.

Mr. SIMS. Will the gentleman allow me to ask him a question? Mr. POWERS of Massachusetts. I yield to the gentleman.

Mr. SIMS. Does the gentleman favor a policy on the part of the United States Government that will induce millionaires to leave their respective States and bring property now taxable in those States here and then exempt them from tax in this city on that kind of property?

Mr. POWERS of Massachusetts. I certainly do not. I have stated once at least, if not more than once, that I do not believe any citizen should be permitted to live here unless his property is fairly taxed. What I say is, that if the tax to-day is not a fair and reasonable tax then it is our duty to make it so. I am not advocating a refuge here for men who would escape from taxation.

Mr. SIMS. Is it fair that he should pay no tax on stocks, bonds, mortgages, and money in this city, when they are taxed everywhere else?

Mr. POWERS of Massachusetts. If that is true, it is not fair.

Mr. SIMS. That is the fact.

Mr. LANDIS. Will the gentleman yield to me for a moment?

Mr. POWERS of Massachusetts. Certainly.

Mr. LANDIS. The gentleman states that his friend who came here from Massachusetts a year ago brought with him a great deal of capital and is willing to bear his share of taxation.

Mr. POWERS of Massachusetts. Exactly.

Mr. LANDIS. Is it not true that if he brought all he possessed with him he will not contribute in the way of taxes in Washington more than one-half of what he contributed in Boston?

Mr. POWERS of Massachusetts. I do not understand that is so. I understand under the present levy of taxes the tax here in Washington is exactly the same, or nearly exactly the same, as the tax throughout Massachusetts, and some higher than in the city of Boston.

Mr. LANDIS. I desire to ask this question. Now, I intend to vote for this bill, but I do not take any stock in the claim continually made that the citizens of Washington are unduly taxed.

Mr. POWERS of Massachusetts. I made no such claim.

Mr. LANDIS. The other day two gentlemen were talking, one from Indiana and one from Washington. The Indiana man lived in a house the value of which was \$6,000. The Washington man

lived in a house that he had recently bought and paid \$14,000 for. The Indiana man's taxes were \$150 a year. The Washington man's taxes were less than \$75 a year. Now, that shows relatively the taxes that are paid by a man who lives in a little town in Indiana as compared with the taxes of a man who lives in Washington.

Mr. POWERS of Massachusetts. That is not the fault, Mr. Chairman, of the people of Washington. They do not tax themselves. We tax them. If our method is wrong, let us change it.

Mr. LANDIS. I know; but it shows that there is no excuse for this continual howl that we hear that the taxation in Washington is unfair and is out of proportion to the taxation of other people in the country.

Mr. POWERS of Massachusetts. I will say to the gentleman that I never heard the claim made by any citizen of Washington that the taxation here was unfair. On the other hand, from what I have seen of the citizens of Washington, they have expressed themselves as perfectly willing to bear their fair proportion of the taxes. The only thing that they have advocated is that the method of taxation should be, as far as practicable, uniform.

Mr. ROBINSON of Indiana. Will the gentleman allow me a question?

Mr. POWERS of Massachusetts. Certainly.

Mr. ROBINSON of Indiana. The gentleman complains that Americans go abroad to spend their money. I think his complaint is good.

Mr. POWERS of Massachusetts. I did not say that I had complained of it. I stated it was a fact. I did say that I thought it would be of more advantage to this country if they expended their money at home rather than abroad.

Mr. ROBINSON of Indiana. Let me suggest to the gentleman a remedy that is within the gentleman's power, as he is a member of the committee. Let him place the names of these people who go abroad and spend their money on the duplicate lists for the payment of taxes on personal property and he will remedy that defect immeasurably.

Mr. POWERS of Massachusetts. That brings up again the proposition that these people are not fairly taxed. Whose fault is it? It is not the fault of the people of Washington, because you do not allow them to tax themselves. If it is anybody's fault, it is the fault of Congress. If our system of taxation is not a uniform system, let us make it so. If the taxation to-day imposed on the people of Washington is not sufficiently high, let us reform it; but do not undertake to force upon the people of Washington a project which says to them: "Your taxes this year will be 1½ per cent, and next year we are going to set on foot some new improvements in Washington, and your taxes will be 5 per cent, because you must pay it out of the levy, and we will put it into the levy." I ask you if the people are not right when they say that if you put upon them these large burdens you shall allow them to be extended over a term of years?

I heard some one say that they saw no reason why you should burden posterity; that they ought to take care of their own debts as they go along. I would like to have this gentleman point to a single progressive municipality in the United States that has ever yet undertaken a great improvement that they did not issue bonds to pay for it and provide a sinking fund and extend it over a term of years?

Massachusetts has loaned its credit and money to municipalities in the metropolitan districts of Boston, in order to assist them in making permanent improvements. Those of you who have visited the State of Massachusetts and gone over our metropolitan district, covering a large area about Boston, upon territory of which are over a million people, may have noticed our magnificent park system.

How did we develop that? We have taken the land along our rivers and reclaimed it. We have taken the rivers and streams and preserved them, making them for all time great waterways within that State. How did we do it? Why, the Commonwealth of Massachusetts, in her wisdom, loaned to these municipalities some \$14,000,000, which to-day they owe the Commonwealth of Massachusetts. That is the way to make permanent improvements. You do not make permanent improvements by placing on the people a burden that will drive them outside of the State.

I can not imagine a more foolish or more unwise policy than the policy which says to the people of Washington, and says to the American people, that whenever the Congress of the United States wants to carry out a great improvement in the city of Washington it will make the people of the District of Columbia pay in a single year one-half of that expense, even though that one-half of the expense be ten or fifteen million dollars. There is not a municipality in this country that undertakes any policy of that kind. The true policy is to start your improvements and carry the expense of those improvements in such a manner that it will not be a burden upon the people for any single year.

Now, what is this proposition? It provides that whenever the Congress of the United States feels that the amount of taxation which it is imposing upon citizens of this District is larger than ought to go into the tax levy it may advance some portion of that money in order that the burden upon the citizens here be not too heavy. Is that wise? Will anyone say that this policy differs from the policy of any municipality in America? Every municipality other than Washington, when it undertakes any great improvement, issues its bonds, provides a sinking fund, and takes care of those bonds when they mature at the expiration of the specified period—twenty or twenty-five years.

If it be true that the ordinary tax levy is going to take care of all these large improvements, then there is no harm in passing this bill, because we may not, perhaps, advance a cent under it. On the other hand, if it be true that the ordinary tax levy will not take care of the improvements, then there is every reason why we should pass the bill.

I have a feeling, Mr. Chairman, that some gentlemen on this floor misapprehend the situation. We come here from all parts of the country, and many of us, perhaps, have taken part in municipal affairs in our home towns. We all get together here and undertake to run the great city of Washington exactly as we would run our home town. But, sir, I can not overlook the fact that there are in the city of Washington less than 300,000 people, one-third of whom belong to the colored class, and are unable to pay in the same ratio as others the burdens of taxation. I can not overlook the fact that thousands and tens of thousands of clerks residing in Washington do not pay a single cent of taxation—not even a poll tax. And when I take into consideration these facts, and also that the citizens of Washington turn over to the Treasury of the United States more than \$5,000,000 in a single year, it seems to me that they are doing somewhere near their duty as citizens who have no political rights. For these reasons I trust that this bill will pass. [Applause].

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. LACEY having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed bills of the following titles; in which the concurrence of the House of Representatives was requested:

S. 7123. An act for the protection of the public forest reserves and national parks of the United States;

S. 6599. An act to provide a government for the island of Guam, and for other purposes;

S. 6960. An act for the relief of Charles W. Howard;

S. 6570. An act to correct the military record of Simeon Perry;

S. 7263. An act to provide for the purchase of a site and the erection of a building thereon, to be used for a laundry and stable for the Bureau of Engraving and Printing, and to provide for the erection of an addition to the Bureau of Engraving and Printing building on the ground now occupied by the laundry building and stable, and for other purposes;

S. 6653. An act granting a pension to Halvor Paulson;

S. 4812. An act granting a pension to Addison Arnold;

S. 5437. An act to authorize the settlement of the accounts of officers of the Army;

S. 6689. An act for the protection of wild animals, birds, and fish in the forest reserves of the United States;

S. 3034. An act for the relief of the owners and officers of the brig *Olive Frances* and others on board of said brig;

S. 7115. An act to provide for the erection of an addition to the public building in the city of Fargo, N. Dak.;

S. 6666. An act for the relief of Joseph M. Simms, captain, United States Revenue-Cutter Service (retired);

S. 6895. An act to authorize the promotion of Maj. William Crawford Gorgas, surgeon in the Army of the United States;

S. 2205. An act to correct the military record of Joseph T. Vincent;

S. 7185. An act to authorize the board of commissioners for the Connecticut bridge and highway district to construct a bridge across the Connecticut River at Hartford, in the State of Connecticut;

S. 4907. An act to correct the military record of Charles F. Deisch;

S. 2871. An act to correct the military record of Edward T. Lewis; and

S. 7277. An act granting an increase of pension to Elbert H. Dagnall.

The message also announced that the Senate had passed with amendments bills of the following titles in which the concurrence of the House was requested:

H. R. 8663. An act to remove the charge of desertion from the military record of Charles F. Woodward;

H. R. 10095. An act for the relief of Levi L. Reed;

- H. R. 5101. An act granting an increase of pension to Benjamin Contal;
- H. R. 15659. An act granting a pension to Mrs. Elise Sigel and Mrs. Negley;
- H. R. 15400. An act granting an increase of pension to Enos Turner;
- H. R. 14845. An act granting a pension to Margaret Snyder;
- H. R. 9107. An act granting a pension to Austin A. Vose;
- H. R. 15911. An act granting an increase of pension to George N. McMurry;
- H. R. 15757. An act granting a pension to Frances C. Broggan;
- H. R. 7110. An act granting an increase of pension to Aurelia M. Power;
- H. R. 16161. An act granting an increase of pension to Francis A. Tradewell;
- H. R. 10673. An act granting a pension to Ada S. Kempfer;
- H. R. 6332. An act granting a pension to Michael Conlon;
- H. R. 3504. An act granting an increase of pension to Grace A. Negley; and
- H. R. 7642. An act providing for the holding of terms of the circuit and district courts of the United States at Kansas, and for other purposes.
- The message also announced that the Senate had passed without amendment bills of the following titles:
- H. R. 8254. An act granting an increase of pension to John R. Curry;
- H. R. 9074. An act granting a pension to Elizabeth C. Gates;
- H. R. 1423. An act granting an increase of pension to Asa Tarbox;
- H. R. 1014. An act granting a pension to Laura Levenseler;
- H. R. 714. An act granting an increase of pension to Frederick Hart;
- H. R. 15473. An act granting an increase of pension to Winthrop W. Wolcott;
- H. R. 12524. An act granting an increase of pension to Elvira M. Cooper;
- H. R. 5460. An act granting an increase of pension to Thomas Sherry;
- H. R. 5450. An act granting a pension to Charles P. Bigelow;
- H. R. 8626. An act granting an increase of pension to Sarah E. Yemans;
- H. R. 14388. An act granting an increase of pension to Graham McClosson;
- H. R. 7012. An act granting an increase of pension to Abel Fleming;
- H. R. 11258. An act granting a pension to William F. Randolph;
- H. R. 14258. An act granting a pension to Fletcher Duling;
- H. R. 15064. An act granting an increase of pension to Frederick Showar;
- H. R. 15329. An act granting an increase of pension to Elizabeth Rosenbarger;
- H. R. 15661. An act granting an increase of pension to James M. Marshall;
- H. R. 6161. An act granting an increase of pension to Homer Davis;
- H. R. 305. An act granting an increase of pension to George Heinzman;
- H. R. 4118. An act granting a pension to Charles Maschmyer;
- H. R. 11417. An act granting an increase of pension to Julia Anglada;
- H. R. 15437. An act granting an increase of pension to Sarah A. Gerry;
- H. R. 15438. An act granting an increase of pension to Thomas E. Peabody;
- H. R. 1639. An act granting an increase of pension to Hiram S. Thompson;
- H. R. 15439. An act granting an increase of pension to Jane P. Chester;
- H. R. 2614. An act granting a pension to John Sullivan;
- H. R. 13826. An act granting an increase of pension to Francis N. Bonneau;
- H. R. 15754. An act granting a pension to Frances Cowie;
- H. R. 15870. An act granting an increase of pension to John Smith;
- H. R. 5898. An act granting an increase of pension to Reuben F. Carter;
- H. R. 16153. An act granting a pension to George W. Choate;
- H. R. 15571. An act granting an increase of pension to John Macfarlane;
- H. R. 4059. An act granting an increase of pension to Julia A. Cook;
- H. R. 16358. An act granting an increase of pension to Benjamin W. Walker;
- H. R. 14789. An act granting an increase of pension to David Brobst;
- H. R. 14953. An act granting an increase of pension to Leonard S. Grove;
- H. R. 7334. An act granting an increase of pension to Ira L. Evans;
- H. R. 14604. An act granting an increase of pension to Asa C. Hill;
- H. R. 14605. An act granting an increase of pension to John T. Knoop;
- H. R. 16465. An act granting an increase of pension to William H. Knepple;
- H. R. 5167. An act granting an increase of pension to John G. Nowman;
- H. R. 15961. An act granting an increase of pension to Jane C. Welch;
- H. R. 2812. An act granting a pension to Susan Kent;
- H. R. 14168. An act granting a pension to John B. Anderson;
- H. R. 14889. An act granting a pension to James T. Lundy;
- H. R. 16499. An act granting an increase of pension to Charles S. Wainwright;
- H. R. 11790. An act granting an increase of pension to Abel Woods;
- H. R. 16512. An act granting an increase of pension to John Dinneen;
- H. R. 14687. An act granting a pension to Margaret Brenman;
- H. R. 14963. An act granting an increase of pension to Herman Querck;
- H. R. 3578. An act granting an increase of pension to Erastus E. Edmunds;
- H. R. 13534. An act granting an increase of pension to James Evans;
- H. R. 15840. An act granting an increase of pension to Rudolph B. Weyeneth;
- H. R. 4807. An act granting an increase of pension to Thomas Parfitt;
- H. R. 10953. An act granting an increase of pension to John A. M. Seitz;
- H. R. 13850. An act granting an increase of pension to Charles K. Cameron;
- H. R. 14120. An act granting an increase of pension to Sarah A. Leopard;
- H. R. 15585. An act granting an increase of pension to Solomon S. Shaner;
- H. R. 9987. An act granting an increase of pension to Aaron Young;
- H. R. 16217. An act granting an increase of pension to Julia E. Jones;
- H. R. 16492. An act granting an increase of pension to William G. Gray;
- H. R. 7778. An act granting a pension to Peter Buckley;
- H. R. 16272. An act granting an increase of pension to Enoch Dodd;
- H. R. 16371. An act granting an increase of pension to Gustavus W. Peabody;
- H. R. 16269. An act granting an increase of pension to Annie W. Colt;
- H. R. 1015. An act granting an increase of pension to Isaac F. Russell;
- H. R. 12963. An act granting an increase of pension to Sarah E. Smith;
- H. R. 16711. An act granting a pension to Ann Gilbert;
- H. R. 1299. An act granting an increase of pension to Gustavus S. Perkins;
- H. R. 3516. An act granting an increase of pension to Ozro F. Cheney;
- H. R. 12214. An act granting an increase of pension to Jane A. Tillinghast;
- H. R. 16058. An act granting a pension to John Corbett;
- H. R. 10663. An act granting an increase of pension to Benjamin H. Downing;
- H. R. 5920. An act granting a pension to Washington T. Filson;
- H. R. 5918. An act granting a pension to Margaret Fox;
- H. R. 16032. An act granting an increase of pension to Henry Taylor;
- H. R. 14811. An act granting a pension to Almedia J. Robison;
- H. R. 15211. An act granting a pension to Mary J. Slusser;
- H. R. 1829. An act granting an increase of pension to George W. Brill;
- H. R. 14407. An act granting a pension to May E. Bunn;
- H. R. 1531. An act granting an increase of pension to Susan E. Duncan.
- H. R. 7851. An act granting an increase of pension to Jennie H. Cramer;
- H. R. 5511. An act granting an increase of pension to Cyrus V. Gorrell;
- H. R. 2473. An act granting an increase of pension to James Billingsley;

H. R. 3569. An act granting an increase of pension to Joseph A. Buckholz;
 H. R. 15864. An act granting an increase of pension to Benjamin Knestrict;
 H. R. 16321. An act granting a pension to Michael Devine;
 H. R. 3899. An act granting an increase of pension to Thomas B. Wilson;
 H. R. 13297. An act granting a pension to Martin Greeley;
 H. R. 12019. An act granting an increase of pension to William Lowe;
 H. R. 1929. An act granting an increase of pension to Peter Tuper;
 H. R. 4266. An act granting an increase of pension to Henry Ehmke;
 H. R. 13799. An act granting an increase of pension to Henry C. Trout;
 H. R. 15406. An act granting an increase of pension to James P. Campbell;
 H. R. 15409. An act granting an increase of pension to James Claybourn;
 H. R. 11596. An act granting an increase of pension to Inez L. Clift;
 H. R. 4441. An act granting an increase of pension to Oscar Brewster;
 H. R. 12971. An act granting a pension to Thomas Martin;
 H. R. 15889. An act granting an increase of pension to Chester W. Abbott;
 H. R. 16148. An act granting an increase of pension to Harry F. Libby;
 H. R. 13358. An act granting a pension to Elizabeth A. Wilder;
 H. R. 12410. An act granting an increase of pension to Mary Nichols;
 H. R. 8617. An act granting a pension to Sabina Lalley;
 H. R. 15472. An act granting an increase of pension to William H. Chamberlin;
 H. R. 4153. An act granting a pension to Jane Hale;
 H. R. 13999. An act granting an increase of pension to Dennis Cosier;
 H. R. 9814. An act granting an increase of pension to Mary Williams;
 H. R. 14143. An act granting an increase of pension to Augusta W. Seely;
 H. R. 4183. An act granting an increase of pension to Gottlieb Kafer;
 H. R. 15893. An act granting an increase of pension to Eli Titus;
 H. R. 15839. An act granting an increase of pension to Luther Scott;
 H. R. 14251. An act granting an increase of pension to Hugh J. Reynolds;
 H. R. 11125. An act granting an increase of pension to John S. Campbell;
 H. R. 15084. An act granting a pension to James H. Powell;
 H. R. 15572. An act granting a pension to Charles W. Bracken;
 H. R. 16162. An act granting an increase of pension to George Brown;
 H. R. 15841. An act granting an increase of pension to John Da Silva;
 H. R. 15910. An act granting an increase of pension to James A. Hale;
 H. R. 1923. An act granting an increase of pension to Frederick W. Damon;
 H. R. 8288. An act granting an increase of pension to Scott Case;
 H. R. 13519. An act granting an increase of pension to James M. Clement;
 H. R. 8287. An act granting an increase of pension to Peter Johnson;
 H. R. 14391. An act granting an increase of pension to Edward Walsh;
 H. R. 14897. An act granting an increase of pension to Phillip Mooney;
 H. R. 15300. An act granting a pension to Delania Preston;
 H. R. 15622. An act granting an increase of pension to Benjamin Cardwell;
 H. R. 15693. An act granting an increase of pension to Delitha A. Cook;
 H. R. 15358. An act granting an increase of pension to John Snodgrass;
 H. R. 13088. An act granting an increase of pension to Hiram D. Deming;
 H. R. 1482. An act granting an increase of pension to John A. Smith;
 H. R. 15421. An act granting an increase of pension to Elizabeth Palmer;
 H. R. 2675. An act granting an increase of pension to John M. Stanley;

H. R. 13689. An act granting a pension to William W. Painter
 H. R. 6889. An act granting an increase of pension to Michael Rader;
 H. R. 11199. An act granting a pension to Lewis Walton;
 H. R. 1377. An act granting an increase of pension to Bridget Agnes Tridel;
 H. R. 14814. An act granting a pension to Herman J. Miller;
 H. R. 14302. An act granting an increase of pension to Samuel Burrell;
 H. R. 14303. An act granting an increase of pension to Robert H. Maricle;
 H. R. 15997. An act granting an increase of pension to Christian J. Flanagan;
 H. R. 15694. An act granting a pension to Bessie Ledyard;
 H. R. 15673. An act granting a pension to Annie E. Doss;
 H. R. 16591. An act granting an increase of pension to James Mattingly;
 H. R. 15550. An act granting a pension to Mary A. Hinkle;
 H. R. 16053. An act granting an increase of pension to Henry P. Reynolds;
 H. R. 15206. An act granting a pension to Mary P. Everton;
 H. R. 9950. An act granting an increase of pension to Moses Whitcomb;
 H. R. 13239. An act granting an increase of pension to Ervin Thompson;
 H. R. 13240. An act granting an increase of pension to Nimrod F. Clark;
 H. R. 16534. An act granting an increase of pension to James H. Durham;
 H. R. 15684. An act granting an increase of pension to Joseph R. Prentice;
 H. R. 7012. An act granting an increase of pension to Abel Fleming; and
 H. R. 16334. An act fixing terms of United States courts in Colorado, and for other purposes.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 16567) making appropriation for the support of the Army for the fiscal year ending June 30, 1904, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. PROCTOR, Mr. QUARLES, and Mr. COCKRELL as the conferees on the part of the Senate.

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

H. R. 11127. An act for the relief of the Propeller Tow Boat Company, of Savannah;
 H. R. 13358. An act granting a pension to Elizabeth A. Wilder;
 H. R. 14388. An act granting an increase of pension to Graham McClosson;
 H. R. 16602. An act to extend the time granted to the Muscle Shoals Power Company by an act approved March 3, 1899, within which to commence and complete the work authorized in the said act to be done by said company, and for other purposes; and
 Senate concurrent resolution 63.

Resolved by the Senate (the House of Representatives concurring), That there be printed and bound of the proceedings in Congress upon the acceptance of the statues of Charles Carroll, of Carrollton, and John Hanson, presented by the State of Maryland, 16,500 copies, of which 5,000 shall be for the use of the Senate and 10,000 for the use of the House of Representatives, and the remaining 1,500 copies shall be for the use and distribution of the Senators and Representatives in Congress from the State of Maryland.

The Joint Committee on Printing is hereby authorized to have the copy prepared for the Public Printer, who shall procure suitable copper-process plates to be bound with these memorials.

ADVANCES FROM THE TREASURY OF THE UNITED STATES FOR THE GOVERNMENT OF THE DISTRICT OF COLUMBIA.

The committee resumed its session.

Mr. BABCOCK. Mr. Chairman, I will now ask for the reading of the bill.

Mr. McCLEARY. Will the gentleman yield to me for five minutes?

Mr. BABCOCK. Certainly.

Mr. McCLEARY. Mr. Chairman, before this debate closes I should like to state briefly what the real question is; for there have been many questions discussed here that have nothing to do with the case.

The question before us, Mr. Chairman, is simply this: Shall we, in the closing hours of the Fifty-seventh Congress, only a few weeks remaining, undertake to determine the policy for the Congresses that are to come; or shall we leave each of those Congresses to determine its own method of solving its own problems?

Mr. Chairman, opposition to the pending proposition does not raise the question whether there shall be made the needed improvements in Washington or not. This Congress has done its duty, or will soon have accomplished its duty, in this connection.

The next Congress will determine what it deems wise in the matter of improvements.

Opposition to this bill does not raise the general question whether advances should be made from the public Treasury, if such advances should be needed; in other words, we who oppose this measure do not oppose advances as they may be required. Opposition to this bill does not imply any variability in the rates of taxation, as feared by my friend from Massachusetts [Mr. POWERS].

Now, let us look at the propositions under consideration. The bill as reported called for advances amounting to \$10,000,000, to be paid in twenty years. This morning the chairman of the committee proposes that instead of advancing \$10,000,000, we shall advance only \$6,000,000, to be repaid in 12 annual payments of \$500,000 each. We think that when this gentleman takes another step onward he will reach the right position. He has gone from \$10,000,000 of authorization to \$6,000,000. Now, we say, let the authorization be reduced to naught. In other words, let us defeat this bill and leave to succeeding Congresses the solution of their own problems.

This bill, as I have just said, calls for an advance of \$6,000,000, or the authorization of an advance. How do we know that that is the right amount? Our friends themselves have varied in their judgment within twenty-four hours. How do we know that this is the right amount? It may be too much, or it may be too little. They propose that when the advance is made it shall bear interest at 2 per cent. How do we know that that is the right rate to be paid?

It happens that to-day the current rate which the United States Government pays on its most recent obligations is 2 per cent. But before the period of time for which this proposed loan is to run shall have expired circumstances may have changed, so that the Government of the United States may have to pay 3 or 4 per cent for the money that it requires; or, on the other hand, it may be able to obtain money at the rate of 1½ per cent or 1 per cent. This bill provides for annual payments of \$500,000 annually. How do we know that the District always pays that sum? And how do we know that it will not frequently be able to pay more?

In other words, the elements of the problem are too uncertain.

If this bill should be defeated, as in my judgment it ought to be, we shall simply be in this situation: That when the next Congress convenes and takes up the problem of the expenses of the District of Columbia, it will be in a position to say what those expenditures shall be; and if in its judgment more money is required than is provided by taxation, it can, in its own way, provide for that excess by an advance from the Treasury.

In other words, Mr. Chairman, none of the things that our friends fear will follow if this bill should fail. We simply leave to succeeding Congresses the problems which they will have to face.

We can not bind them if we would. Here in the hearings before the committee last year the President of the Board of Commissioners reminded us that over and over and over again Congresses have failed to do what preceding Congresses have set for them to do. It will be just the same in this case. In my judgment, Mr. Chairman, there is absolutely nothing to be gained by the passage of this bill except in a measure to tie or attempt to tie the hands of those who will succeed us.

My judgment is that we should vote this bill down and leave to the succeeding Congresses the solution of their problems in their own way.

Mr. BABCOCK. Mr. Chairman, I ask for the reading of the bill.

Mr. ROBINSON of Indiana. Mr. Chairman, I would like to be recognized.

The CHAIRMAN. The gentleman from Indiana is recognized.

Mr. ROBINSON of Indiana. Mr. Chairman, this attempt to charge upon the public Treasury the burdens of the District of Columbia, whether occasioned by a false policy, mismanagement, or extravagance, is not unique or unusual, we are told. Instances can be found where the Treasury has been burdened in a positive and comparative form, but when you want to see this principle invoked in a superlative degree, you can come to the District and not be disappointed.

It is sometimes said that the District suffers by not having a Delegate in Congress. If a Delegate were here who would fly in the face of the influences that claim unjustly to represent it, and represent the real property owners and resident taxpayers, it would be an improvement, for such one would bend his energies to direct the District policy in the channel of "pay as you go," and would give his attention less to appropriations and more to raising revenues.

Mr. LANDIS. Mr. Chairman, will the gentleman yield?

Mr. ROBINSON of Indiana. Yes.

Mr. LANDIS. The gentleman from Indiana states that he

feels Washington should pay as it goes. Is that the way Fort Wayne, the beautiful city in which the gentleman lives, secured that splendid new court-house?

Mr. ROBINSON of Indiana. The gentleman misunderstood me. I said that if Washington had a Delegate on the floor of this House he could spend his energies not in the line of securing loans which the District could never repay, but in securing more revenues. And now I ask the gentleman if he approves the system of the District of Columbia, which permits gentlemen from his district and from mine and from others to come to Washington with their hundreds of thousands of dollars and, relieved from taxation here and from taxation at home, pay no tribute of taxes.

Mr. LANDIS. I do not. Neither do I have any sympathy whatever with that line of argument which the gentleman seems inclined to follow, that whatever improvements are made by the city of Washington should be paid for as we go along.

Mr. ROBINSON of Indiana. Oh, I do not think that could be done.

Mr. LANDIS. There is not a city in Indiana nor Ohio nor in any other State of this Union which has made any progress that has followed that policy.

Mr. ROBINSON of Indiana. Oh, I do not think that could be done.

The real taxpayers of the District have cause to complain, and many do complain, but they are not represented either here or in the business bodies and organizations that assume to represent them. The body of citizenship has no credentials in these guardian organizations.

On the other hand, promoters and real-estate boomers who want to profit on a sale, the laying out of an addition, the opening of a street, or establishment of a site, such are charter members.

Our friends are omnipresent with this scheme for the beautifying of the city and that for an additional appropriation, and all done in the name of the people of the District. I read an account the other day that the Capitol building is here and the White House a mile and a half away because a dispute between conflicting property interests resulted in a compromise that left them thus widely apart. This influence, that has always sought to impress itself on Congress, has a hoary origin and has progressed till to-day no scheme of appropriation, however wild, is left without promoters and defenders.

These early real-estate promoters and their descendants, basking in the sunshine of the Treasury, and taking refuge in its shadow for so long, never feel quite at home out of its presence, and while the taxpayers lament and continue to pay the bills (if they can not borrow from the United States), their pretended agents and well-wishers continue to try to load them down.

The people have the right to petition Congress and the District Commissioners, and ought to do it, to the end that more attention be paid to raising revenue and less to appropriations. Those people who would make a paradise of Washington should pay their share to do it. They invite the people of the world and of the whole United States to come here, and they do so, and these sojourners accept the hospitalities, so far as they are able to purchase them, and Washington thrives, and must thrive, as the evidence of all back in the country will be who come and are able to get away.

But Washington's future is linked with the proposition of promoters.

What is the proposition? Originally to borrow \$10,000,000; now by amendment \$6,000,000. Under the rule slightly modified each of our Territories and their cities could likewise borrow from the United States Treasury. All could use it.

Where is the merit of the proposition?

John Randolph once rose to his full height in the Senate and said: "I have found the philosopher's stone that turns everything it touches into gold." Said he, "Pay your debts as you go."

I commend the words of this sage to those who stand for this measure.

The District for years did not have and did not ask to have—aye, stubbornly resisted till a year ago—a fair tax on personal property. By this she invited citizens from my district and others, to get the profit, to come to Washington, and, permitted as they were, they loaned hundreds of thousands in our country and were freed from tax tribute there and here.

Let us view this matter in another phase. When one seeks to borrow we should know the ability and disposition to pay. I have looked in vain in this report for the total valuation of personal and real estate in the District. It is silent. It likewise is silent on the proportion the assessed value bears to the real value and also on the tax rate per hundred on valuation.

I understand there is a two-thirds valuation and a rate of \$1.50 per hundred, but the report does not disclose this useful information. In the absence of this in the report let us resort to the rule of experience as the test of ability and willingness to pay. In

1878 the District had an indebtedness of \$22,000,000, in round numbers. In twenty-five years she has reduced it \$9,000,000, leaving yet due \$13,000,000.

If it took twenty-five years to pay \$9,000,000, it will take thirty-three years to pay \$13,000,000; add to this the additional seventeen years to pay this contemplated loan of \$6,000,000, and it makes fifty years in all, two generations that posterity is mortgaged, when it is not necessary for the usual necessary and legitimate expenditures in the District, and this in a municipality rather inclined to run in debt than to pay. More appropriations and more debt seems to be the war cry.

The gentleman from Wisconsin is the archangel of this misguided policy of heaping a mountain of debt on the people of the District. Then, in the dual capacity of guardian of the District and watchdog of the whole people's Treasury, he would make one hand wash the other and would loan the money of his whole constituency to his select friends of the District of Columbia. Can any business man stand on this proposition with the facts as presented here? Can any conservative legislator favor it? Can any economist see merit in it? I submit it to the candid judgment of the House.

Mr. BABCOCK. Mr. Chairman, I ask for the reading of the bill.

The CHAIRMAN. If there be no objection, the Clerk will proceed to read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That until and including June 30, 1923, the Secretary of the Treasury is authorized and directed to advance, from time to time, on requisition of the Commissioners of the District of Columbia, in the manner now prescribed by law, out of any moneys in the Treasury not otherwise appropriated, such sums as may be required to meet the obligations of the District of Columbia on account of its share of the extraordinary expenses for municipal improvements authorized, or to be hereafter authorized, by Congress: *Provided*, That the total advances hereafter made under this act, taken in connection with those heretofore made under the acts of February 11, 1901, and July 1, 1902, shall not exceed the sum of \$10,000,000, which said total sum so advanced shall be repaid to the Treasury of the United States within twenty years from July 1, 1903, out of the taxes and revenues collected for the support of the government of the District of Columbia, at the rate of \$500,000 per annum of the principal, together with interest upon the deferred payments at the rate of 2 per cent per annum.

Mr. BABCOCK. Mr. Chairman, I offer now the amendment that is in the hands of the Clerk as a substitute for the bill.

The CHAIRMAN. The Chair will state that the second section of the bill has not been read.

Mr. BABCOCK. I would say, simply to save time, that that is merely the repealing clause and it is a duplicate of the other. I will suggest to the gentleman that I will offer it as an amendment to the first section that has been read.

The Clerk read as follows:

Strike out all after the enacting clause and insert:

"That the Secretary of the Treasury is authorized and directed to advance, from time to time, to the District of Columbia, in the manner now prescribed by law, out of any moneys in the Treasury not otherwise appropriated, such sums as may be required to meet the obligations of the District of Columbia on account of its share of the extraordinary expenses for municipal improvements heretofore specifically authorized or to be hereafter specifically authorized by Congress (and as appropriations therefor shall have been or may hereafter be made by Congress): *Provided*, That the total advances hereafter made under this act, taken in connection with those heretofore made under the acts of February 11, 1901, and July 1, 1902, shall not exceed the sum of \$10,000,000, which said total sum so advanced shall be repaid to the Treasury of the United States from and after July 1, 1903, out of the taxes and revenues collected for the support of the government of the District of Columbia, at the rate of \$500,000 per annum of the principal, together with interest upon the deferred payments at the rate of 2 per cent per annum.

"Sec. 2. That all acts or parts of acts in conflict with this act are hereby repealed."

Mr. BABCOCK. Mr. Chairman, I will state that this substitute for the bill has been prepared and offered to make the provisions as clear as possible as to what the bill does. It does not appropriate a dollar, it does not authorize the expenditure of a dollar, but provides that if Congress appropriates this money, then and in that case, where it appropriates more than the District revenues, the Secretary of the Treasury is authorized to advance such sum over and above the amount raised by the District, and provides that the sum shall be repaid at the rate of \$500,000 per year, with interest at 2 per cent.

Mr. HEMENWAY. Will the gentleman right there permit a question?

Mr. BABCOCK. Certainly.

Mr. HEMENWAY. I have in my hand here the District appropriation bill reported by the Senate, which, if enacted into law, will carry an appropriation of \$9,396,000. I want to ask the gentleman if there is a single item that the District of Columbia needs or has asked for that the Senate has not put on this bill? Can the gentleman think of a single item necessary to the improvement of the District of Columbia that the Senate has not included in this bill?

Mr. BABCOCK. Well, that does not mean that that will be enacted into law. I have known a good many amendments to be made at the other end of the Capitol that did not finally become law. I want to say to the gentleman that the Senate com-

mittee have not only added about \$1,700,000 to the bill, when this committee estimated that there should be added \$1,741,000, but they have authorized contracts for more than \$1,000,000 besides.

Mr. HEMENWAY. But if the gentleman will permit, conceding that the bill as it passed the Senate passes the House, carrying \$9,396,000, the gentleman having conceded that the Senate has put into this bill every item that the District has asked for, then I call the gentleman's attention to the fact that the District of Columbia still has a surplus of revenue. The estimated revenues for the current year in the District of Columbia is over \$5,200,000.

Mr. BABCOCK. Last year they were \$3,619,000.

Mr. HEMENWAY. For the current year the revenues will be \$5,200,000.

Mr. CANNON. And for the coming year \$5,400,000.

Mr. HEMENWAY. And for the coming year \$5,400,000, as the chairman of the Committee on Appropriations [Mr. CANNON] states. Now, you take the receipts for the current year, \$5,200,000, and let the Government add that much, and what have you got—\$10,400,000, when the Senate only proposes \$9,386,000. I want to say that in this bill the Senate proposes a larger appropriation for the District of Columbia than has ever been made in the history of the Government.

If the gentleman will permit, I want to make this statement in this connection. If the gentleman will take the appropriations heretofore made for the District of Columbia, what have we? In 1892, \$5,500,000; they had required less than \$3,000,000. Take the next year, 1894, \$5,500,000; in 1895, \$5,500,000; and so on down to 1898, when it was \$6,000,000; in 1899, \$6,500,000; in 1900, \$6,000,000 and a little over, and in 1901, \$7,500,000; in 1902, \$8,500,000, and this year should the bill be increased to \$9,300,000, as proposed by the Senate, yet the revenue for the current year in the District of Columbia will result in a surplus. So I ask the gentleman, in view of these facts, should we go and borrow money or authorize the District of Columbia to borrow money when they are already raising more money than necessary?

Mr. BABCOCK. Is the gentleman ready for an answer?

Mr. HEMENWAY. What is the answer?

Mr. BABCOCK. There are two items not in there, one of about \$700,000 due on the advances from the Treasury.

Mr. HEMENWAY. Which are drawing 2 per cent interest. That item is in here and a provision to repay the money to the District is in here.

Mr. BABCOCK. Not under the same title at all.

Mr. HEMENWAY. The gentleman from Minnesota, chairman of the committee, informs me it is in here.

Mr. McCLEARY. It is in the House bill.

Mr. BABCOCK. Over \$400,000 will also be required to open streets in the coming year. That is not in this bill.

Mr. HEMENWAY. Whatever has not been provided for can be cared for by Congress next year.

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

Mr. MUDD. Mr. Chairman, I ask unanimous consent that the time of the gentleman from Wisconsin be extended for five minutes.

The CHAIRMAN. The gentleman from Maryland asks unanimous consent that the time of the gentleman from Wisconsin be extended. Is there objection? The Chair hears none.

Mr. HEMENWAY. I was going to ask that myself.

Mr. GROSVENOR. In that connection, if it will not interfere with the gentleman's argument, I would like to ask the gentleman from Indiana a question.

Mr. HEMENWAY. I have not got the floor.

Mr. GROSVENOR. The gentleman will yield for that purpose.

Mr. BABCOCK. I yield for that purpose.

Mr. GROSVENOR. It is shown here, in opposition to these advances of money, that the Senate has put a large addition on the appropriation bill, and that is used as an argument against the advances being made.

Mr. HEMENWAY. I did not catch the gentleman's statement on account of the noise here.

Mr. GROSVENOR. The gentleman from Indiana has reported that the Senate has put on to its bill a large addition; whether it is so I do not know.

Mr. HEMENWAY. It has done so.

Mr. GROSVENOR. A large increase has been made on the appropriation of the House bill, and that is used as an argument against the passage of this bill to make the advances?

Mr. HEMENWAY. Not at all.

Mr. GROSVENOR. That is what I want to ask.

Mr. HEMENWAY. If the gentleman will allow me to answer.

Mr. GROSVENOR. I will if the gentleman will allow this question at the same time. Is the Committee on Appropriations willing to recommend concurrence in the Senate amendment?

Mr. HEMENWAY. Evidently not; but say that the bill was

passed. This is the argument I am making, and I want the gentleman to understand it. Say that the House itself agreed to and passed the bill, giving every cent the Senate has put in, it would be \$9,300,000, the largest bill ever passed for the District of Columbia, and still the revenues estimated for the current year for the District of Columbia is \$5,215,000.

Mr. GROSVENOR. I notice that.

Mr. HEMENWAY (continuing). Or nearly a million dollars more than is necessary, the District paying half.

Mr. GROSVENOR. Then the fact that the Senate has put on this additional appropriation is not an argument against the passage of this bill?

Mr. HEMENWAY. The gentleman from Ohio seems to be unable to gather just what I have said, and I will try to put it to him in a simpler form. The District of Columbia will receive for the current year \$5,215,000. The Government pays one-half of the expenses, which will be \$5,215,000 more, which will make a total of \$10,430,000. We make the appropriations and then the District of Columbia would have enough money to meet every dollar of the other expenses without borrowing a cent. For that reason, I say, we are opposed to borrowing money.

Mr. BABCOCK. I would like to ask the gentleman if he was ready to permit me to answer the question he asked some time since?

Mr. HEMENWAY. The gentleman from Wisconsin himself yielded to the gentleman.

Mr. BABCOCK. The gentleman from Ohio asked the gentleman from Indiana a question.

Mr. HEMENWAY. It has been asked and answered.

Mr. BABCOCK. I want to know if I may be permitted to answer the gentleman's question?

Mr. HEMENWAY. I am ready.

Mr. BABCOCK. I am ready to answer it, and satisfactorily to the gentleman himself, I think.

The CHAIRMAN. The gentleman from Wisconsin is entitled to the floor.

Mr. BABCOCK. Mr. Chairman, this is what I call juggling with figures. The proposition is plain and it is clear.

Mr. HEMENWAY. I read the figures from the gentleman's own report, and if there is any juggling with them he juggled them. [Laughter.]

Mr. BABCOCK. If the gentleman will permit me to answer the question. The proposition, as the gentleman states, is that the amount of revenue collected is \$5,200,000. That is correct. But, Mr. Chairman, what the District pays to the Government is \$671,000, which comes out of the District revenues, and what it pays for street openings, which will not be less than four or five hundred thousand dollars, comes out of the District revenues.

Mr. HEMENWAY. Right there, will the gentleman permit a question?

Mr. BABCOCK. I decline to be interrupted until I finish my answer. Now, Mr. Chairman, the House will see at once that practically \$700,000 to be paid to the Government and \$400,000 for street opening will have to come out of that, and deducting it from \$5,200,000 leaves a revenue of \$4,100,000, which doubled amounts to \$8,200,000, and the Senate bill which the gentleman talks about appropriates \$9,396,000, leaving a deficit of \$1,300,000. Those are the figures, and they are correct.

Mr. HEMENWAY. Yes; but the gentleman is not correct. The \$600,000 which the gentleman mentioned does not come out of that revenue. The District of Columbia does not have to pay it—

Mr. BABCOCK. Oh, I admit they will not be in default if they do not pay it for the present year. But the intention was that it was to be divided into three payments, and one made each year for the whole sum of the \$1,900,000 and not paid all at one time. Now, the gentleman, by a stretch of the imagination, says that the District will not have to pay it until the three years have expired. Of course they would not if they waited until the three years had expired.

Mr. HEMENWAY. Will the gentleman permit me right there? Does the gentleman mean to say to the House that the money is due at this time?

Mr. BABCOCK. No; it is not.

Mr. HEMENWAY. Then why does the gentleman say it must be taken out?

Mr. BABCOCK. Because under the advance of \$1,900,000 it was the intention to pay it in three equal amounts, commencing on the first year after July, 1903, so that it should run three years, and not pay it all at one time.

Mr. LITTLEFIELD. Is it proposed to be paid at all?

Mr. BABCOCK. It is proposed to be paid; it is the intention of the committee that it should be paid, and I think the chairman of the Committee on Appropriations will say that that was the intention of the legislation—that it was to be divided into three items.

Mr. CANNON. Does the gentleman want an answer at this point? The act passed on February 11, 1901, so provided; but the act approved July 1, 1903, will be satisfied and complied with if no dollar of this advance is repaid until three years from the 1st day of next July.

Mr. BABCOCK. I admit, Mr. Chairman, that the District will not be in default if it is not paid until three years from next July. I admit that this can be done, but it is not the intention. You put a burden of over \$2,000,000 in one year upon the District and they can not stand it. That is only another method of juggling with the figures. Now, I want to ask some questions, and I want the attention of the House to certain things. These gentlemen have attempted to show that the revenues were swelling and growing so that the treasury of the District was fairly bursting. They talked about twenty-five millions and thirty millions and twelve millions surplus until I did not know whether they were talking about the District treasury or the pension appropriation bill. [Laughter.]

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

Mr. CANNON. I ask unanimous consent that the gentleman's time be extended five minutes.

Mr. BABCOCK. I only want time to complete one or two observations.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the time of the gentleman from Wisconsin be extended until he concludes his remarks. Is there objection?

There was no objection.

Mr. BABCOCK. The statement has been made by members of the committee on the floor of this House that the appropriation should be held within the revenues of the District, and that in order to provide for the extraordinary appropriations it was necessary to economize in certain other lines.

Mr. McCLEARY. Will the gentleman pardon me for an interruption?

Mr. BABCOCK. If the gentleman will permit, I want to finish this remark.

Mr. McCLEARY. I want to ask the gentleman if he really meant to say that any member on this floor ever declared that all the expenses should be met out of the current revenues, and that there should be no such thing as an advance, under any circumstances?

Mr. BABCOCK. Oh, no. Now, I want to call the attention of the House to one item that will show how far this thing reaches and what the influence is. A few years since the Committee on the District of Columbia reported a bill to this House for opening all blind alleys and streets.

Twice the President of the United States, in messages to Congress, has called attention to the deplorable conditions that exist in the very heart of our city in what are known as "blind alleys." In one alley here there are 300 people living; and that blind alley is without drainage or sewerage. Such places are simply fester spots, so much so that, as I say, the President of the United States, in messages to Congress, has twice called attention to them. A year ago the Commissioners of the District of Columbia asked for an appropriation of \$100,000 to deal with this evil. There was no money appropriated. This year they asked for \$25,000, and the Committee of the House gave them \$10,000, which the Senate Committee has since increased to \$25,000.

Now, what is the result? Under the present law these alleys can be opened without a dollar of expense to the District or to the Government—opened, paved, cleaned, and made decent and healthful. But, Mr. Chairman, not one single alley can be opened for less than \$25,000. The money must be advanced to pay for the improvement, which becomes a charge upon the property by reason of benefits derived from the improvement, so that it all comes back ultimately. An appropriation of 10 cents might just as well be made as an appropriation of \$10,000; and the Senate, having taken that view of the case, has increased the appropriation to \$25,000.

Now, sir, another item. Recently the District of Columbia has bought a "poor farm"—260 acres, down the river—for the care of the District poor. In our part of the country every county has a "poor farm" which is self-supporting. But in the case of this "poor farm" for the District not a dollar of appropriation has been made for buildings, because the revenues would not permit such an expenditure.

Another matter to which I wish to call attention is the workhouse, for which an appropriation of \$100,000 has been asked. It is desirable that a new wing should be constructed for this building, and the Senate has put in the bill a provision for that purpose.

Now, what does the Board of Charities report? They report a most deplorable condition in that workhouse. They say that eight or nine people are huddled together in a single room, two in a bunk, and under such circumstances crimes are committed

there day after day that I can not mention on this floor. Why, sir, for lack of additional facilities the condition of affairs there to-day is, I might say, worse than was the condition of the reconcentrado camps in Cuba. Yet the Congress is standing here today with their hands on the throttle valve and saying, "You shall not have the money to take proper care of the persons that you send to the workhouse." Sir, I could go on almost indefinitely with items of this kind. In order to take care of these extraordinary appropriations these things must be left unprovided for. Mr. Chairman, I do not believe that the Committee on Appropriations has tried to evade its duty. Some members may not see things as others see them. The matters I have referred to I have investigated—I have looked into them—and I know whereof I speak.

Mr. HEMENWAY. Mr. Chairman, the argument of the gentleman from Wisconsin does not apply to this bill, and I will tell you why. This bill appropriates for expenses of 1903. The estimate is for taxes for that year. Now, I read from the report of the gentleman from Wisconsin [Mr. BABCOCK], the chairman of the Committee on the District of Columbia, and from the report of Mr. Macfarland, president of the Board of District Commissioners. What do we find disclosed? That according to the expectation of the Commissioners the revenues of the District of Columbia for the fiscal year 1903 will exceed the following estimate:

Tax on real property.....	\$3,225,000
Tax on personal property.....	500,000
Licenses.....	640,000
Arrears of taxes.....	150,000
Miscellaneous.....	700,000
Total.....	5,215,000

Now, the Senate committee, in reporting the bill to the Senate, provides for an expenditure of only \$9,396,000. If that it is not enough, it is the duty of the gentleman from Wisconsin to go to the Senate committee and get them to raise the amount, because they can appropriate \$10,430,000. We can pass in this Congress an appropriation bill carrying that amount, and the District of Columbia can meet its one-half of that expense and never borrow a single dollar. Now, whoever heard of such a proposition as this? They come in here and ask Congress to authorize the District of Columbia to borrow money to meet expenses for 1903 when they will absolutely have money in the Treasury that they will have no use for, unless they pay back to the Government a debt not due. Why, sir, if we have \$10,000,000 in the Treasury and we appropriate only \$9,396,000, that is all they can expend. I say the bill, as reported to the Senate, can have \$1,000,000 added to it and yet the District have for the year 1903, without borrowing one cent, every dollar to take care of its one-half of the expenditures.

Mr. POWERS of Massachusetts. I should like to ask the gentleman a question.

Mr. HEMENWAY. Very well.

Mr. POWERS of Massachusetts. If it be true that the revenues are sufficient, then there will be no money loaned under the provisions of this bill?

Mr. HEMENWAY. There will be no necessity for it so far as the expenditures of 1903 are concerned.

Mr. POWERS of Massachusetts. And therefore no money will be loaned?

Mr. HEMENWAY. There will be no necessity for borrowing money, for the District can not expend more money than is appropriated; and if the bill now in the Senate were taken as reported, and the House agreed to every item, there would be an appropriation of only \$9,396,000, while the revenues of the District in 1903 could stand a bill of \$10,430,000, and then have money to pay every cent of its one-half of the expenditures.

Mr. POWERS of Massachusetts. The question I desire the gentleman to answer is this: If his contention is correct, then no loan will be made; the Government will not be called upon to make any advance under the provisions of this bill—

Mr. HEMENWAY. Not one cent. And therefore why pass this bill, when the figures—and there can be no doubt about them, because I take them from the report of the District Committee—show an ample amount of revenue to be received by the District in 1903, taking the expenditures at the amount fixed in the bill reported to the Senate, and everyone can see that we shall not pass a bill carrying any more than that amount. Yet the District of Columbia will have money to meet every dollar of it, and if you put a million dollars more on top of this appropriation, then the District of Columbia could pay every cent of its one-half without borrowing one cent from the Government.

Under the circumstances why pass a bill authorizing the Government to advance to the District money, when on the face of the figures we have here, prepared by the District Committee, and everybody concedes them to be correct, if anything too low, the District will have every dollar of money necessary to meet the expenses proposed by the appropriation bill? I can not see any sense in authorizing the District to borrow money from the Gov-

ernment when the figures on their face show that there is absolutely no necessity for borrowing any money.

Mr. BABCOCK. Mr. Chairman, I ask for a vote on the amendment. I think I have sufficiently answered the gentleman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin.

The question was taken; and the Chair announced that the ayes seemed to have it.

Mr. COWHERD. Mr. Chairman, I call for a division.

Mr. SHATTUC. Mr. Chairman, what are we voting on?

The CHAIRMAN. The Chair will state that the question is on the substitute offered by the gentleman from Wisconsin to the first section of the bill.

Mr. CANNON. Mr. Chairman, I rise for a parliamentary inquiry. If the substitute should be adopted, then the vote would be upon the bill as amended, so that those of us who desire to vote against the bill can vote for the substitute or vote it down, and in either event we will then have a chance to vote against the bill.

The CHAIRMAN. Undoubtedly. The question now is on the adoption of the substitute amendment as offered by the gentleman from Wisconsin.

The question was taken; and on a division (demanded by Mr. COWHERD) there were—ayes 68, noes 95.

Mr. BABCOCK. Mr. Chairman, I ask for tellers.

The CHAIRMAN. Eighteen gentlemen standing, not a sufficient number; tellers are denied.

So the amendment was rejected.

Mr. COWHERD. Mr. Chairman, I now move to strike out the enacting clause of the bill.

The CHAIRMAN. The question is on the motion of the gentleman from Missouri to strike out the enacting clause of the bill.

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

Mr. BABCOCK. Mr. Chairman, I move that the committee do now rise with the fragments of the bill [laughter] and report the same to the House.

The motion was agreed to.

Accordingly the committee rose; and Mr. GROSVENOR having taken the chair as Speaker pro tempore, Mr. OLMSTED, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 16761) providing for advances from the Treasury of the United States for the support of the government of the District of Columbia, and had directed him to report the same back with the recommendation that the enacting clause be stricken out.

The SPEAKER pro tempore. The question is on agreeing to the report of the Committee of the Whole House on the state of the Union.

The question was taken, and the report agreed to.

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

DEPARTMENT OF COMMERCE.

Mr. HEPBURN. Mr. Speaker, I desire to present a conference report, together with the statement of the conferees, on the bill (S. 569) to establish a department of commerce and labor, and ask that the same be printed in the RECORD, in accordance with the rules.

The SPEAKER pro tempore. The gentleman from Iowa submits the conference report, together with a statement of the conferees, which will be printed in the RECORD, in accordance with the rules.

The conference report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 569) "to establish the department of commerce and labor," 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 with amendments as follows: Page 2, line 8 of the amendment, strike out all after the word "Congress" to the end of section 2 and insert in lieu thereof the following: "and the Auditor for the State and other Departments shall receive and examine all accounts of salaries and incidental expenses of the office of the secretary of commerce and labor, and of all bureaus and offices under his direction, all accounts relating to the Light-House Board, Steamboat-Inspection Service, Immigration, Navigation, Alaskan fur-seal fisheries, the National Bureau of Standards, Coast and Geodetic Survey, Census, Department of Labor, Fish Commission, and to all other business within the jurisdiction of the department of commerce and labor, and certify the balances arising thereon to the division of bookkeeping and warrants and send forthwith a copy of each certificate to the secretary of commerce and labor."

Page 3, line 15 of the amendment, insert, after the word "Establishment," the following: "the Steamboat-Inspection Service, the Bureau of Navigation, the United States Shipping Commissioners."

Page 4, line 3 of the amendment, strike out the word "Commissioner" and insert in lieu the word "Commission."

Strike out all of section 6 and insert in lieu the following:

"SEC. 6. That there shall be in the department of commerce and labor a bureau to be called the bureau of corporations, and a commissioner of corporations who shall be the head of said bureau, to be appointed by the President, who shall receive a salary of \$5,000 per annum. There shall also be in said bureau a deputy commissioner, who shall receive a salary of \$3,500 per annum and who shall in the absence of the commissioner act as and perform

the duties of the commissioner of corporations, and who shall also perform such other duties as may be assigned to him by the secretary of commerce and labor or by the said commissioner. There shall also be in the said bureau a chief clerk and such special agents, clerks, and other employees as may be authorized by law.

"The said commissioner shall have power and authority to make, under the direction and control of the secretary of commerce and labor, diligent investigation into the organization, conduct, and management of the business of any corporation, joint-stock company, or corporate combination engaged in commerce among the several States and with foreign nations, excepting common carriers subject to 'an act to regulate commerce,' approved February 4, 1887, and to gather such information and data as will enable the President of the United States to make recommendations to Congress for legislation for the regulation of such commerce, and to report such data to the President from time to time as he shall require; and the information so obtained, or as much thereof as the President may direct shall be made public.

"In order to accomplish the purposes declared in the foregoing part of this section, the said commissioner shall have and exercise the same power and authority in respect to corporations, joint-stock companies, and combinations subject to the provisions hereof as is conferred on the Interstate Commerce Commission in said 'act to regulate commerce' and the amendments thereto in respect to common carriers so far as the same may be applicable, including the right to subpoena and compel the attendance and testimony of witnesses and the production of documentary evidence and to administer oaths. All the requirements, obligations, liabilities, and immunities imposed or conferred by said 'act to regulate commerce' and by 'an act in relation to testimony before the Interstate Commerce Commission,' etc., approved February 11, 1893, supplemental to said 'act to regulate commerce,' shall also apply to all persons who may be subpoenaed to testify as witnesses or to produce documentary evidence in pursuance of the authority conferred by this section.

"It shall also be the province and duty of said bureau, under the direction of the secretary of commerce and labor, to gather, compile, publish, and supply useful information concerning corporations doing business within the limits of the United States as shall engage in interstate commerce or in commerce between the United States and any foreign country, including corporations engaged in insurance, and to attend to such other duties as may be hereafter provided by law."

Page 6, line 8, of the amendment, after the word "required," insert the words "by the secretary of commerce and labor."

Page 7, line 7, of the amendment, after the word "labor," insert the following: "Provided, That nothing contained in this act shall be construed to alter the method of collecting and accounting for the head tax prescribed by section 1 of the act entitled 'An act to regulate immigration,' approved August 3, 1882."

Page 8, line 25, of the amendment, after the word "in," insert the words "or by."

In lieu of section 10 of the amendment insert the following:

"SEC. 10. That all duties performed and all power and authority now possessed or exercised by the head of any executive department in and over any bureau, office, officer, board, branch, or division of the public service by this act transferred to the department of commerce and labor, or any business arising therefrom or pertaining thereto, or in relation to the duties performed by and authority conferred by law upon such bureau, officer, office, board, branch, or division of the public service, whether of an appellate or revisory character or otherwise, shall hereafter be vested in and exercised by the head of the said department of commerce and labor.

"All duties, power, authority, and jurisdiction, whether supervisory, appellate, or otherwise, now imposed or conferred upon the Secretary of the Treasury by acts of Congress relating to merchant vessels or yachts, their measurement, numbers, names, registers, enrollments, licenses, commissions, records, mortgages, bills of sale, transfers, entry, clearance, movements, and transportation of their cargoes and passengers, owners, officers, seamen, passengers, fees, inspection, equipment for the better security of life, and by acts of Congress relating to tonnage tax, boilers on steam vessels, the carrying of inflammable, explosive, or dangerous cargo on vessels, the use of petroleum or other similar substances to produce motive power, and relating to the remission or refund of fines, penalties, forfeitures, exactions, or charges incurred for violating any provision of law relating to vessels or seamen or to informer's shares of such fines, and by acts of Congress relating to the Commissioner and Bureau of Navigation, shipping commissioners, their officers and employees, Steamboat-Inspection Service and any of the officials thereof, shall be, and hereby are, transferred to and imposed and conferred upon the secretary of commerce and labor from and after the time of the transfer of the Bureau of Navigation, the shipping commissioners, and the Steamboat-Inspection Service to the department of commerce and labor, and shall not thereafter be imposed upon or exercised by the Secretary of the Treasury. And all acts or parts of acts inconsistent with this act are, so far as inconsistent, hereby repealed."

Page 10, line 12 of the amendment, strike out the words "or the Interstate Commerce Commission," and insert the following: "from the Department of State, the Department of the Treasury, the Department of War, the Department of Justice, the Post-Office Department, the Department of the Navy, or the Department of the Interior."

Page 11, line 6 of the amendment, after the word "act," insert the words "Other than those of section 12."

And the House agree to the same.

W. P. HEPBURN,
JAMES R. MANN,
WILLIAM RICHARDSON,
Managers on the part of the House.
M. A. HANNA,
KNUTE NELSON,
A. S. CLAY,
Managers on the part of the Senate.

The statement of the House conferees is as follows:

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 569) to establish the department of commerce and labor, submit the following written statement in explanation of the effect of the action recommended in the accompanying conference report.

The substitute amendment of the House is agreed to with various amendments.

The first of these amendments is to strike out the provision in the House substitute in reference to the auditing of accounts and to insert in lieu thereof the following:

"The Auditor for the State and other departments shall receive and examine all accounts of salaries and incidental expenses of the office of the secretary of commerce and labor, and of all bureaus and offices under his direction, all accounts relating to the Light-House Board, Steamboat-Inspection Service, immigration, navigation, Alaskan fur-seal fisheries, the National Bureau of Standards, Coast and Geodetic Survey, Census, Department of Labor, Fish Commission, and to all other business within the jurisdiction of the department of commerce and labor, and certify the balances

arising thereon to the division of bookkeeping and warrants, and send forthwith a copy of each certificate to the secretary of commerce and labor."

This language more nearly conforms with the present law upon the subject of auditing accounts.

The second amendment to the House substitute provides for the transfer from the Treasury Department to the department of commerce and labor of the Steamboat-Inspection Service, the Bureau of Navigation, and the United States shipping commissioners.

The third amendment agreed to is to insert the word "commission," instead of the word "commissioner," in the description "Fish Commission," the Commissioner of Fish and Fisheries being already included.

The fourth amendment agreed to inserts, after the word "required," in section 5, the words "by the secretary of commerce and labor," so as to provide that consular officers shall send reports, under the direction of the Secretary of State, as often as required by the secretary of commerce and labor.

The fifth amendment agreed to is to strike out all of section 6 of the House substitute and to insert in lieu thereof the following:

"SEC. 6. That there shall be in the department of commerce and labor a bureau to be called the bureau of corporations, and a commissioner of corporations who shall be the head of said bureau, to be appointed by the President, who shall receive a salary of \$5,000 per annum. There shall also be in said bureau a deputy commissioner, who shall receive a salary of \$3,500 per annum, and who shall, in the absence of the commissioner, act as, and perform the duties of, the commissioner of corporations, and who shall also perform such other duties as may be assigned to him by the secretary of commerce and labor or by the said commissioner. There shall also be in the said bureau a chief clerk and such special agents, clerks, and other employees as may be authorized by law.

"The said commissioner shall have power and authority to make, under the direction and control of the secretary of commerce and labor, diligent investigation into the organization, conduct, and management of the business of any corporation, joint stock company, or corporate combination engaged in commerce among the several States and with foreign nations excepting common carriers subject to 'An act to regulate commerce,' approved February 4, 1887, and to gather such information and data as will enable the President of the United States to make recommendations to Congress for legislation for the regulation of such commerce, and to report such data to the President from time to time as he shall require; and the information so obtained, or as much thereof as the President may direct, shall be made public.

"In order to accomplish the purposes declared in the foregoing part of this section, the said commissioner shall have and exercise the same power and authority in respect to corporations, joint stock companies, and combinations subject to the provisions hereof as is conferred on the Interstate Commerce Commission in said 'act to regulate commerce' and the amendments thereto in respect to common carriers, so far as the same may be applicable, including the right to subpoena and compel the attendance and testimony of witnesses and the production of documentary evidence and to administer oaths. All the requirements, obligations, liabilities, and immunities imposed or conferred by said 'act to regulate commerce' and by 'An act in relation to testimony before the Interstate Commerce Commission,' etc., approved February 11, 1893, supplemental to said 'act to regulate commerce,' shall also apply to all persons who may be subpoenaed to testify as witnesses or to produce documentary evidence in pursuance of the authority conferred by this section.

"It shall also be the province and duty of said bureau, under the direction of the secretary of commerce and labor, to gather, compile, publish, and supply useful information concerning corporations doing business within the limits of the United States as shall engage in interstate commerce or in commerce between the United States and any foreign country, including corporations engaged in insurance, and to attend to such other duties as may be hereafter provided by law."

The sixth amendment agreed to is to insert at the end of the first sentence in section 7 (which provides for the transfer of the Bureau of Immigration to the new department) the following: "Provided, That nothing contained in this act shall be construed to alter the method of collecting and accounting for the head tax prescribed by section 1 of the act entitled 'An act to regulate immigration,' approved August 3, 1882."

The seventh amendment agreed to is to insert the words "or by" in section 9, so as to include in the transfer "all officers, clerks, and employees now employed in or by any of the bureaus," etc., transferred to the new department.

The eighth amendment agreed to is to strike out all of section 10 and insert in lieu thereof the following:

"That all duties performed and all power and authority now possessed or exercised by the head of any executive department in and over any bureau, office, officer, board, branch, or division of the public service by this act transferred to the department of commerce and labor, or any business arising therefrom or pertaining thereto, or in relation to the duties performed by and authority conferred by law upon such bureau, officer, office, board, branch, or division of the public service, whether of an appellate or revisory character or otherwise, shall hereafter be vested in and exercised by the head of the said department of commerce and labor.

"All duties, power, authority, and jurisdiction, whether supervisory, appellate, or otherwise, now imposed or conferred upon the Secretary of the Treasury by acts of Congress relating to merchant vessels or yachts, their measurement, numbers, names, registers, enrollments, licenses, commissions, records, mortgages, bills of sale, transfers, entry, clearance, movements, and transportation of their cargoes and passengers, owners, officers, seamen, passengers, fees, inspection, equipment for the better security of life, and by acts of Congress relating to tonnage tax, boilers on steam vessels, the carrying of inflammable, explosive, or dangerous cargo on vessels, the use of petroleum or other similar substances to produce motive power, and relating to the remission or refund of fines, penalties, forfeitures, exactions, or charges incurred for violating any provision of law relating to vessels or seamen or to informer's share of such fines, and by acts of Congress relating to the Commissioner and Bureau of Navigation, shipping commissioners, their officers and employees, Steamboat-Inspection Service and any of the officials thereof, shall be, and hereby are, transferred to and imposed and conferred upon the secretary of commerce and labor from and after the time of the transfer of the Bureau of Navigation, the shipping commissioners, and the Steamboat-Inspection Service to the department of commerce and labor, and shall not thereafter be imposed upon or exercised by the Secretary of the Treasury. And all acts or parts of acts inconsistent with this act are, so far as inconsistent, hereby repealed."

The principal new matter inserted in section 10 as agreed to is for the purpose of transferring the present authority vested in the Secretary of the Treasury in regard to navigation and steamboat inspection service to the secretary of commerce and labor. The amendment enumerates various acts of Congress in which the Secretary of the Treasury is now named by that title, in order to more specifically transfer his present power to the secretary of commerce and labor.

The ninth amendment agreed to is to strike out of section 12 the words "or the Interstate Commerce Commission" and insert in lieu thereof the following: "From the Department of State, the Department of the Treasury,

the Department of War, the Department of Justice, the Post-Office Department, the Department of the Navy, or the Department of the Interior." The effect of this amendment is to permit the President to transfer statistical or scientific work to the department of commerce and labor from any of the Departments named, but it does not permit him to transfer the Interstate Commerce Commission or the statistical work of the Department of Agriculture or the Interstate Commerce Commission.

The tenth amendment is to insert after the word "act," in line 3 of section 13, the words, "other than those of section 12." The effect of this amendment is to make section 12 of the act take effect immediately upon its passage.

W. P. HEPBURN,
JAMES R. MANN,
WILLIAM RICHARDSON,
Managers on the part of the House.

RECORD OF DEEDS, ETC., IN INDIAN TERRITORY.

Mr. SHERMAN. Mr. Speaker, I desire to present a conference report, together with a statement of the conferees, on the bill (S. 5678) providing for record of deeds and other conveyances and instruments of writing in the Indian Territory, and for other purposes, and ask that the same be printed in the RECORD, in accordance with the rules.

The SPEAKER pro tempore. The gentleman from New York submits a conference report, together with the statement of the conferees, which will be printed in the RECORD, in accordance with the rules.

The conference report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House of Representatives to the bill (S. 5678) "providing for record of deeds and other conveyances and instruments of writing in the Indian Territory, and for other purposes," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendment; and the Senate agree to the same.

J. S. SHERMAN,
JOHN F. LACEY,
JOHN S. LITTLE,
Managers on the part of the House.

WM. M. STEWART,
O. H. PLATT,
JAMES K. JONES,
Managers on the part of the Senate.

The statement of the conferees is as follows:

The effect of this agreement is to accept the bill in the form in which it passed the Senate, defining the recording districts and places of record in Indian Territory.

ELI HIBBARD.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that the minority of the Committee on Military Affairs may have time within which to present their views on the bill (S. 5879) to remove the charge of desertion from the Army record of Eli Hibbard.

The SPEAKER pro tempore. The gentleman from Wyoming asks unanimous consent that the minority of the Committee on Military Affairs have leave to present a minority report on the bill (S. 5879) to remove the charge of desertion from the Army record of Eli Hibbard. Is there objection?

There was no objection.

HEIGHT OF BUILDINGS IN THE DISTRICT OF COLUMBIA.

Mr. BABCOCK. Mr. Speaker, I desire to submit a conference report, together with the statement of the conferees, on the bill (H. R. 14050) to amend an act to regulate the height of buildings in the District of Columbia, and ask that the same be submitted in accordance with the rules.

The SPEAKER pro tempore. This will be printed in the RECORD in pursuance of the rules.

The conference report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14050) to amend an act to regulate the height of buildings in the District of Columbia, 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 amendments of the Senate numbered 1, 3, and 4, and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to amendment numbered 2, and agree to the same with an amendment as follows: In section 4, in line 4, after the words "in its front," add "but where the site of a proposed building confronts a public space or reservation formed at the intersection of two or more streets or avenues and the course of said streets or avenues is not interrupted by said public space or reservation, the allowable height of the building will be determined by the width of the widest street or avenue;" and the Senate agree to the same.

J. W. BABCOCK,
SYDNEY E. MUDD,
ADOLPH MEYER,
Managers on the part of the House.

J. H. GALLINGER,
THOMAS S. MARTIN,
Managers on the part of the Senate.

The statement of the House conferees is as follows:

The amendments of the Senate were prepared by the Commissioners of the District of Columbia with a view to making clear the provisions of law in relation to the height of buildings, to afford reasonable protection to property on residence streets against unusually high buildings. The limit of height on the wide business avenues is unchanged. There is no opposition on the part of property owners to the proposed legislation.

UNION STATION, DISTRICT OF COLUMBIA.

Mr. BABCOCK. Mr. Speaker, I call up the conference report on the union station bill.

The SPEAKER pro tempore. The gentleman from Wisconsin calls up a conference report on the bill (S. 1425) to provide for a union railroad station in the District of Columbia.

Mr. BABCOCK. I ask that the statement be read, Mr. Speaker.

The SPEAKER pro tempore. The gentleman asks unanimous consent that the statement be read without the report. Is there objection?

There was no objection.

[For the text of the conference report, see page 1874.]

The Clerk read as follows:

The House recedes from its amendments Nos. 4, 42, and 47.

Nos. 4, 19, and 42 were clerical errors made by changing the name of the Baltimore and Potomac Railroad to the Philadelphia, Baltimore, and Washington where the road under its old name was referred to.

No. 47 was intended to clarify the language used in the bill in regard to the taking of property. The original expression is deemed best.

Amendment No. 1 corrects a clerical error by inserting a comma.

Amendment No. 7 changes the phraseology used in the bill from the "United States Reform School" to the proper term, "Reform School of the District of Columbia."

Amendment No. 14 corrects a clerical error by changing the word "company" to "companies."

Amendment No. 23 does not enlarge the scope of the bill in any particular, but merely corrects the phraseology so as to put beyond dispute the streets to be vacated, abandoned, and closed.

Amendment No. 27 is a correction of phraseology.

That a portion of amendment No. 57 which relates to the location of a station near the Long Bridge places it in the power of the Commissioners to locate such station at the point that shall be determined upon by them as the most convenient for the passenger travel which will use it.

The amendments on which the conference committee were unable to agree relate to that share of the cost of the elevation of grade crossings which is to be borne, respectively, by the railroads, and the Government, and the District of Columbia.

Mr. BABCOCK. Mr. Speaker, the report submitted by your conferees is a complete agreement, with the exception of two amendments adopted by the House. The Senate agrees to all of the House amendments with the exception of two, and the two relate to the compensation to the Pennsylvania and the Baltimore and Ohio Railroad companies. The forty or fifty amendments that have been disposed of were mostly formal, but at any rate the Senate agreed to all of them except these two. This report is an agreement, with the exception of these two items.

Now, Mr. Speaker, I ask that the House agree to the report of the conferees.

The conference report was agreed to.

Mr. BABCOCK. Now, Mr. Speaker, I move that the House further insist upon its amendments and ask for a further conference.

The SPEAKER pro tempore. The gentleman from Wisconsin moves that the House insist upon its disagreement and ask for a further conference.

Mr. MORRELL. Mr. Speaker, I move that the House instruct the conferees on the part of the House that they recede and concur in the Senate amendments.

The SPEAKER pro tempore. The gentleman's motion properly is to recede and concur.

Mr. MORRELL. That the House recede and concur.

Mr. BABCOCK. I think my motion covers the entire ground, and, according to the rulings of the Chair on previous occasions, that a negative vote will defeat it. In either case the motion is the same.

The SPEAKER pro tempore. The Chair thinks that the motion to recede and concur has precedence.

Mr. BABCOCK. I understood that the motion of the gentleman was to instruct the conferees.

The SPEAKER pro tempore. He has withdrawn that.

Mr. MORRELL. My motion is to recede and concur.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Pennsylvania that the House recede from its amendment and concur.

Mr. BABCOCK. Mr. Speaker, on that motion I should like to be heard.

The SPEAKER pro tempore. The gentleman from Pennsylvania has the floor.

Mr. CANNON. I do not understand that is the rule. As I understand it, the gentleman can not be taken off his feet.

The SPEAKER pro tempore. The Chair corrects himself, and agrees with the statement of the gentleman from Illinois. The gentleman from Wisconsin has the floor.

Mr. BABCOCK. Mr. Speaker, I would say in the first place that it is not practical to adopt the motion of the gentleman from Pennsylvania, even if it should be the unanimous judgment of the House to do so, for the following reasons: When the bill was amended in the House and went to the Senate an error was made in numbering the amendments. Amendment numbered 57 should

have been 57, 58, and 59, but in the hurry and rush they were not put in, and this bill must necessarily go back to conference, whatever may be the desire of the House, in order to correct these two sections. There are two sections numbered 13, one in the old bill and one in the new bill, entirely different matters. If we recede and concur in the Senate amendments we strike out of the bill a section 13, which provides for the joint use of the union station and leaves the original Senate bill. And so, while I have no objection and do not want to offer any impediment to the House getting to a vote to determine what it desires to do, it will have to be done by some other method.

The SPEAKER pro tempore. The Chair will state that it is very easy to solve that problem. The gentleman from Pennsylvania [Mr. MORRELL] can ask a separate vote on his motion to concur in the particular amendment that he desires to concur in, and then the other question will be left for the House to decide.

Mr. BABCOCK. Now, Mr. Speaker, if I can have the attention of the House for a moment, I will state the facts as they are. Originally when these two bills were passed, in 1901, one appropriated a million and a half dollars in money for the Baltimore and Ohio road and the other a like amount in real estate to the Pennsylvania railroad. Now, these amount in the aggregate to \$3,000,000—\$1,500,000 in amount of real estate to the Pennsylvania and \$1,500,000 in cash to the Baltimore and Ohio road. This sum of \$3,000,000 was contributed as one-half of the cost of the elevation of the tracks and abolishing grade crossings. Now, I want the House to bear this point in mind: That the District and General Government proposed to pay one-half of the cost of constructing the elevation, not the depot, not the freight yards, not the tunnels, but one-half of the cost of elevating the tracks above grade. That is the present law contained in the two bills passed in 1901.

Now, when the proposition came up, Mr. Speaker, for a union station, plans were submitted by the railroad companies locating the station at C street back here on Delaware avenue. Delaware avenue is the avenue on which the street cars leave the Capitol grounds, turning then on to C street. This is the location where the Senate stables are. These were the plans as filed originally by the railroad companies for the union station. The Senate in its wisdom passed a bill locating the depot two blocks further back on Massachusetts avenue. The House committee objected to the Massachusetts avenue site, because it cost the District and the General Government \$1,600,000 more than the C street site.

After much discussion and hearings on the bill in the House committee the proposition was made by certain members of the District Committee who were opposed to the whole idea, if this amount of \$1,600,000 was divided (which is done) to go to Massachusetts avenue, \$500,000 of it to each railroad, dividing it into three shares, the District taking the greater bulk or \$600,000, that they would agree to the Massachusetts avenue site. The representatives of the railways, after they had first desired to locate at C street and filed plans accordingly, notified the committee that they would not build at C street unless obliged to do so by law.

The committee agreed to this proposition and brought it before the House, where the facts were stated as clearly as could be, and the House agreed with the committee and passed the bill. This took from the Baltimore and Ohio Railway \$500,000 of the appropriation in the act of February 12, 1901, for it, and in this exchange of location we took back from the Pennsylvania Railroad real estate valued at \$1,285,000. That is what they received in lieu of money in 1901. In the bill as passed by the House we took back the property and gave them a million dollars in lieu of it.

The House amendments cut down the amounts granted the roads to one million each, but the Senate insists upon the original provisions in the Senate bill, which is a million and a half dollars in cash to each road. Now, your House conferees felt bound by the action of their committee and of the House, and the further fact that in the new construction thus taken up by the different lines of road we found brought out this statement of facts. These are the figures presented by the railroads themselves and the statements made by the presidents of the roads. So if the figures are wrong, and I think in some cases they are pretty liberal, they are the official figures as agreed upon, giving all the different items not only by the Commissioners, but by the railroads.

We find further by locating at Massachusetts avenue the saving to the Baltimore and Ohio Railroad by this change, and having joined the Pennsylvania Railroad in the construction, is \$1,340,383. This is saved the Baltimore and Ohio in its construction, and the House reduced the amount granted by \$500,000 in our bill. Notwithstanding that, there is a net gain of \$840,383. On the other hand, the Pennsylvania Railroad abandons its construction at its present site at Sixth street back to Virginia avenue, a short distance, and all other construction provided in 1901 is left as it is without any change at all. A tunnel is built that

runs under First street, between the Capitol and the Library, which expense is shared jointly. The Pennsylvania joins the Baltimore and Ohio road in constructing the terminals and station, the viaduct on Delaware avenue, and the elevation outside of the city.

Now, under this bill, as one of the reasons why I opposed the Massachusetts avenue site is this: The elevation under the present law is about 24 feet. It cleared all the streets with plenty of room. This elevation, by going to Massachusetts avenue, is reduced on an average of 13 feet, so that instead of the streets going under the elevation on grade they are depressed from 8 to 15 feet, and one-half of the height of the elevation is saved. In other words, instead of building an elevation of 24 or 25 feet, the average elevation is from 11 to 13 feet. Instead of being built by one road it is built by two.

Then we abandon from C street to Massachusetts avenue two blocks of construction of 1,100 feet, moving the depot about two blocks. The estimated cost of that is \$220,000. That does not have to be done at all. Also in these two blocks the land—perhaps I am not so familiar with it as the board of trade—they claim that the value of real estate is \$600,000 saved by this change, but the estimated value of real estate for the union depot at Massachusetts avenue is a little over a million dollars, as compared with the Baltimore and Ohio depot alone at \$1,250,000. So there is a saving of several hundred thousand dollars there.

Taking the figures of construction as given by President Loree, it shows a saving in construction of thirteen hundred and thirty thousand dollars. Now, Mr. Loree, in his figures brings in the additional cost of the station and tunnel that your committee does not agree to. In other words, the District and the Government never proposed to build a union station, or to build the terminal, or to build the freight yard. The public was dealing with the elevation, and endeavoring to pay one-half of the cost of elevating the tracks. So, if you pursue that policy, the saving, as I have stated, is thirteen hundred and thirty thousand dollars. The Pennsylvania road is put to more expense for the reason that they not only construct their own elevation but they come and join the B. and O.—

Mr. CANNON. Mr. Speaker, I ask for order. It is impossible to hear the gentleman from Wisconsin.

The SPEAKER pro tempore. The Chair would like to know who put this large plat or map in front of the Speaker's desk.

Mr. BABCOCK. That is the plan of the union station.

The SPEAKER pro tempore. We must have quiet here, and it is impossible for the Chair to preserve order with this large map cutting off his view. Let it be taken away and brought in when necessary.

Mr. BABCOCK. This statement of the Pennsylvania road, now the Philadelphia, Baltimore and Washington Railroad, submitted by President Cassatt, is as follows:

The expense under the act of February 12, 1901, is \$4,362,656. The cost under the pending bill is \$7,966,926. Now, in the item of cost under the pending bill one-half of the cost of the tunnel is \$824,000; the additional cost of the station building is \$778,000. The line to Magruder, which is the new cut-off, is \$1,292,450, and one-half of the cost of the coach yard is \$419,000, making \$3,314,625 which is no part of the plan of the elevation. Deducting that from the cost in the present bill, it leaves \$4,652,301 to be compared with the cost of \$1,392,656 in the act of February 12, 1901, showing that it costs the Pennsylvania road \$3,259,645 more than it would under the present law, as against the Baltimore and Ohio \$1,340,383 less than under the present law.

Mr. OLMSTED. Will the gentleman allow me a question?

Mr. BABCOCK. Certainly.

Mr. OLMSTED. I understand from the gentleman's statement that this bill takes from the Pennsylvania road land to the value of \$1,285,000, and also adds, according to the gentleman's figures, several hundred thousand dollars of expense; and for that amount of over a million and a half dollars the House bill allows them a million dollars. So the Pennsylvania road would be out of pocket, by the gentleman's own figures, a half a million dollars by the change.

Mr. BABCOCK. I have endeavored, Mr. Speaker, to make myself clear as to the difference in value of the real estate. It does not make any difference how they get at it, whether it was given to them fifty years ago or not; they took the real estate in lieu of a million and a half dollars in money under the last act, and if we take it back we must consider it on the same basis.

Mr. COWHERD. Yes; but in addition to the real estate you say they took under the last act they got a gift of a highway bridge and several other reservations in Washington.

Mr. BABCOCK. The part we are taking back was the original location.

Mr. OLMSTED. But with that land which the bill takes away from them they acquired Garfield Park and the highway bridge which they retain. But this land of the value of nearly a million and a half of dollars the bill takes away from them.

Mr. COWHERD. One million two hundred and eighty-five thousand dollars.

Mr. BABCOCK. Mr. Speaker, whatever may be the action of

the House on this conference report—whether we instruct the conferees to agree to the Senate bill or not—I think the bill should go back to conference, so that these particular sections may be perfected, for I can see great difficulty in perfecting them by any motion which may be made here to concur.

Mr. TAYLER of Ohio. I should like to ask the gentleman from Wisconsin a question, for I want to understand this matter, as we all do. I understand that under the act of 1901 the total cost of the improvements of these two railroad companies would amount to \$9,992,000—I have added the two items together. Under the pending bill the amount of the improvements proposed and arranged for would be to the two companies \$13,850,476, making nearly \$4,000,000 more expense to the companies under this bill than under the provisions of the acts of 1901. Now, what I want to ask the gentleman is this: What do the railroad companies get in the way of effective and useful and profit-producing railroad property out of this expenditure of \$13,850,000 which they would not have secured from the expenditure of \$9,992,000?

Mr. BABCOCK. The Pennsylvania road gets a new line out of the city of Washington, which permits them to run into the depot directly, without going through a tunnel.

Mr. TAYLER of Ohio. Exactly; it permits them to get into the union station. But under the previous arrangement they could have run into their own station on the Mall.

Mr. BABCOCK. On their own line.

Mr. TAYLER of Ohio. Is there any additional usefulness in that to them?

Mr. BABCOCK. Does the gentleman mean in the station or in the new line?

Mr. TAYLER of Ohio. The station and the line. What advantage will there be over what they have or what they would have without this bill?

Mr. BABCOCK. This will enable them to shorten the time between Washington and New York about fifteen minutes—a very valuable consideration.

Mr. TAYLER of Ohio. The advantage, then, is in the saving of fifteen minutes?

Mr. BABCOCK. The improvement is in getting a beautiful union station; also in the tunnel that connects the five Southern roads with the Baltimore and Ohio system.

Mr. TAYLER of Ohio. In what respect does the gentleman differentiate the tunnel and an elevated track with respect to the public convenience and safety?

Mr. BABCOCK. The public has nothing to do with the tunnel; it is for the purpose of bringing the passenger traffic together. I am one of those who believe that two stations would be better than one station.

Mr. TAYLER of Ohio. Perhaps the railroad companies think so, too.

Mr. BABCOCK. Possibly.

Now, Mr. Speaker, I reserve the remainder of my time.

Mr. MORRELL. Mr. Speaker, I wish to ask a separate vote on the proposition that the House recede from amendments 39 and 41 and concur in those amendments.

The SPEAKER. The Clerk will read the two amendments to which the gentleman's motion refers.

The Clerk read as follows:

Amendment 39:
On page 18, in lines 21 and 22, strike out "five hundred thousand."
Amendment 41:
On page 19, in line 1, strike out "five hundred thousand."

Mr. MORRELL. Mr. Speaker, this simply affects the Pennsylvania railroad, and upon this motion I desire the previous question.

Several MEMBERS. Oh, no.

Mr. CANNON. The floor was not yielded to the gentleman for that purpose.

Mr. MORRELL. Mr. Speaker, it is possible, but it is not at all probable, that the railroad companies would accept the propositions embodied in this act if the House amendments to this act were adopted. Their rights under existing laws are such that it is optional with them to accept or reject this legislation. They have vested rights which the courts will uphold. They are not here in the attitude of mere supplicants at the mercy of this House.

Suppose we make it against their interest to accept this legislation, will they accept it? They certainly will not. Can we compel them to accept? We certainly can not. What, then, would be the result of insisting upon an unreasonable and unbusiness-like provision in this legislation? Would it not be, in effect, to defeat it, while in appearance we enacted it? Would it not be to revive the legislation of 1901, which this legislation professes to repeal? If it were the design of gentlemen who so persistently opposed the acts of 1901 because those acts would preclude the possibility of getting a union station without the assent of the railroads themselves—if it were their design, I say, to perpetuate

those acts and nullify this one, they could not accomplish that design more surely than by insisting upon the House amendments which make the bill unacceptable to the railroad companies.

Everybody knows that the Pennsylvania Railroad and the Baltimore and Ohio Railroad were satisfied absolutely with the act of February 12, 1901, which granted them additional facilities at the terminals that they now occupy. It was only in deference to those who had a desire to beautify the city of Washington and enlarge on a new scale the Mall that the Pennsylvania Railroad agreed to remove its tracks to the new proposed site. In the same way everyone knows that the Baltimore and Ohio Railroad, in deference to that wish, expressed not only upon the part of those who had the duty of beautifying Washington in charge, but also in deference to all those interested in having a union terminal station, agreed to the proposition.

Gentlemen will remember that at the time the debate on this matter was in progress in the House the only cry was for a union station. The one cry was to not give these extra acres on the Mall to the Pennsylvania Railroad—do not give the additional facilities at C street to the Baltimore and Ohio—and why? Because that would absolutely eliminate the possibility of a union station in Washington. That question grew and grew and grew and that sentiment increased until out of deference to that sentiment it was agreed between the presidents of the two railroads and the Committee on the District of Columbia of the Senate that they would consider a proposition for a terminal station.

Never for one moment, when that proposition was under discussion, did they imagine that any portion of the amount of money which was to be given to each railroad would in any way, shape, or manner be lessened under this new agreement in view of the increased amounts of money to be expended by or the lessened facilities of the railroad companies under the union-station bill. On the contrary, that was taken for granted, and I consider that in the present instance they have an absolute contract and can insist on proceeding with their work under the legislation granted to them on February 12, 1901, if we do not in the present instance make every effort to meet them in this new bill—at least not deprive them of what we have already granted under the act of February 12, 1901. The amount asked to be restored is not large.

On the other hand, what have we in jeopardy? We have in jeopardy the realization of something for which every member of Congress and every citizen of the District and of the United States has long hoped and prayed for, viz, proper terminal facilities in Washington. It is not a time, Mr. Speaker, to be penny wise and pound foolish. We desire a station. The railroads have met us halfway—more than halfway. The Pennsylvania Railroad, to further this desire on the part of Congress and on the part of the District of Columbia, has been willing, according to its own statements, to spend over \$3,000,000 extra. The Baltimore and Ohio Railroad in like manner is called upon to spend an extra amount of money, not so much perhaps as the Pennsylvania, but what is a contract with the Pennsylvania road is equally a contract with the Baltimore and Ohio Railroad, and I maintain can be equally enforced.

Mr. MUDD. I would ask the gentleman, Mr. Speaker, who made the contract.

Mr. MORRELL. There was no absolute written contract. Except the contract that was entered into between the Baltimore and Ohio Railroad and the Pennsylvania Railroad and the Congress when those acts were passed, and what I maintain is that if this new legislation is not put in such shape as will be in justice acceptable to the railroads they can proceed under the legislation that was then granted to them on February 12, 1901.

Mr. HULL. Mr. Speaker, does the gentleman think that Congress can not change the terms of that last act and go ahead and enforce the contract in view of the act of Congress?

Mr. MORRELL. I should imagine there would be an equity to the railroads should they proceed under the act of February 12, 1901, which would put this matter into court, and we would perhaps for some years to come be without these terminal facilities which we so very much desire.

Mr. COWHERD. Mr. Speaker, may I ask the gentleman a question?

The SPEAKER. Does the gentleman yield?

Mr. MORRELL. One minute. I desire to go on for a moment, as far as the Baltimore and Ohio Railroad is concerned. The Baltimore and Ohio Railroad, perhaps, is not called upon to spend as large a sum of money as the Pennsylvania Railroad, according to the figures shown by the representatives of that road. Reference is made by the distinguished chairman of this committee to the lessened expense that they would be under by the viaduct being shortened the distance between C street and the Massachusetts avenue site and the reduction of 10 feet in height of the viaduct; but, Mr. Speaker, that reduction, which is but 10 feet, would be more than offset by the larger cuts which will be

necessary at the lower end of the line as it enters the District of Columbia.

We may not, perhaps, be called upon to pay for the facilities that the Baltimore and Ohio Railroad are deprived of in being obliged to move their freight sheds to Eckington from what is today the best freight terminal possible in Washington, and yet at the same time it must be taken into consideration when we are asking them voluntarily to surrender terminal facilities which were granted to them under the act of February 12, 1901, and with which they were perfectly satisfied.

Mr. Speaker, I reserve the balance of my time.

Mr. BABCOCK. Mr. Speaker, I yield five minutes to the gentleman from Maryland [Mr. MUDD].

Mr. MUDD. Mr. Speaker, I do not intend to undertake at this time a discussion of the merits of these alternative propositions, whether we shall give as a Government contribution to the expenditure of each of these two railroads one million of dollars or one million and a half of dollars.

The railroads are not a party to this controversy in its present position. The conferees have been appointed by the two Houses to confer over the matter of what we should give to these railroads. The House, unanimous in its action as to this branch of the bill, has declared in favor of giving them \$1,000,000 apiece, and it reduced the amount from one million and a half because the adoption of the present site, which the railroad companies insisted upon and demanded, entails a cost upon the District and National governments of more than a million dollars more than the one preferred and at one time decided upon by the House committee.

Mr. Speaker, it is perhaps not a parliamentary or a proper thing to state just what took place in conference, and I do not intend to do so; but I undertake to say here to-day that there never has been any request from anybody having anything to do with these items of disagreement, with whom the House conferees ever talked or had the right to talk, for anything more than splitting the difference and giving each railroad a million and a quarter of dollars; so that if this House this afternoon shall vote to give each of these railroads a million and a half dollars it will simply vote to donate \$500,000 out of the National and District treasury for this purpose. It is not asked for by anyone having a right to ask it under the present circumstances. I undertake to say that in twenty minutes, yes, in five minutes, after this measure goes back to conference, if it shall go, we can get an agreement, if the House conferees shall be willing to do so, by which at least \$500,000 would be saved, as against the proposition now made by a member of the District Committee, my colleague from Pennsylvania [Mr. MORRELL].

All legislation is to some extent a matter of compromise. Compromise involves agreement, involves compact in some instances in a perfectly legitimate and honorable manner. When this bill was before the District Committee of the House for consideration, and these railroads came and told the committee that they would not build on the site which saved this Government more than a million dollars, we put them back where they asked to go, and unanimously agreed among ourselves that we would stand to this proposition, giving them a million dollars apiece only.

After having done that, when as I say the situation is open to us at this moment to get an agreement for a million and a quarter each, it seems to me a preposterous proposition that this House should be asked to repudiate its former action, to repudiate the action of its conferees, and to donate a half million dollars to these two railroads. I think I may say I know that we can get an agreement forthwith on a million and a quarter to each railroad. I say further that I think it is quite likely that we can secure the adoption of the House proposition.

I have every inclination, Mr. Speaker, to deal fairly and to deal liberally with these railroad companies in the legislation providing for the construction by them of a union depot in this city, but I can not commit myself to such a policy of stultification as to vote now for a return to the Senate proposition of a million and a half dollars to each. [Applause.]

Mr. BABCOCK. Mr. Speaker, I yield to the gentleman from Illinois [Mr. CANNON] five minutes.

Mr. CANNON. The gentleman from Missouri [Mr. COWHERD] is a member of the committee and desires to address the House.

Mr. BABCOCK. I yield to the gentleman from Missouri [Mr. COWHERD].

Mr. COWHERD. Mr. Speaker, I want to take the floor only for a few minutes on this proposition, and I ask of the House that I may proceed without interruption.

I want to say that in my opinion the union station is not jeopardized by a further disagreement on this measure, and that the only thing that is jeopardized on the issue now presented is the Treasury of the United States. [Applause.] The gentleman was right when he said that the opposition we made to the railroad

bills of 1901 was to their taking that piece out of the Mall, and also the fact that we did not have a union station.

It is true further that I opposed any contribution to the railroads, but the utmost that anybody ever asked that the railroads should have was 50 per cent of the cost of elevation, and I have a book here issued since those bills passed, where the railroad commissioners of the States met and a report upon that subject was made by a committee that had investigated it, and on the strength of that report I say that 35 per cent is more nearly the average given by the States, where anything is given, than 50 per cent.

Now, on this proposition, let me show you what we have done for these two railroads; and I want the House to catch these figures. In this bill the gift in land to the Baltimore and Ohio Railroad is \$1,464,280. We add to that a million dollars in money, or a total of \$2,464,280.

In regard to the Pennsylvania Railroad, gentlemen must remember that we gave them the absolute title to that Long Bridge. They had the right to use the Long Bridge before, so long as they maintained a highway bridge for the people of this District and the adjoining State. We took that condition away absolutely and gave them the right to the highway bridge, and to-day we are faced with an appropriation of \$996,000 to meet that gift that we made to the Pennsylvania road.

But aside from that I want you to remember that in the bill of two years ago the Mall was only a small part of the land given. They got 12 acres of Garfield Park and numerous streets and reservations in this city, all of which they retain, except the Mall, so that as this bill stands we give the Pennsylvania Railroad Company \$1,786,476 worth of real estate belonging to the District and the Government here in the city of Washington. In addition to that we give them a million dollars in money.

Now let us see how the balance stands as between the railroads and the Government. You say we ought to pay 50 per cent of the cost of elevation. Well, everybody admits that this great union station is not to be a part of the cost of elevation. You have got two old shacks here now that would have to be torn down and rebuilt, whatever is done, and after this is over you will have one magnificent union station, serving all the roads that enter. Now the railroads are to spend \$13,000,000, and of that \$2,000,000 is given them by the Government.

So their expenses out of their own pockets are \$11,000,000, of which \$4,000,000 go into the depot itself. So that the total cost to the railroads to readjust the tracks and build the tunnel, and the Pennsylvania Railroad getting a new entrance into the city, that shortens the time between here and Baltimore and New York, the total cost for it all is \$7,073,133; and the cost to the Government, when you include the value of the land given, the value of the contributions to the road, the cost of land purchased for the plaza, grades readjusted, damages, and the value of the bridge to be built, is \$8,010,750.

The Government paying a million more for this change than the roads pay for everything when you take the depot out. Gentlemen talk about 50 per cent. There is more than 50 per cent of the total cost of all the improvements, the depot excepted, and I respectfully submit that this is a most liberal contribution and not another cent should be made.

Why, when the president or vice-president of the Pennsylvania road was before our committee—and it has been said that all cities give 50 per cent of the cost of elevation of the tracks and improvement of terminals—it developed that that road was to spend \$50,000,000 in improving its terminals in New York. Do you know how much the city of New York was to contribute? Only a lease of a subway under the street, on which the road forever is to pay an annual rental.

I submit that not only the conferees ought to be sent back with a disagreement, but if they can not agree, and come back, they ought to be instructed not to consent to any additional gift to these roads, and the other branch of this legislative body ought to know that the House proposes to stand by its position in this measure. [Applause.]

I want to say here and now that in my humble judgment the railroad companies will be glad to accept the magnificent contribution that was made in the bill as it passed the House. [Loud applause.]

Mr. BABCOCK. I yield to the gentleman from Illinois.

Mr. CANNON. Mr. Speaker, I recollect when this bill passed the House. It passed the House, as reported from the District Committee, with this very amendment upon it. I was against the bill. I found myself in the minority. No question about the desire of members for a union depot; no question about the desire of the railroad companies to have it pass the House with the House amendment. Nay, nay, not a particle. When it passed the House with the House amendment, it went over to the Senate. That much had been obtained.

Now, I fancy the party desiring this legislation said let us go for the balance, and get the million reduction in the House amendment stricken out. That is the position. A wayfaring man, though a fool, could read as he ran. [Laughter.] Now, I have nothing against the railroads; I am for them. They are quite as much of interest to the people they serve as they are to themselves. I believe in good terminal facilities; and I want to ask my friend right here whether the bridge over the Potomac, the Garfield Park, and the other contributions are not in addition—and damages that the District pays—about \$4,000,000 in cash. Is that right?

Mr. BABCOCK. Practically that.

Mr. CANNON. Practically \$4,000,000 donation, plus the bridge across the Potomac, and Garfield Park, how many acres I do not know.

Mr. BABCOCK. Oh, no; that does not include the bridge across the Potomac.

Mr. CANNON. No?

Mr. BABCOCK. That included the cash contribution of \$2,000,000, \$1,600,000 damages for Massachusetts avenue site, and \$170,000 damages in the lower part of the city near Virginia avenue; a total of \$3,770,000.

Mr. CANNON. Precisely. In addition to that is the bridge. In addition to that is the donation at Garfield Park, or four millions in cash outside of these other things! Query: Is not that enough? I will ask my friend, a shrewd business man and a representative on this conference committee, in his judgment, if the House stands by the House amendment, will the conference committee come to an agreement?

Mr. BABCOCK. Well, Mr. Speaker, I am very glad to see that the gentleman from Illinois has changed his mind since we were discussing the other bill. [Laughter.]

Mr. CANNON. One thing at a time. This is the thing that we are now talking about. [Laughter.]

Mr. BABCOCK. Mr. Speaker, as one of the conferees on the part of the House, I hardly think it would be good taste for me to report to the House what might or might not be said in conference.

Mr. CANNON. I ask my friend's judgment. If the House stands firm, if this legislation is enacted with the House amendment on it, will it become a law and will it not be accepted gladly by the railroads? I want the gentleman's judgment on it.

Mr. BABCOCK. There is no question about that proposition—that the bill will become law as it is if the House stands by its proposition.

Mr. CANNON. Now, then, gentlemen, choose ye whom this day you will serve. [Laughter.] [Cries of "Vote!" "Vote!"]

The SPEAKER pro tempore. The question is on the motion of the gentleman from Pennsylvania to recede.

Mr. BABCOCK. Mr. Speaker, I would like to have that motion stated clearly.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Pennsylvania that the House recede from the two amendments which have been read by the Clerk.

Mr. MORRELL. Amendments 39 and 41.

Mr. BABCOCK. That is the contribution affecting the Pennsylvania Railroad.

The SPEAKER pro tempore. The Clerk will report them again; the Chair will not put any interpretation upon them.

The Clerk read as follows:

Amendment 39: On page 18 strike out the words "five hundred thousand." Amendment 41, page 19, line 1, strike out the words "five hundred thousand."

The SPEAKER pro tempore. The question is on the motion to recede.

The question was taken; and on a division (demanded by Mr. MORRELL) there were—ayes 57, noes 107.

So the motion was lost.

Mr. BABCOCK. Now, Mr. Speaker, I ask the previous question on my motion to insist and ask for a further conference.

The SPEAKER pro tempore. The gentleman from Wisconsin demands the previous question on his motion to insist and ask for a further conference.

The motion was agreed to, and the previous question was ordered.

The SPEAKER pro tempore. The question now recurs to the motion of the gentleman from Wisconsin that the House further insist on all of its amendments and ask for a further conference.

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

By unanimous consent, the Speaker pro tempore appointed the following conferees on the part of the House: Mr. BABCOCK, Mr. MUDD, and Mr. MEYER of Louisiana.

Mr. CANNON. Mr. Speaker, I move that the House do now adjourn.

LEAVE OF ABSENCE.

Pending the motion to adjourn, by unanimous consent, leave of absence was granted as follows:

To Mr. RANDELL of Louisiana, for three days, on account of important business.

To Mr. MEYER of Louisiana, indefinitely, on account of sickness in family.

ENROLLED BILLS PRESENTED TO THE PRESIDENT OF THE UNITED STATES.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had presented this day to the President of the United States for his approval bills of the following titles:

H. R. 16604. An act making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1904;

H. R. 15198. An act defining what shall constitute and providing for assessments on oil mining claims;

H. R. 14899. An act to amend an act entitled "An act to incorporate The National Florence Crittenton Mission;"

H. R. 7007. An act for the relief of the legal representatives of Maj. William Kendall;

H. R. 2441. An act for the relief of William M. Bird, James F. Redding, Henry F. Welch, and others; and

H. R. 15747. An act directing the issue of a check in lieu of a lost check drawn by George A. Bartlett, disbursing clerk, in favor of Fannie T. Sayles, executrix, and others.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 6773. An act to expedite the hearing and determination of suits in equity pending or hereafter brought under the act of July 2, 1890, entitled "An act to protect trade and commerce against unlawful restraints and monopolies."

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. 11544. An act to correct the military record of Thomas J. Morman;

H. R. 7. An act authorizing the Secretary of War to cause to be erected monuments and markers on the battlefield of Gettysburg, Pa., to commemorate the valorous deeds of certain regiments and batteries of the United States Army;

H. R. 16646. An act to authorize the construction of a bridge across Bogue Chitto, in the State of Louisiana;

H. R. 3502. An act for the relief of the estate of M. J. Grealish, deceased;

H. R. 2432. An act for the relief of Edward S. Crill;

H. R. 14047. An act for the relief of the clerks of circuit and district courts of the United States;

H. R. 16975. An act to authorize the construction of a bridge across the Monongahela River, in the State of Pennsylvania, by the Eastern Railroad Company;

H. R. 14512. An act to amend an act to add certain counties in Alabama to the northern district therein, and to divide the said northern district, after the addition of said counties into two divisions, and to prescribe the times and places for holding courts therein, and for other purposes, approved May 2, 1884;

H. R. 8287. An act granting an increase of pension to Peter Johnson;

H. R. 8288. An act granting an increase of pension to Scott Case; and

H. R. 12064. An act for the relief of Lebbeus H. Rogers and the administration of William B. Moses, deceased.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 6535. An act providing for the construction of light-house and fog-signal stations in Alaskan waters—to the Committee on Interstate and Foreign Commerce.

S. 5918. An act to amend section 1225 of Revised Statutes, so as to provide for detail of retired officers of the Army and Navy to assist in military instruction in schools—to the Committee on Naval Affairs.

S. 4980. An act to incorporate the American Academy in Rome—to the Committee on Foreign Affairs.

S. 6680. An act authorizing the President to reinstate Alexander G. Pendleton, jr., as a cadet in the United States Military Academy—to the Committee on Military Affairs.

S. 5437. An act to authorize the settlement of the accounts of officers of the Army—to the Committee on Military Affairs.

S. 7115. An act to provide for the erection of an addition to the public building in the city of Fargo, N. Dak.—to the Committee on Public Buildings and Grounds.

S. 2205. An act to correct the military record of Joseph T. Vincent—to the Committee on Military Affairs.

S. 7123. An act for the protection of the public forest reserves and national parks of the United States—to the Committee on the Public Lands.

S. 6960. An act for the relief of Charles W. Howard—to the Committee on Military Affairs.

S. 6570. An act to correct the military record of Simeon Perry—to the Committee on Military Affairs.

S. 7233. An act to provide for the purchase of a site and the erection of a building thereon, to be used for a laundry and stable for the Bureau of Engraving and Printing, and to provide for the erection of an addition to the Bureau of Engraving and Printing building on the ground now occupied by the laundry building and stable, and for other purposes—to the Committee on Public Buildings and Grounds.

S. 6653. An act granting a pension to Halvor Paulson—to the Committee on Pensions.

S. 4812. An act granting a pension to Addison Arnold—to the Committee on Pensions.

S. 6689. An act for the protection of wild animals, birds, and fish in the forest reserves of the United States—to the Committee on the Public Lands.

S. 3034. An act for the relief of the owners and officers of the brig *Olive Frances* and others on board of said brig—to the Committee on Claims.

S. 7069. An act for the appointment of additional judge in the Indian Territory—to the Committee on the Judiciary.

S. 6666. An act for the relief of Joseph M. Simms, captain, United States Revenue-Cutter Service (retired)—to the Committee on Interstate and Foreign Commerce.

S. 6895. An act to authorize the promotion of Maj. William Crawford Gorgas, surgeon in the Army of the United States—to the Committee on Military Affairs.

S. 4907. An act to correct the military record of Charles F. Deisch—to the Committee on Military Affairs.

S. 2871. An act to correct the military record of Edward T. Lewis—to the Committee on Military Affairs.

S. 7277. An act granting an increase of pension to Elbert H. Dagnall—to the Committee on Pensions.

Senate concurrent resolution 63:

Resolved by the Senate (the House of Representatives concurring), That there be printed and bound of the proceedings in Congress upon the acceptance of the statutes of Charles Carroll of Carrollton and John Hanson, presented by the State of Maryland, 6,500 copies, of which 5,000 shall be for the use of the House of Representatives, and the remaining 1,500 copies shall be for the use and distribution of the Senators and Representatives in Congress from the State of Maryland.

The Joint Committee on Printing is hereby authorized to have the copy prepared for the Public Printer, who shall procure suitable copper-process plates to be bound with these memorials—to the Committee on Printing.

WITHDRAWAL OF PAPERS.

By unanimous consent, Mr. NEEDHAM was given leave to withdraw from the files of the House without leaving copies the papers in the case of Charles D. Watson, Fifty-seventh Congress, no adverse report having been made thereon.

CHANGE OF REFERENCE.

By unanimous consent, the following change of reference was made: The bill (H. R. 16139) to authorize the Norfolk and Western Railroad Company to bridge the Tug Fork of Big Sandy River at certain points where the same forms a boundary line between the States of West Virginia and Kentucky, from the Committee on Rivers and Harbors to the Committee on Interstate and Foreign Commerce.

The SPEAKER pro tempore. The Chair will call the attention of the House to the fact that Mr. MEYER of Louisiana has notified the Chair that he was called away on account of sickness, and that he will not be present.

Mr. MORRELL. Mr. Speaker, I rose to my feet some moments ago and have been trying to get the attention of the Chair to offer a resolution to instruct the conferees who have just been appointed. I would like to have the resolution read.

Mr. BABCOCK. Mr. Speaker, in view of the fact that a telegram has been received from Mr. MEYER of Louisiana asking for indefinite leave of absence, I suggest the next member on the committee, Mr. LATIMER, be substituted for Mr. MEYER as a conferee.

The SPEAKER pro tempore. The Chair will postpone that matter until to-morrow morning.

Mr. MORRELL. Mr. Speaker—

The SPEAKER pro tempore. The Chair has no knowledge of what the gentleman from Pennsylvania has risen for.

Mr. CANNON. Mr. Speaker, I want to adjourn without any other business, as far as I am concerned. [Laughter.]

The SPEAKER pro tempore. Will the gentleman from Pennsylvania inform the Chair of his purpose in rising?

Mr. MORRELL. My resolution is to instruct the committee on conference appointed by the Chair on the part of the House.

Mr. CANNON. Why, Mr. Speaker, one-half of the House has gone home, and I insist on a vote upon my motion.

The question was taken, and the motion of Mr. CANNON was agreed to; accordingly (at 5 o'clock and 10 minutes p. m.) the House adjourned until to-morrow at 12 o'clock noon.

EXECUTIVE COMMUNICATION.

Under clause 2 of Rule XXIV, the following executive communication was taken from the Speaker's table and referred as follows:

A letter from the Secretary of War, transmitting a copy of a telegram from the governor of the Philippine Islands indicating the necessity of legislation regarding Philippine currency—to the Committee on Insular Affairs, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. DALZELL, from the Committee on Ways and Means, to which was referred the bill of the House (H. R. 2052) making Chester, Pa., a subport of entry, reported the same without amendment, accompanied by a report (No. 3677); which said bill and report were referred to the House Calendar.

Mr. GROSVENOR, from the Committee on Ways and Means, to which was referred the bill of the House (H. R. 16656) regulating the importation of breeding animals, reported the same without amendment, accompanied by a report (No. 3678); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. WARNER, from the Committee on Revision of the Laws, to which was referred the bill of the House (H. R. 7949) to revise and codify the criminal and penal laws of the United States, reported the same with amendments, accompanied by a report (No. 3679); 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. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1227) granting an increase of pension to Bowman H. Peterson, reported the same without amendment, accompanied by a report (No. 3671); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 4287) granting an increase of pension to David N. Tolles, reported the same without amendment, accompanied by a report (No. 3672); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 6576) granting a pension to Marcia B. Ferguson, reported the same without amendment, accompanied by a report (No. 3673); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (S. 6652) granting an increase of pension to Leander W. Cogswell, reported the same without amendment, accompanied by a report (No. 3674); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 6843) granting an increase of pension to A. Paul Horne, reported the same without amendment, accompanied by a report (No. 3675); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 6941) granting an increase of pension to James Monty, reported the same without amendment, accompanied by a report (No. 3676); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 17306) granting a pension to Catherine McGuinn, reported the same with amendment, accompanied by a report (No. 3680); which said bill and report were referred to the Private Calendar.

Mr. CROWLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 16314) granting

an increase of pension to Richard S. Howarth, reported the same with amendment, accompanied by a report (No. 3681); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11371) granting an increase of pension to Ferdinand Heiskell, reported the same with amendment, accompanied by a report (No. 3682); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7708) granting an increase of pension to Bridget Fallon, reported the same with amendment, accompanied by a report (No. 3683); which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. LESSLER: A bill (H. R. 17327) providing for the sale of public lands belonging to the United States—to the Committee on the Public Lands.

By Mr. MARSHALL: A bill (H. R. 17328) to provide free mail transmission in the presentation for payment of executed vouchers for pension—to the Committee on the Post-Office and Post-Roads.

By Mr. APLIN: A bill (H. R. 17329) granting a pension of \$12 per month to all soldiers and sailors serving one year in the war of the rebellion—to the Committee on Invalid Pensions.

By Mr. MONDELL: A bill (H. R. 17330) providing for the removal of the port of entry in the customs collection district of Alaska from Sitka, Alaska, to Juneau, Alaska—to the Committee on Ways and Means.

By Mr. CASSEL: A bill (H. R. 17331) to provide for the extension and enlargement of the public building at Lancaster, Pa.—to the Committee on Public Buildings and Grounds.

By Mr. CLAYTON: A bill (H. R. 17332) to authorize the Brunswick and Birmingham Railroad Company, a corporation, to construct and operate a bridge across the Chattahoochee River, at or near the city of Eufaula, Ala.—to the Committee on Interstate and Foreign Commerce.

By Mr. JENKINS: A joint resolution (H. J. Res. 265) providing for the printing of the bankrupt law, forms and rules in bankruptcy—to the Committee on Printing.

By Mr. GREENE of Massachusetts: A joint resolution (H. J. Res. 266) providing for a joint commission to investigate the policy of international navigation—to the Committee on the Merchant Marine and Fisheries.

By Mr. McRAE: A concurrent resolution of the general assembly of Arkansas relative to the western boundary of Arkansas—to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. BLACKBURN: A bill (H. R. 17333) granting a pension to Hezekiah A. Wood—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17334) granting a pension to Tilman H. McCorry—to the Committee on Invalid Pensions.

By Mr. BRANTLEY: A bill (H. R. 17335) for the relief of B. C. Thompson—to the Committee on Claims.

By Mr. BURTON: A bill (H. R. 17336) granting an honorable discharge to Isaac P. Clark—to the Committee on Military Affairs.

By Mr. CURTIS: A bill (H. R. 17337) granting a pension to Jessie K. Sirlott—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17338) granting a pension to James H. Hill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17339) granting a pension to Henry Webber—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17340) granting a pension to Harriet Neiswender—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17341) granting an increase of pension to Jonathan Hull—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17342) granting an increase of pension to Jacob Maear—to the Committee on Invalid Pensions.

By Mr. FOWLER: A bill (H. R. 17343) for the relief of William R. Tretaway—to the Committee on Claims.

By Mr. HULL (by request): A bill (H. R. 17344) to correct the record of Col. George M. Brayton, United States Army, retired—to the Committee on Military Affairs.

By Mr. LEWIS of Pennsylvania: A bill (H. R. 17345) granting an increase of pension to George M. Gibbons—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17346) granting an increase of pension to John Roth—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17347) for the relief of the legal representatives of John W. Shaw, deceased—to the Committee on War Claims.

By Mr. LONG: A bill (H. R. 17348) granting an increase of pension to John McGregor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17349) granting an increase of pension to William N. Reed—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17350) granting a pension to Lottie Bryant—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17351) for the relief of Frederick A. Miller—to the Committee on Military Affairs.

By Mr. MARSHALL: A bill (H. R. 17352) granting an increase of pension to Anson Heffron—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17353) to correct the record of Henry Lippincott, assistant surgeon-general United States Army—to the Committee on Military Affairs.

By Mr. HEPBURN: A bill (H. R. 17354) granting an increase of pension to Wesley J. Banks—to the Committee on Invalid Pensions.

PETITIONS, ETC.

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

By Mr. ADAMS: Petition of A. E. Brown and other citizens of Philadelphia, Pa., for the passage of a bill to forbid the sale of intoxicating liquors in all Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. ALEXANDER: Resolution of New York State Convention of Universalists, favoring the establishment of a laboratory for the study of the criminal, pauper, and defective classes—to the Committee on the Judiciary.

By Mr. BENTON: Petition of retail druggists of Aurora, Mo., urging the passage of House bill 178, for the reduction of the tax on alcohol—to the Committee on Ways and Means.

By Mr. BOREING: Petition of citizens of Leslie County, Ky., in favor of the good-roads bill—to the Committee on Agriculture.

By Mr. BURNETT: Petition of Carpenters and Joiners' Union No. 271, of Gadsden, Ala., for the repeal of the desert-land law—to the Committee on the Public Lands.

By Mr. BURTON: Protest of Jonathan Lodge, No. 91, Sons of Benjamin, of Cleveland, Ohio, against the exclusion of Jewish immigrants at the port of New York—to the Committee on Immigration and Naturalization.

By Mr. CALDERHEAD: Petition of Cigar Makers' Union No. 345, of Kansas City, Kans., favoring House bill 16457, relating to gifts in connection with the sale of tobacco and cigars—to the Committee on the Judiciary.

Also, petition of Cigar Dealers' Association, of Chicago, Ill., opposing any reduction in the duty on cigars coming from Cuba—to the Committee on Ways and Means.

By Mr. CONNELL: Petition of the Presbyterian congregation of Moosic, Pa., for the passage of a bill to forbid the sale of intoxicating liquors in all Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, petition of Cigar Dealers' Association, of Chicago, Ill., protesting against the reduction of duty on cigars—to the Committee on Ways and Means.

Also, resolutions of the American Chamber of Commerce, of Paris, France, in favor of the adoption of the metric system in the United States—to the Committee on Coinage, Weights, and Measures.

By Mr. COOPER of Wisconsin: Resolution of Cigar Makers' Union No. 290, of Janesville, Wis., in favor of the passage of House bill 16457—to the Committee on Ways and Means.

By Mr. CURTIS: Petitions of retail druggists, of Everest, Tonganoxie, Topeka, Kelly, and Sabetha, Kans., urging the passage of House bill 178, for the reduction of the tax on alcohol—to the Committee on Ways and Means.

Also, resolutions of Carpenters and Joiners' Union, No. 499, of Leavenworth, Kans., for the repeal of the desert-land law—to the Committee on the Public Lands.

Also, resolutions of the Ministerial Alliance, of Leavenworth, Kans., asking for the passage of a bill to promote the efficiency of Army chaplains—to the Committee on Military Affairs.

Also, petition of citizens of Hiawatha, Kans., favoring an educational test for immigrants, etc.—to the Committee on Immigration and Naturalization.

Also, petition of Woman's Christian Temperance Union of Sabetha, Kans., in favor of legislation in restraint of the liquor traffic—to the Committee on Alcoholic Liquor Traffic.

By Mr. DARRAGH: Resolutions of Traverse City Lodge, No.

189. Order of Brith Abraham, of Traverse City, Mich., relating to methods of the immigration bureau at the port of New York—to the Committee on Immigration and Naturalization.

By Mr. DOUGHERTY: Petition of A. M. Howard and other retail druggists of Excelsior Springs, Mo., urging the passage of House bill 178, for the reduction of the tax on alcohol—to the Committee on Ways and Means.

By Mr. HAMILTON: Petition of retail druggists of Van Buren County, Mich., favoring the passage of House bill 178, for the reduction of the tax on alcohol—to the Committee on Ways and Means.

By Mr. HEDGE: Petition of Rand Lumber Company and others, of Burlington, Iowa, and vicinity for the repair of levee on the Mississippi River—to the Committee on Levees and Improvements of the Mississippi River.

By Mr. HOPKINS: Petition of 525 citizens of Sycamore, Ill., against the repeal of the anticanteen law—to the Committee on Military Affairs.

By Mr. HOWELL: Protest of the Woman's Christian Temperance Union of Gladstone, N. J., against the repeal of the anticanteen law—to the Committee on Military Affairs.

By Mr. LONG: Paper to accompany House bill 6086, for the relief of W. H. De Long—to the Committee on Claims.

Also, petition of Thomas W. Sweeney Post, No. 361, Grand Army of the Republic, Department of Kansas, favoring House bill 13986, relating to pensions—to the Committee on Invalid Pensions.

By Mr. MOODY: Petition of various churches and Christian organizations of Forest Grove, Oreg., in favor of legislation in restraint of the liquor traffic—to the Committee on Alcoholic Liquor Traffic.

By Mr. NAPHEN: Resolution of the common council of Boston, Mass., protesting against a depot for the light-house service on Castle Island—to the Committee on Interstate and Foreign Commerce.

By Mr. SHALLENBERGER: Papers in support of House bill 17067, to grant a medal to George W. Churchill—to the Committee on Military Affairs.

Also, petition of Ephraim Cassel and 23 other citizens of Republican City, Nebr., in support of the McCumber bill and in relation to the sale of liquor in immigrant stations, Government buildings, etc.—to the Committee on Alcoholic Liquor Traffic.

Also, petition of A. McMillen and other druggists of McCook, Nebr., urging the reduction of the tax on alcohol—to the Committee on Ways and Means.

By Mr. HENRY C. SMITH: Petition of W. A. Clark and other druggists of Blissfield, Mich., favoring House bill 178—to the Committee on Ways and Means.

By Mr. SMITH of Kentucky: Paper to accompany House bill 15788, relating to the claim of G. W. Upton—to the Committee on War Claims.

SENATE.

TUESDAY, February 10, 1903.

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. McCUMBER, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal, without objection, will stand approved.

COMMERCIAL AND AGRICULTURAL ASSOCIATIONS.

The PRESIDENT pro tempore laid before the Senate a communication from the Interstate Commerce Commission, transmitting, in response to a resolution of July 1, 1902, certain information concerning the list of national, State, and local commercial organizations and also national, State, and local agricultural associations of the United States; which, with the accompanying papers, was referred to the Committee on Interstate Commerce, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 4825) to provide for a union railroad station in the District of Columbia, and for other purposes; further insists upon its amendments numbered 39 and 41, and so much of amendment numbered 57 as relates to striking out of section 13 of the bill and the substitution of matter in lieu thereof, upon which the committee of conference were unable to agree; asks a further conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. BABCOCK, Mr. MUDD, and Mr. LATIMER managers at the conference on the part of the House.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 7656) to amend section 1 of an act entitled "An act to amend sections 5191 and 5192 of the Revised Statutes of the United States, and for other purposes;" asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. FOWLER, Mr. HILL, and Mr. TALBERT managers at the conference on the part of the House.

The message further announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 15659) granting a pension to Elise Sigel, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. APLIN, Mr. HOLLIDAY, and Mr. NORTON managers at the conference on the part of the House.

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

A bill (H. R. 3504) granting an increase of pension to Grace A. Negley;

A bill (H. R. 5101) granting an increase of pension to Benjamin Contal;

A bill (H. R. 7110) granting an increase of pension to Aurelia M. Power;

A bill (H. R. 8663) to remove the charge of desertion from the military record of Charles F. Woodford and grant him an honorable discharge;

A bill (H. R. 9107) granting a pension to Austin A. Vore;

A bill (H. R. 10095) for the relief of Levi L. Reed;

A bill (H. R. 10672) granting a pension to Ada S. Kempfer; and

A bill (H. R. 15911) granting an increase of pension to George N. McMurray.

ENROLLED BILLS SIGNED.

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

A bill (S. 6773) to expedite the hearing and determination of suits in equity pending or hereafter brought under the act of July 2, 1890, entitled "An act to protect trade and commerce against unlawful restraints and monopolies;" "An act to regulate commerce," approved February 4, 1887, or any other act having a like purpose that may hereafter be enacted;

A bill (H. R. 7) authorizing the Secretary of War to cause to be erected monuments and markers on the battlefield of Gettysburg, Pa., to commemorate the valorous deeds of certain regiments and batteries of the United States Army;

A bill (H. R. 2422) for the relief of Edward S. Crill;

A bill (H. R. 3502) for the relief of the estate of M. J. Grealish, deceased;

A bill (H. R. 8287) granting an increase of pension to Peter Johnson;

A bill (H. R. 8288) granting an increase of pension to Scott Case;

A bill (H. R. 11544) to correct the military record of Thomas J. Morman;

A bill (H. R. 12064) for the relief of Lebbeus H. Rogers and the administrators of William B. Moses, deceased;

A bill (H. R. 14047) for the relief of the clerks of circuit and district courts of the United States;

A bill (H. R. 14512) to amend an act to add certain counties in Alabama to the northern district therein, and to divide the said northern district, after the addition of said counties, into two divisions, and to prescribe the times and places for holding courts therein, and for other purposes, approved May 2, 1884;

A bill (H. R. 16646) to authorize the construction of a bridge across Bogue Chitto, in the State of Louisiana; and

A bill (H. R. 16975) to authorize the construction of a bridge across the Monongahela River, in the State of Pennsylvania, by the Eastern Railroad Company.

PETITIONS AND MEMORIALS.

Mr. GALLINGER presented the petition of J. Bunyon Lemon, of Manchester, N. H., praying for the enactment of legislation granting to the States the power to deal with intoxicating liquors which may be shipped into their territory from other States, and also to prohibit the sale of intoxicating liquors in immigrant stations and in Government buildings; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Northeastern Suburban Citizens' Association of Langdon, D. C., praying for the adoption of an amendment to the Constitution of the United States, respecting suffrage in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. PLATT of New York presented memorials of sundry citizens of New Hamburg and Poughkeepsie, in the State of New York, remonstrating against the enactment of legislation relative to the interstate transportation of live stock; which were referred to the Committee on Interstate Commerce.